MINUTES OF THE MEETING OF THE BAROSSA COUNCIL
held on Tuesday 19 June 2018 commencing at 9.00am in the
Council Chambers, 43-51 Tanunda Road, Nuriootpa

1.1 WELCOME
Deputy Mayor Lange declared the meeting open at 9.00am.

1.2 MEMBERS PRESENT
Cr Michael (Bim) Lange, Deputy Mayor Crs Margaret Harris, Scotty Milne, John Angas,
Tony Hurn, Richard Miller, Leonie Boothby, Christopher Harms, Dave de Vries, and Michael
Seager

1.3 LEAVE OF ABSENCE
Mayor Bob Sloane

1.4 APOLOGIES
Cr Mark Grossman

MOVED Cr de Vries that the apology received from Cr Mark Grossman be noted.
Seconded Cr Milne CARRIED 2014-18/1411

1.5 MINUTES OF PREVIOUS COUNCIL MEETINGS

MOVED Cr Miller that the Minutes of the Council meeting held on Tuesday 15 May 2018
at 9.00am, as circulated, be confirmed as a true and correct record of the proceedings
of that meeting.
Seconded Cr Seager CARRIED 2014-18/1412

MOVED Cr de Vries that the Minutes of the Special Council meeting held on Tuesday 15
May 2018 at 10.30am, as circulated, be confirmed as a true and correct record of the
proceedings of that meeting.
Seconded Cr Harms CARRIED 2014-18/1413

MOVED Cr Milne that the Minutes of the Special Council meeting held on Wednesday 6
June 2018 at 5.00pm, as circulated, be confirmed as a true and correct record of the
proceedings of that meeting.
Seconded Cr de Vries CARRIED 2014-18/1414
MOVED Cr de Vries that the Minutes of the Special Confidential Council meeting held Wednesday 6 June 2018 at 5.19pm, as circulated, be confirmed as a true and correct record of the proceedings of that meeting.
Seconded Cr Miller
CARRIED 2014-18/1415

MOVED Cr Milne that the Minutes of the Special Confidential Council meeting held Wednesday 6 June 2018 at 5.22pm, as circulated, be confirmed as a true and correct record of the proceedings of that meeting.
Seconded Cr de Vries
CARRIED 2014-18/1416

1.6 MATTERS ARISING FROM PREVIOUS COUNCIL MEETING
Nil

1.7 NOTICE OF MOTION
Nil

1.8 QUESTIONS ON NOTICE
Nil

2. MAYOR

2.1 MAYOR’S REPORT

MOVED Cr de Vries that the Mayor’s report be received.
Seconded Cr Hurn
CARRIED 2014-18/1417

3. COUNCILLOR REPORTS
Nil

4. CONSENSUS AGENDA

5. ADOPTION OF CONSENSUS AGENDA

5.1 ITEMS FOR EXCLUSION FROM THE CONSENSUS AGENDA
Nil

5.2 RECEIPT OF CONSENSUS AGENDA

MOVED Cr Harris that the information items contained in the Consensus Agenda be received and that any recommendations contained therein be adopted.
Seconded Cr Seager
CARRIED 2014-18/1418

5.3 DEBATE OF ITEMS EXCLUDED FROM THE CONSENSUS AGENDA
Nil

6. VISITORS TO THE MEETING/ADJOURNMENT OF MEETING

6.1 VISITORS TO THE MEETING
Nil

6.2 ADJOURNMENT OF COUNCIL MEETING
Nil

7. DEBATE AGENDA

7.1 MAYOR - DEBATE
Nil
7.2 EXECUTIVE SERVICES – DEBATE

7.2.1 CHIEF EXECUTIVE OFFICER - DEBATE

7.2.1.1 QUARTERLY UPDATE TO DELEGATIONS REGISTER

B7510

Mr Martin McCarthy, Chief Executive Officer informed Council of an error in the wording of delegation contained on page 26 of the agenda 113.1.2 which should read “in any other case…” not “in the any other case.”

**MOVED** Cr Harris

(1) Revocation of Delegations

The Council hereby revokes delegations to the Chief Executive Officer of those powers and functions under the:

(a) Development Regulations 2008 at Regulation 83(3) and which is specified in an extract contained in Attachment 1 of this report; and

(b) Local Government Act 1999 at sections 224 and 225(1) and which are specified in an extract contained in Attachment 2 of this report.

(2) Delegations made under the Development Act 1993

(a) In exercise of the powers contained in Section 20 and 34(23) of the Development Act 1993, the Council hereby delegates to the person occupying the office of Chief Executive Officer of the Council the powers and functions contained in Development Regulations 2008 at Regulation 83(3) and which is specified in an extract contained in Attachment 1 of this report.

(b) Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fits and in accordance with the relevant legislation.

(3) Delegations made under the Local Government Act 1999

(a) In exercise of the power contained in Section 44 of the Local Government Act 1999, the Council hereby delegates to the person occupying the office of Chief Executive Officer of the Council the powers and functions under the Local Government Act 1999 at sections 225(4), 225A(1) and 225A(4) and which are specified in an extract contained in Attachment 2 noting the revised wording to delegation 113.1.2 as detailed in the minutes above of this report.

(b) Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit and in accordance with the relevant legislation.

(4) That the Instruments of Delegation under these Acts be amended in accordance with this resolution.

**Seconded** Cr Milne

**CARRIED 2014-18/1419**
PurPOSE

Council is asked to delegate those amended and additional powers to the Chief Executive Officer which are now available under the Development Regulations 2008 and the Local Government Act 1999.

Background

Council may only exercise those powers and functions which are conferred on it by legislation. The ways in which Council may exercise its powers and functions are:

- when the Elected Body itself exercises the power or function at a formally constituted meeting; and
- when the legislation enables it, a power or function may be delegated pursuant to an Instrument of Delegation and exercised in the name of a delegate.

Used well, delegations greatly assist Council by enabling the Elected Body to progress with the strategic element of local government and leave the day-to-day operations and administration to the staff who have the relevant expertise and experience to deal with such matters - thus improving effectiveness and efficiency.

Introduction

The Barossa Council’s Delegations Register is reviewed each financial year in accordance with section 44(6) of the Local Government Act 1999, and by way of best practice quarterly, and amended if the Local Government Association’s Quarterly Reviews or urgent updates recommend that amended Instruments of Delegation be immediately adopted.

The review before Council today is a quarterly one, on advice from the LGA which has identified updates to the delegation templates and confirms that new delegations should be in place as soon as possible.

Discussion

1. Development Regulations 2008

The amendment to the Development Regulations at Regulation 83(3) means that Council no longer has a discretion to waive the requirement for a statement of compliance for designated buildings, so Council will have to check the types of cladding material being used in certain types of buildings. This amendment supports the introduction of the Development (Building Cladding) Variation Regulations 2018. Amendments are provided by way of track-changes in attachment 1.

2. Local Government Act 1999

The Local Government Act 1999 has new and amended delegations regarding the issuing and cancelling of permits and adopting and amending location rules for the purposes of mobile food vending businesses. Amendments are provided by way of track-changes in attachment 2.

By way of summary the following amendments and additions are:

- Section 224, 225(1), and (4) regarding cancellation of authorisation or permit
- Section 225A(1) and (4) regarding location rules.

Attachment 3 is the LGA’s Table of Delegations Updates which outlines the required changes to powers and functions of its Instruments of Delegations under the Development Act and Regulations and the Local Government Act.

Summary and Conclusion

Council is now asked to approve the new and amended powers for delegation to the CEO.

Attachments or Other Supporting References

Attachment 1: Proposed amendments to Instrument of Delegation under the Development Regulations 2008
Attachment 2: Proposed amendments to Instrument of Delegation under the Local Government Act 1999
Attachment 3: Local Government Association Table of Updates for quarter ending March 2018
COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

How We Work – Good Governance

Corporate Plan
How we work – Good Governance:
6.2 Ensure that Council’s policy and process frameworks are based on principles of sound governance and meet legislative requirements.

Legislation
Local Government Act 1999: Sections 44(6), 224, 225, 225A
Development Regulations 2008

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial
There are no financial considerations.

Resource
Facilitation of these delegations to the CEO will be undertaken according to officer’s existing duties.

Risk
The risk of having ineffective or invalid delegations is minimised as the delegations being considered have been recommended by Norman Waterhouse Lawyers (which prepared the Instruments for the LGA). It is imperative that delegations are validly made as consequences of ineffective or invalid delegations include:

- the exercise of power may fail – ie the decision made may be liable to being overturned by a court
- the cost of a successful challenge to a decision made without lawful delegation will likely be borne by the Council
- where the unlawful exercise of the power has caused loss or damage the Council may be liable for such loss or damage.

COMMUNITY CONSULTATION

There is no legislative requirement to consult the community in this situation, nor, in officers’ opinions, do the particular circumstances require it as the delegations themselves are based on prescribed LGA templates where there is no option for amendment through community feedback.

For transparency, the community has access to the delegations register on Council’s website so is made aware of the powers of the CEO as delegated by the Council, and also the powers of officers as sub-delegated by the CEO.

7.2.1.2 PROCUREMENT POLICY
18/34029

Author: Manager Strategic Projects

Mr Martin McCarthy, Chief Executive Officer, informed the Council of an error in the wording of the table contained in the report on page 34 that ‘Stream 2’ under the ‘Value of Purchase’ should read ‘$1,000,001 and above’ not $1000,000.001 and above’ – The policy document attached to the report is correct.

MOVED Cr de Vries that Council:

(1) Approves the updated Procurement Policy.
(2) Approves the delegation of authority to the Chief Executive Officer to review, update and approve as necessary, supporting processes to facilitate implementation of the Procurement Policy.

(3) Approves the delegation of authority to relevant Directors to approve tenders up to the value of $250,000.

(4) Approves the delegation of authority to the Chief Executive Officer to approve tenders up to the value of $1 million.

Seconded Cr Milne

CARRIED 2014-18/1420

PURPOSE

To present an updated version of Council’s Procurement Policy for consideration and approval.

REPORT

Background

Council’s Procurement Policy was last updated and approved at the Council Meeting of 21 June 2016. In accordance with Council’s biennial policy review cycle, the attached Procurement Policy has been reviewed and is presented for Council’s consideration and approval.

Introduction

Given the continued success of Council’s procurement framework combined with the introduction of minimal legislative change since the last policy update, only one key change in relation to tender approval thresholds has been recommended.

Discussion

The updated Procurement Policy provides overarching strategic, principle based guidance on Council’s procurement activity in accordance with Section 49 of the Local Government Act 1999 (the Act) and best practice principles in procurement. The policy defines the methods by which Council can acquire goods and services and sets out principles aimed at ensuring probity, accountability, responsibility, fairness, equity, consistency of approach and effective outcomes for Council.

In reviewing the existing procurement policy, consideration has been given to the increase in the organisation’s maturity in procurement lifecycle management and opportunities for further enhancing efficiency in procurement activity.

With ongoing growth in collaborative procurement and a general transition towards the lengthening of contract terms to multiple years to attract a broader supplier pool and more competitive rates, an increasing number of tenders covering Council’s operational and capital activity are being presented to Council for approval as they exceed the CEO’s current delegated threshold of $500,000. To increase tendering efficiency and in light of the high probity, transparency and accountability standards maintained for Council tenders it is recommended that Council give consideration to the review of tender approval arrangements embedded within the Procurement Policy’s supporting processes to offer a more flexible and efficient decision making process.

Specifically, it is recommended that the delegation of the Chief Executive Officer be increased to $1 million for approval of tenders and that Directors be delegated authority to approve tenders up the value of $250,000. As per previous arrangements, where the Chief Executive Officer determines that a tender is of a Commercial or Community Sensitive nature, it will continue to be presented to Council for approval.

To this end, it is proposed that Council’s procurement thresholds are amended as follows:

<table>
<thead>
<tr>
<th>Value of Purchase ($)</th>
<th>Method of Procurement</th>
<th>Approver</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

To this end, it is proposed that Council’s procurement thresholds are amended as follows:
<table>
<thead>
<tr>
<th>Stream 1</th>
<th>Up to 20,000</th>
<th>Direct Purchase Based on Advertised Price or Written Quotation</th>
<th>As per Council Delegation Register</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$20,001 - $100,000</td>
<td>3 Written Quotations or Direct from Panel</td>
<td>As per Council Delegation Register</td>
</tr>
<tr>
<td></td>
<td>$100,001 - $250,000</td>
<td>Open Tender or Select Tender (minimum 3 tenderers) Where Justification Exists</td>
<td>Relevant Director Unless determined by the CEO that the tender is of Commercial or Community Sensitivity Whereby Approval Must Be Via the CEO</td>
</tr>
<tr>
<td></td>
<td>$250,001 - $1,000,000</td>
<td>Open Tender</td>
<td>Chief Executive Officer Unless determined by the CEO that the tender is of Commercial or Community Sensitivity Whereby Approval Must Be Via Council</td>
</tr>
</tbody>
</table>

| Stream 2          | $100,000,001 and above | Open Tender       | Council |

The above approach is consistent with our partner Councils within the Barossa Regional Procurement Group, who whilst having varying thresholds to trigger full council consideration and approval of tenders, all make provision for the Chief Executive Officer to approve tenders of either up to $1 million where an approved budget exists.

**Summary and Conclusion**

Council’s Procurement Policy has been reviewed and updated with only one key change in relation to tender approval thresholds. The updated documented is now presented for Council’s consideration and approval.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

The Barossa Council Procurement Policy

**COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS**

Community Plan

- Business and Employment
- How We Work – Good Governance

Corporate Plan

5.6 Implement purchasing initiatives that generate savings or reduce expenditure growth and grow the capacity of local suppliers to obtain Council contracts.

6.2 Ensure that Council’s policy and process frameworks are based on principles of sound governance and meet legislative requirements.

6.4 Ensure that decisions regarding expenditure of Council’s budget are based on an assessment of whole of life costs, risks associated with the activity and advice contained within supporting plans.

Legislative Requirements

Independent Commissioner Against Corruption Act 2012
FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
The updated Procurement Policy provides guidance for the acquisition of goods, works, services and contractors across all aspects of the procurement lifecycle to ensure that Council funds are expended in accordance with approved budgets and procurement activity demonstrates value for money.

It is anticipated that further administrative and time efficiencies will be achieved as a result of the amendment of Council’s approval thresholds for the Chief Executive Officer and Directors.

Given the alignment of the proposed changes with our partner Council’s delegation and approval thresholds, and the undertaking by the Chief Executive Officer to refer tenders of commercial or community sensitivity to Council for approval it is anticipated that the proposed amendments to the procurement policy and supporting process will not present any unacceptable risks.

COMMUNITY CONSULTATION
Community consultation is not required under the Act or Council’s Public Consultation Policy.

Further, the Procurement Policy is based on the Local Government Association’s Best Practice Model policy, which in turn is based on legal advice as to legislative compliance and best practice.

7.2.1.3 CARETAKER POLICY
B8123

MOVED Cr Milne

(1) That Council receives, considers and approves the draft Caretaker Policy which is provided as attachment 1 to this report.

(2) The Caretaker Policy is to commence from the close of nominations for the General Election on 18 September 2018 and cease at the conclusion of the General Election.

(3) That the Chief Executive Officer prepares and approves supporting guidelines for the Caretaker Policy.

Seconded Cr de Vries CARRIED 2014-18/1421

PURPOSE
Council is asked to consider an updated Caretaker Policy pursuant to section 91A of the Local Government (Elections) Act 1999.

Background
Section 91A of the Local Government (Elections) Act 1999, requires Council to implement a policy to promote transparent and accountable government in both the Elected Body and Council administration during the Local Government Election Period.

Council’s current Caretaker Policy was approved on 15 July 2014, prior to the 2014 elections, and so now it is due for a review prior to the November 2018 Local Government elections.
Should a member of the public rely on a Council decision made in breach of the Act and supporting policy during the election period (otherwise known as the “caretaker period”) they can seek compensation from Council.

Introduction
The draft Caretaker Policy at attachment 1, as with previous versions, prohibits Council from making certain decisions, known as “designated decisions” during an election period. The intent of restricting the current Council’s decision making in this way is to avoid binding the new Council with decisions of the outgoing Council.

The election period commences on the day nominations for a general election close – ie 18 September 2018 – or at an earlier date if resolved by the Council - and expires at the conclusion of the general election ie on or about 10 November 2018 or soon after depending on when the election count is complete.

Discussion
Decisions which are deemed “designated” and therefore prohibited are with respect to:

(1) the employment or remuneration of the Chief Executive Officer or termination of their employment;

(2) contracts which exceed the greater of $100,000 or 1% of Council rates revenue from the previous financial year (Council’s rate revenue from 2017/18 was $24,746,634 – so Council’s limit is as regards contracts over $247,466);  
   Exceptions:
   - contracts for road works, road maintenance or drainage works are excluded from any such dollar limitation  
   - any decision which relates to the following is excluded from the dollar limitation:
     ▪ emergency works
     ▪ contracts regarding Commonwealth or State funding  
     employment of a Council employee  
     ▪ employment negotiations regarding Council employees generally or a particular class  
     ▪ Community Wastewater Management Systems which has been approved prior to the election period; and

(3) decisions which allow the use of Council resources for the advantage of one or group of candidate over another.

The minimum required under s91A of the Local Government (Elections) Act is to provide a policy regarding designated decisions. However, officers have also included content in the draft Policy regarding “significant decisions” at clause 4, so as to provide the Chief Executive Officer with some flexibility to bring urgent matters to the attention of Council during the election period albeit with strict criteria for doing so. This content is consistent with the current approved Caretaker Policy.

Supporting guidelines for Elected Members and staff which provide examples of behaviour and frequently asked questions about caretaker period behaviour will be prepared and approved by the Chief Executive Officer under delegation (due to the administrative nature of those documents). Although approved versions will be provided to Members and staff in due course, the draft version of these guidelines entitled “Caretaker Guidelines” is provided at attachment 2 for Member information.

Summary and Conclusion
Members are asked to review and approve the draft Policy and receive the supporting draft Guidelines.

Members should consider whether they wish to commence the formal Election Period (ie Caretaker Period) earlier than the closing of nominations on 18 September 2018.
ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: Draft Caretaker Policy
Attachment 2: Draft Caretaker Guidelines

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Corporate Plan

How We Work – Good Governance
6.2 Ensure that Council’s policy and process frameworks are based on principles of sound governance and meet legislative requirements.

Legislation
Local Government Act 1999
Local Government (Elections) Act 1999 – section 91A
Code of Conduct for Council Members
Code of Conduct for Employees

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
Financial
There are no financial costs of implementing this Policy.

Resource
Facilitation of this matter will be undertaken according to officer’s existing duties.

Risk
Council is required to adopt a Caretaker Policy under the s91A of the Local Government (Elections) Act. Should a member of the public rely on a Council decision made in breach of the Act, they can seek compensation from Council.

COMMUNITY CONSULTATION
There is no legislative requirement to consult the community in this situation nor in officer’s opinion is necessary for the following reasons:

- the draft Caretaker Policy is based on a Local Government Association template as prepared by Wallmans Lawyers taking into account legislative compliance and best practice; and
- reporting structures regarding corruption, serious and systemic maladministration and misconduct as mandated by the Independent Commissioner Against Corruption Act 2012 continue in place throughout the election period.

7.2.1.4 NURIOOTPA FUTURES ASSOCIATION – IN_KIND ASSISTANCE
B8178

MOVED Cr de Vries that Council support the Nuriootpa Futures Association with in-kind assistance to bring to fruition the development and upgrade of the old dairy and stables for youth and community benefit as outlined in the report.
Seconded Cr Miller CARRIED 2014-18/1422

PURPOSE
To seek authority in accordance with Council policy to provide in-kind assistance to Nuriootpa Futures Association (NFA) endeavours to upgrade infrastructure for community purposes on the Coulthard House site in Nuriootpa.

REPORT
Background
NFA is the owner of the Coulthard House site located at the intersection of Penrice Road and Murray Street Nuriootpa. NFA has been attempting for some time to find uses and deliver outcomes for the restoration and management of the site. This has included at times Council
assistance in trying to develop programs that would see the house and other infrastructure maintained, but to date have been unsuccessful.

NFA is an incorporated not for profit body established as an entity to support the commercial, social and economic development of Nuriootpa and is run by volunteers. It is actively involved in events and the like and has been a valuable organisation in providing input and support to Council initiatives and plans as a representative local governance body.

Council officers from various departments including planning, building, engineering and the Chief Executive Officer have been liaising and trying to support various plans for development.

**Introduction**

Recently the NFA was successful in obtaining a Fund My Neighbourhood grant of $150,000 to achieve two main aims:

1. Upgrade the old diary to support youth initiatives for Nuriootpa and the wider community and support a meeting place for Raw Impact. Briefly Raw Impact is about supporting community and social development programs and creating a voice for those in Cambodian villages. Many local young adults have formed part of volunteering programs and visits to support the mission of Raw Impact.
2. Upgrade the old stables to create a community meeting place and hire facilities for events, very similar to that provided at Bethany Reserve. It will include upgrades to the floor and interiors and installation of kitchen facilities.

The projects are strongly aligned to NFA’s goals and also importantly to the Aboriginal meaning of Nuriootpa, the ‘meeting place’.

Both projects also require toilet facilities and associated infrastructure to be constructed.

The projects are nearing the end of the planning phase.

**Discussion**

Through many discussions with NFA and their energy and desire to activate the space for community benefit there is some need to undertake preliminary site works to ready the area for construction activity, for which they seek support.

The works that Council has the capacity to support are:

1. Internally rubble spreading and levelling (rubble is being sourced commercially not through Council);
2. Removal and management of hedges, bushes and the like;
3. Removal of concrete block and levelling area for toilet facility;

The costs in time would be approximately 2 staff and machinery for a week plus disposal costs, in the order of $8,000.

**Summary and Conclusion**

The projects being undertaken are of community benefit, being undertaken by a community based not for profit organisation and the request is consistent with other in-kind assistance Council has in the past supported, such as recent works at Mt Pleasant men’s shed and CFS aerial firefighting set up.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Nil

**COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS**

Community Plan

- Natural Environment and Built Heritage
- Community and Culture
1.4 Develop and maintain streetscapes that reflect the character and heritage of the region.
1.5 Provide support and advice to preserve properties and sites which have historic significance.
1.10 Facilitate opportunities to repurpose or find alternative use of built heritage.
2.1 Initiate and support activities which encourage participation and pride in the Barossa Council area.
2.2 Support the development of activities that celebrate the history and culture of the Barossa and its people.
2.4 Encourage and support volunteering in the community.
2.5 Engage with, and support, young people to actively participate in the community and develop the leaders of the future.

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

It is suggested that Council consider in the 2018/19 budget the establishment of a budget for in-kind support; this work will be absorbed within existing budget lines.

**COMMUNITY CONSULTATION**

Offices have met and worked with NFA several times to review and consider the proposal and assist where possible in determining work scope and planning and building requirements.

**7.2.1.5 REMUNERATION TRIBUNAL REVIEW OF COUNCIL MEMBER ANNUAL ALLOWANCES**

**B506**

MOVED Cr Milne that Council note the conduct of the four yearly review of Council member allowances and elect not to make a submission.

Seconded Cr Hurn  

CARRIED 2014-18/1423

**PURPOSE**

Correspondence, as attached, has been received from the independent tribunal for setting Council member allowances in accordance with the Section 76 of the Local Government Act.

**REPORT**

Under Section 76 of the Local Government Act every four years, prior to the general election the independent Remuneration Tribunal considers and sets the allowances that will apply to Council members who applied to the new Council to be elected in November 2018.

Council has been invited to make a submission. Submissions are due by 6 July 2018. Traditionally Council has not made a submission. If Council does wish to do so members are asked to bring forward the matters they wish to raise with the tribunal and a submission will be developed in accordance with the guidance provided at the Tribunal website.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Correspondence from Remuneration Tribunal

**COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS**

Community Plan

How We Work – Good Governance

Legislative Requirements

Section 76 of the Local Government Act

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

Nil at this time, the forward budget has factored in a CPI estimated increase.
COMMUNITY CONSULTATION
Undertaken by the Remuneration Tribunal calling for submissions.

7.2.1.6
OWNERSHIP OF TANUNDA RECREATION PARK
B8122
Author: Director, Community Projects

MOVED Cr de Vries that Council:

(1) Requests of the Crown Lands Office a Crown Condition Agreement to facilitate disposal to the Barossa Council of the Tanunda Recreation Park land (“the land”) contained in Crown Records Volume 5905 Folio 680 and Volume 5752 and Folio 204; subject to the approval by the Minister for Environment and Water, that the transfer will be for nil consideration and agreement by Council that it will only use the land for the agreed purpose.

(2) Approves the anticipated expenditure of up to $2,000 (ex GST) for associated documentation with the Minister’s delegate and Lands Titles Office to be taken from the existing The Big Project budget Q003 872.

(3) Authorises the Director Corporate and Community Services to negotiate a draft agreement with the Minister’s delegate and present the final version for Council’s consideration to a future Council meeting and to pursue exemption for stamp duty purposes in accordance with the Stamp Duties Act 1923.

Seconded Cr Harms

CARRIED 2014-18/1424

PURPOSE
Council is asked to consider an offer by the Crown Lands Office to formally pursue the transfer of ownership of Tanunda Recreation Park from the Crown to Council.

Background
The Tanunda Recreation Park (“the land”) is owned by the Crown and, since 2012 is subject to the Ngadjuri Nation #2 Native Title claim.

Council has care, control and management of the land and has annual insurance and maintenance expenditure of approximately $90,000 ex GST.

At the end of 2017 and as part of The Big Project, Council approved some accelerated works over the land which triggered requirements under the Crown Land Management Act to first consult with and get approval from the Crown Lands office. As part of this consultation, Council officers had to provide an update on the Native Title claim. As it is likely that finalisation of the native title claim in the Federal Court is a long term process, Officers obtained a land tenure search and due to its very complicated history, briefed the lawyer who is representing Council for the Native Title Claim to analyse the search. This confirmed that due to the extensive, consistent and lengthy land use, Native Title has been extinguished and cannot be revived over the land. Accordingly, in the light of this legal advice and in addition to meeting other relevant requirements, approval for the accelerated works and the proposed master plan works was given by Crown Lands.

It was of interest from the tenure search that the then Tanunda Council owned various parcels, which comprised the land throughout the time it was dedicated as a recreation reserve, but transferred it to the Minister/Crown on several occasions. Officers have been unable to find relevant records of that time to establish the rationale for the transfers.

With the Native Title question cleared and the issue of Council’s previous ownership now apparent, Officers considered that it may be timely to broach the question of tenure to Crown Lands and
whether the land can be returned to Council for no consideration. This would avoid the need for costs and delays consulting with Crown Lands every time, pursuant to the Crown Land Management Act, Council wanted to undertake work on the land.

Introduction

Officers met with Crown Lands personnel who were amenable to recommending to the Minister a disposal of ownership to Council based on either of two options for nil consideration.

The two disposals available to Council are:

(a) **Disposal subject to a Crown condition agreement (also known as a CCA)**

- The Minister for Environment and Water would need to approve the direct disposal of the Land for nil consideration on the condition that the Council enter into a Crown condition agreement. Approval from the Treasurer is not required.

- A Crown condition agreement ensures the ongoing use of the Land for agreed purposes. The Crown Solicitor’s Office has prepared a standard Crown condition agreement for adaptation. Crown Lands and the Council would work through the preparation of the agreement, ensuring that the stated purposes reflect the current and anticipated use of the land will be a key requirement.

- The Crown condition agreement would be registered on the certificate of title granted to the Council.

- In terms of the Crown Land Management Act 2009, the Council would no longer require consent to undertake works on the Land (as is the case currently while the land is under custodianship).

- In the event that the Council wants to use the Land for a purpose inconsistent with the Crown condition agreement, the Minister may consider using powers under the Crown Land Management Act 2009 to vary the agreement.

(b) **Special circumstances disposal**

- The Minister for Environment and Water would need to be satisfied that special circumstances exist to justify a direct disposal of the Land to the Council (ie. not offering the land for sale on the open market).

- Both the Minister for Environment and Water and the Treasurer would need to be satisfied that special circumstances exist to justify the disposal of the Land to the Council for nil consideration (ie. not requesting the market value of the land).

- Should the Minister for Environment and Water and the Treasurer approve a special circumstances disposal, the Council would have an unencumbered certificate of title to the Land. In terms of the Crown Land Management Act 2009, the future use of the Land would be unrestricted.

Discussion

Application and document preparation fees will be associated with either disposal option and would be paid by Council, though the Crown Lands Office has estimated these to be approximately $1,500 to $2,000 ex GST.

Legal advice obtained on the available options is that both are low risk for Council and the community. In either case the land will remain on the community land register and subject to the associated legislated requirements. The terms of any Crown condition agreement will be key to how reasonable Council considers this mechanism for the transfer of the land. The biggest risk to Council is incurring a stamp duty liability on the transaction but it is suggested that the nature of the transfer appears to fall within the General exemptions set out in section 16 of the Stamp Duties
Act 1923. This needs to be further clarified and confirmed as part of future discussions with the Crown.

Officers recently briefed the Tanunda Recreation Park community committee regarding the potential transfer and negotiations with the Crown Lands Office at its meeting on the 23 May 2018.

**Summary and Conclusion**

It is clear from recent community consultation (2017) associated with the development of the updated master plan for Tanunda Recreation Park that it plays a significant, highly valued and continuing role as the town’s main recreation parkland for both competitive and passive recreational activities.

Council has invested significant money in the ongoing use of the facility as a recreational asset as have the many community and volunteer groups associated with the park. There is no suggestion of it being used for any other purpose. With this in mind and to provide the highest degree of assurance to the community, whilst vesting ownership with Council, Officers recommend pursuing an application to the Crown Lands office on the basis of a Crown Condition agreement, that will require the ongoing use of the land for the purpose specified in the existing Land Management Agreement (in this case community recreation).

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Not Applicable

**COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS**

Corporate Plan

Health and Wellbeing

4.6 Support the growth and sustainability of sporting, recreational and community clubs and organisation through the provision of shared infrastructure, grants and opportunities to share future use and development.

How We Work – Good Governance

6.8 Provide opportunities for the community to contribute to the ongoing care, improvement and use of Council’s community facilities.

6.17 Advocate for The Barossa Council and its community, our region or local government in South Australia through direct action, representation on or collaboration with local, regional or State bodies.

Legislation

Local Government Act 1999

Crown Land Management Act 2009

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

Financial

Up to $2,000 ex GST anticipated costs for drafting the associated agreement and title amendments. Up to $2,000 ex GST has been allocated for legal advice already obtained to date from the existing Big Project operational budget.

Resource

Facilitation of this matter will be undertaken according to officer’s existing duties.

Risk

Covered in the body of the report and the subject of the legal advice obtained to date.

**COMMUNITY CONSULTATION**

There is no legislative requirement to consult the community in this situation nor in officer’s opinion do the circumstances make this necessary, particularly given the extensive recent community consultation that has taken place regarding the master plan and which reinforced the community commitment to the continuing role of the facility.
Council will continue to maintain and insure the land under the terms of the existing community land management plan.

7.2.1.7
REQUEST FOR ASSISTANCE AND REPORT AGAINST 2017-18 FINANCIAL YEAR BUSINESS PLAN – BAROSSA FOOD
B1485

MOVED Cr de Vries that Council, being satisfied with Barossa Food’s performance against its Financial Year Business Plan 2017-18, authorise the Chief Executive Officer to release budgeted funds of $5,000.
Seconded Cr Seager

CARRIED 2014-18/1425

PURPOSE
To seek authority to release budgeted funds to Barossa Food, given performance against the 2017-18 financial year business plan.

COMMENT
Background and Introduction
As part of a commitment to assist Barossa Food in the 2015-16 financial year budget Council endorsed a further proposal to support Food Barossa in 2016-17 on similar conditions which where:

   (a) Ensures that Council receives appropriate acknowledgement of its contribution on its web site and promotional materials; and
   (b) Is recognised as a member; and
   (c) Provides any relevant publications and access to information as a significant sponsor; and
   (d) Provides an annual report on the achievements against the 2014 Business Plan; and
   (e) Evidence is provided that Food Barossa has sourced at least $5,000 in matching funds from grants and other industry sources in support of its 2014 Business Plan, in addition to its membership base.

Whilst Barossa Food did not correspond with Council in formulation of the 2017-18 budget in seeking furthering support Council still made provision for a further years support totaling $5,000.

Discussion
As a result of a recent meeting of Barossa Partnerships ground and a subsequent meeting between myself and a Board member of Barossa Food it was outlined that the funds were needed to assist the ongoing work to grow our food offering.
Council supports tourism to a significant degree providing many services including our visitor information services. Barossa Food, also has implemented a food offering as part of Council’s tourism services work. It is a natural component of the suite of attractions to our district and thus another value add activity to the tourism picture. There is therefore a strong nexus to Council’s Strategic Plan and what Barossa Food is trying to achieve in its Business Plan. However, Council did resolve in the prior years that the sponsorship would be a short term payment. Barossa Food did not demonstrate full compliance with the conditions initially but has rectified this matter.

Correspondence as attached has been received on the performance against the business plan and this demonstrates successful outcomes for the year and a plan for further achievements within the small finances the group has for 2018-19.

No funds have been allocated within the draft 2018-19 budget for further support.

Conclusion
With demonstration that Barossa Food has demonstrated performance against it plan and growth in social media presence, funds set aside in the budget be released in support of the organisation.
ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Summary of Barossa Food Outcomes and Focus

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan
Business and Employment

5.3 Help build the capacity of the tourism sector and encourage the development of tourist services, including eco and recreational tourism infrastructure.

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial considerations are already within the budget, there are no new risk or resource considerations.

COMMUNITY CONSULTATION

No public consultation is required or considered necessary within the context of Council’s policy.

7.2.1.8
LOCAL EMERGENCY RISK MANAGEMENT PROJECT – FINAL REPORTS
B6057

MOVED Cr Angas that Council having reviewed and considered the Local Emergency Risk Management Report, Implementation Plan and Community Emergency Management Plan, noting they are supported by local and zone based risk assessments and registers:

(1) Endorse the documents and authorise the Chief Executive Officer to provide the documents to the Barossa Zone Emergency Management Committee and SA Fire and Emergency Services Commission in satisfaction of the funding deed.

(2) Instruct the Chief Executive Officer to implement relevant activity in accordance with the implementation plan through the Risk Services Team and seek opportunities for collaborative regional funding and approaches to implementation, so far as reasonably practicable and within available resourcing levels.

Seconded Cr Harris CARRIED 2014-18/1426

PURPOSE
To finalise and endorse the:
1. Local Emergency Risk Management Report
2. Implementation Plan

Which have been developed in collaboration with Gawler, Light, Adelaide Plains and Barossa Councils as local on ground action orientated plans with links to zone planning and ultimately the State Emergency Management Plan.

REPORT

Background and Introduction
In the second half of 2013 as the Barossa Zone Emergency Management Plan was being finalised, discussion occurred as to how such a plan would be activated at the local level. The Committee endorsed an approach to proceed with a project to develop local plans across the four member Councils of the Barossa Zone. Barossa Council was the lead applicant and this position was endorsed by Council.
A submission for funding was made to the Natural Disaster Resilience Program (NDRP) Fund which was successful. In June 2015 a funding deed was signed and the project was initiated. The original goals of the funding application were to:

1. Develop a methodology that could be used in a local government setting to assess risk whilst complying with the National Emergency Risk Assessment Guidelines (NERAG).
2. Utilise the agreed methodology to undertake or update risk assessments (including with stakeholder engagement) of the key risks for the region which were bushfire, urban fire, extreme weather – storm, extreme weather – heat, and flood.
3. Develop associated risk registers.
5. Develop an Implementation Plan.

As the project progressed an additional piece of work was included within the scope to develop a Community Emergency Management Plan.

The project was first earmarked to be completed within two years and funding was primarily allocated to support a project officer during this period. Each Council contributed $15,000 over two years in support of the initiative, plus in-kind support. The remainder of the funding was provided through the NDRP which is jointly Australian and South Australian Government funded.

Discussion
The commencement of the project required the establishment of a methodology that was accepted in a local government context but also complied with NERAG. This work took significant research, assessment and writing from scratch, and took longer than anticipated. Ultimately the methodology, presented at Attachment 1, was accepted by the Councils and the Barossa Zone Emergency Management Committee (BZEMC) which includes representatives of State agencies.

During project implementation a number of delays were experienced due to staff turnover in the Project Officer role, resulting in the extension of project milestone dates and review and modification of the project scope in terms of the breadth of data gathering. However, given the significant amount of work the Zone Emergency Risk Management System (ZERMS) program had done on the chosen risks at a zone level, including extensive risk assessment and risk treatment workshops with relevant agency, industry and local stakeholders, the project was able to leverage off this data as a baseline. This ultimately resulted in the ability of the project to undertake a localised review of the data and apply the local assessment methodology much more quickly than having to gather the data again. Equally this lessened the resource impact of the project on participating agencies, Councils and local stakeholders.

Once all risk assessments had been undertaken at the local level, the project proceeded to the assessment of risk treatment options. Consideration was given in particular to how risks would be treated if they were in the higher categories. Prior to the project, work had been completed at zone and State level to develop a suite of risk treatments that could be utilised to address emergency risks. The project was able to adopt these treatments in addition to new localised treatments to finalise the risk assessment and treatment phase.

The final stage of the project involved the writing of each Council’s plan based on the collation of data, information and findings collected during each stage of the project.

The next step requires coordination of implementation activities, many of which are based on provision of information and knowledge to communities about the risks and how to become more self, locally and community resilient.

Summary and Conclusion
Over the course of some 3 years the project has achieved its core deliverables with each Council and the whole zone now having a coordinated suite of risk documents, plans and implementation strategies to help grow community resilience in emergency situations.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

1. Local Emergency Risk Management Project – Risk Methodology and Framework
2. Local Emergency Risk Management Report
3. Implementation Plan

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan
Health and Wellbeing

4.3 Work with emergency services to prepare for disaster management and recovery.

Legislative Requirements
Local Government Act Section 7

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Upon adoption of the plans, further work will be undertaken to determine collaborative opportunities and funding avenues for implementation activities. These will be presented back to Council in due course. The body of the report outlines the risk management considerations.

COMMUNITY CONSULTATION

Extensive agency and relevant Council stakeholder engagement has occurred to develop, update and revise risk assessments (especially with the information and feedback from the Sampson Flat and Pinery fires, October 2016 floods and State-wide blackout which occurred over the project period all putting the data analysis to test). Once collaborative implementation plans have been determined, further engagement is anticipated at community and State levels to develop greater community awareness of the risks and how resilient communities can be supported by coordinated implementation of the plans.

7.3.1 CORPORATE AND COMMUNITY SERVICES – ACTING DIRECTOR – DEBATE

7.3.1.1 CONSIDERATION AND ADOPTION OF AUDIT COMMITTEE RESOLUTIONS

B7322

MOVED Cr de Vries that Council, having reviewed the Minutes of the Audit Committee meeting held 22 May 2018, adopt the Resolutions contained therein.

Seconded Cr Miller

CARRIED 2014-18/1427

PURPOSE

The Minutes of the Audit Committee meeting held 22 May 2018 are presented for the consideration and adoption of Council.

REPORT

The consideration and adoption of recommendations of Council committees requires assessment by Council to ensure compliance with Council obligations under section 6(a) of the Local Government Act.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment: Minutes of the Audit Committee meeting held 22 May 2018

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan
How We Work – Good Governance
6.2 Ensure that Council’s policy and process frameworks are based on principles of sound governance and meet legislative requirements.

6.9 Provide access to Council’s plans, policies and processes and communicate with the community in plain English.

**Legislative Requirements**
Local Government Act 1999

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**
The consideration and adoption of recommendations of Council committees is a risk management tool.

**COMMUNITY CONSULTATION**
Not required under legislation or Council's Public Consultation Policy.

### 7.3.1.2

**COMMUNITY ASSISTANCE SCHEME COMMITTEE MEETING MINUTES AND COMMUNITY ASSISTANCE SCHEME GRANT APPLICATIONS OUTSIDE OF GUIDELINES**

**B3342**

**MOVED** Cr de Vries that Council:

1. Having reviewed the Minutes of the Community Assistance Scheme Committee meeting held 6 June 2018, adopt the Resolutions contained therein;

2. Approve a Community Grant of $6,000 to the Nuriootpa Futures Association Inc for the Coulthard House ‘The Peoples Place’ Stage 1 Downstairs project;

3. Approve a Grant of $200 to Amanda Tscharke under “extenuating circumstances” provisions, to support her participation in the South Australian State Para Team at the 2018 Australian Para Table Tennis Championships held in May 2018;

4. Note that consideration of the Community Grant application from the South Australian Road Runners Club Inc for $5,000 (excl GST) for the Barossa Marathon Festival 2018, has been deferred, pending clarification of the event budget, requested financial information, quotes being received and subsequent CASC recommendation.

**Seconded** Cr Harms

Cr Hurn retired from the meeting at 9.20am.

The motion was put and **CARRIED 2014-18/1428**

**PURPOSE**
To consider:

- The Minutes of the Community Assistance Scheme Committee meeting held 6 June 2018 for adoption
- Community Assistance Scheme Grant applications which are outside of the Guidelines.

**PURPOSE**
To consider:

- The Minutes of the Community Assistance Scheme Committee meeting held 6 June 2018 for adoption
- Community Assistance Scheme Grant applications which are outside of the Guidelines.
The Community Assistance Scheme Committee (CASC), at its meeting held 6 June 2018, considered the five Community Grant applications and one Youth Grant application (outside of the Guidelines) received in this final round of funding for 2017/18. Two of the Community Grant applications are requesting funding over the CASC delegation limit of $3,000 (excl GST). The Minutes of the meeting are provided in Attachment 1.

**Discussion**

The adopted Community Grant and Youth Grant Budget for 2017/18 was $25,500 (excl GST). $6,010 was available in the Budget for the final round of funding for 2017/18. Below is a summary of CASC’s decisions:

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Project</th>
<th>Requested</th>
<th>CASC Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barossa Reconciliation group</td>
<td>“Reconciliation: Building and Strengthening Relationships” project</td>
<td>$3,000</td>
<td>$2,700 approved</td>
</tr>
<tr>
<td></td>
<td>(2018 Reconciliation Day event and Reconciliation Action Planning – consultant)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sit Down Shutup and Watch group</td>
<td>Sit Down Shutup and Watch Film and New Media Festival – October 2018</td>
<td>$3,000</td>
<td>Defer decision until 2018/19 financial year</td>
</tr>
<tr>
<td></td>
<td>(Digital Workshops)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>South Australian Road Runners Club Inc</td>
<td>Barossa Marathon Festival – August 2018</td>
<td>$5,000</td>
<td>Defer consideration until 2018/19 financial year, pending further information received</td>
</tr>
<tr>
<td></td>
<td>(Children’s Fun Run [new event] and promotion of Event)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tanunda Lutheran Home Inc (TLH)</td>
<td>“Outsider Art SALA Exhibition 2019” (Engagement of Art Therapist and materials)</td>
<td>$3,000</td>
<td>Defer decision pending investigation by TLH of other funding sources</td>
</tr>
<tr>
<td>Nuriootpa Futures Association Inc</td>
<td>“Coulthard House ‘The Peoples Place’ Stage 1 Downstairs” project</td>
<td>$6,000</td>
<td>Refer to Council; recommend a Grant of $3,000</td>
</tr>
<tr>
<td>Amanda Tscharke</td>
<td>Representing South Australia in table tennis championships</td>
<td></td>
<td>Refer to Council; recommend a Grant of $200</td>
</tr>
<tr>
<td></td>
<td>(Youth Grant application - extenuating circumstances)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Applications for Council decision:**

1. **Nuriootpa Futures Association Inc (NFA) – Coulthard House ‘The Peoples Place’ Stage 1 Downstairs project**

   The NFA is seeking a Grant of $6,000 to “clean, paint, prepare downstairs area for use by NFA committee, Nuriootpa High School, community groups”.

   The CASC has delegation to approve Community Grants up to $3,000 (excl GST). Clause 2.4 of the Community Assistance Scheme Policy states:
“All other requests for Council funding/assistance that are outside the Community Assistance Scheme scope and Guidelines will be assessed by CASC in the first instance. The Application, together with a report and the CASC recommendation will be presented to the next Council Meeting for decision.”

CASC, at its meeting held 6 June 2018, resolved the following:

“MOVED Cr Milne that the Community Assistance Scheme Committee:
1) supports in principle, the Coulthard House ‘The Peoples Place’ Stage 1 Downstairs project;
2) refers the Community Grant Application from Nuriootpa Futures Association Inc, to Council for decision, as the 2017/18 Community Assistance Scheme budget is almost exhausted;
3) recommends that Council approve a Community Grant of $3,000 (excl GST) for the Coulthard House ‘The Peoples Place’ Stage 1 Downstairs project.
Seconded Mayor Sloane CARRIED”

A copy of the report provided to CASC is contained within the Minutes of the meeting (Attachment 1). A copy of the Community Grant application (excluding supporting documentation) is provided in Attachment 2.

2. Amanda Tscharke – Participation in the South Australian State Para Team at the 2018 Australian Para Table Tennis Championships (Youth Grant application – “extenuating circumstances”)

A request was received from Amanda Tscharke in March 2018, seeking Council support toward her participation in the 2018 Australian Para Table Tennis Champions to be held in Canberra in May 2018. Officers directed her to complete a Youth Grant application, as this was the most relevant process for her request to be considered.

Council, at its meeting held 20 March 2018, resolved the following:

“that Council approve the updated Community Assistance Scheme Policy as presented to the 20 March 2018 Council Meeting with the addition of a clause to escalate extenuating circumstances to the satisfaction of the Chief Executive Officer”.

As reported to Council in Consensus report 4.3.1.1 of the 17 April 2018 Council Meeting, Officers reviewed the Community Assistance Scheme Policy and Guideline documents (Youth and Community) in relation to the “extenuating circumstances” provision. The Policy states:

“2.4 All other requests for Council funding/assistance that are outside of the Community Assistance Scheme scope and Guidelines will be assessed by the CASC in the first instance. The Application, together with a report and the CASC recommendation will be presented to the next Council Meeting for decision.”

As there was no material change in the way this process was managed, no changes were made to the wording. However, both Guideline documents were amended to include the following provision in the Eligibility section:

“Any Application for funding that is outside of these Guidelines will be assessed by the CASC in the first instance. The Application, together with a report and the CASC recommendation will be presented to the next Council Meeting for decision.”

A copy of the report provided to CASC regarding Ms Tscharke’s application, is contained within the Minutes of the meeting (Attachment 1). A copy of her Grant application and supporting documentation is provided in Attachment 3.

The decision on this funding application will set a precedent for future funding requests from individuals over 25 years of age. Council will need to consider if it will fund such applications that are outside of the current scope and Guidelines to provide direction to officers in the future.
For Members’ information, funding of $200 (excl GST) is provided to successful Youth Grant applicants who are representing their Club/Organisation at a National level.

Comment – Application: South Australian Road Runners Club Inc (SARRC)
SARRC initially wrote to Council in February 2018, requesting $5,000 support for the Barossa Marathon Festival to be held in August 2018. Officers advised they would need to submit a Community Grant application (as is required for all requests for funding or support) which would be reviewed by CASC in the first instance. A report, with CASC’s recommendation, would then subsequently go to Council for consideration.

A Grant application has been received, but Officers are requesting further information regarding the event budget, financial information and quotes.

CASC resolved the following at its meeting on 6 June 2018:

“MOVED Cr Milne that the Community Assistance Scheme Committee defer consideration of the Community Grant application from the South Australian Road Runners Club Inc for the Barossa Marathon Festival, until the 2018/19 financial year, pending clarification of the event budget, requested financial information and quotes being received. 
Seconded Cr Grossman
CARRIED”

A copy of the report to CASC is contained within the Minutes of the meeting (Attachment 1).

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: Minutes of the Community Assistance Scheme Committee meeting held 6 June 2018
Attachment 2: Grant Application – Nuriootpa Futures Association Inc
Attachment 3: Grant Application – Amanda Tscharke

Policy
Community Assistance Scheme Policy
Community Grant Guidelines
Youth Grant Guidelines

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan
- Community and Culture
- Health and Wellbeing
- Business and Employment
- How We Work – Good Governance

Corporate Plan
1.4 Facilitate innovative and sustainable preservation and use of built heritage.
2.1 Deliver sound community infrastructure and public space planning activities which incorporate place-making principles and take into account the future needs of the community.
2.4 Foster volunteering opportunities that are responsive to the needs of the Community.
3.5 Advocate for efficient use of community resources through shared infrastructure and innovative solutions.
4.6 Support the growth and sustainability of sporting, recreational and community clubs and organisations through provision of shared infrastructure, grants and opportunities to shape future use and development.
5.5 Contribute to tourism industry capacity building through the facilitation of tourism infrastructure development, including eco and recreational tourism.
6.4 Ensure that decisions regarding expenditure of Council’s budget are based on an assessment of whole of life costs, risks associated with the activity and advice contained within supporting plans.

Legislative Requirements
Nil

<table>
<thead>
<tr>
<th>FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS</th>
</tr>
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<tbody>
<tr>
<td><strong>Financial</strong></td>
</tr>
<tr>
<td>The adopted Community Grant and Youth Grant Budget for</td>
</tr>
<tr>
<td>2017/18 was $25,500 (excl GST). $6,010 was remaining in</td>
</tr>
<tr>
<td>the Budget for the current round of funding. CASC, at</td>
</tr>
<tr>
<td>its meeting held 6 June 2018:</td>
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<tr>
<td>Approved 1 grant application $2,700</td>
</tr>
<tr>
<td>Deferred 3 grant applications</td>
</tr>
<tr>
<td>Recommended 2 grant applications to Council $3,200*</td>
</tr>
<tr>
<td>Total $5,900</td>
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</tbody>
</table>

*Note: NFA are requesting $6,000. Should Council approve a greater amount than recommended by CASC (ie $3,000), additional budget funds for the Community Grant and Youth Grant Budget will need to be authorised.

Officers advise that there are budget funds of $2,900 available in Elected Member Donations (E900-868) and $1,000 in General Administration – Donations (GL 463-868), which could be used to supplement the Community Assistance Scheme Budget.

<table>
<thead>
<tr>
<th>COMMUNITY CONSULTATION</th>
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</thead>
<tbody>
<tr>
<td>Community Consultation is not required under legislation or Council Policy.</td>
</tr>
</tbody>
</table>

**7.3.2 FINANCE - DEBATE**

**7.3.2.1 MONTHLY FINANCE REPORT (AS AT 31 MAY 2018)**

B411

Author: Senior Accountant

Cr Hurn returned to the meeting at 9.24am.

**MOVED** Cr Boothby that the Monthly Finance Report as at 31 May 2018 be received and noted.

**Seconded** Cr Harms CARRIED 2014-18/1429

<table>
<thead>
<tr>
<th>PURPOSE</th>
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<tbody>
<tr>
<td>The Uniform Presentation of Finances report provides information as to the financial position of Council, including notes on material financial trends and transactions.</td>
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<table>
<thead>
<tr>
<th>REPORT</th>
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<tbody>
<tr>
<td><strong>Discussion</strong></td>
</tr>
<tr>
<td>The Monthly Finance Report (as at 31 May 2018) is attached. The report has been prepared comparing actuals to the Original adopted 2017/18 Budget and incorporating the adopted Revised Budgets for September, December and March.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>ATTACHMENTS OR OTHER SUPPORTING REFERENCES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attachment 1: Monthly Finance Report 31 May 2018</td>
</tr>
</tbody>
</table>

Policy
COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

How We Work – Good Governance

6.2 Ensure that Council’s policy and process frameworks are based on principles of sound governance and meet legislative requirements.
6.3 Align operational strategy to strategic objectives and measure organisational performance to demonstrate progress towards achieving our goals.
6.4 Ensure that decisions regarding expenditure of Council’s budget are based on an assessment of whole of life costs, risks associated with the activity and advice contained within supporting plans.
6.9 Provide access to Council’s plans, policies and processes and communicate with the community in plain English.
6.16 Provide contemporary internal administrative and business support services in accordance with mandated legislative standards and good practice principles.

Legislative Requirements
Local Government (Financial Management) Regulations 2011 - Reg 9(1)(b)
LGA Information paper no. 25 – Monitoring Council Budget Performance

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial
To enable Council to make effective and strategic financial decisions, a regular up to date high level financial report is provided.

COMMUNITY CONSULTATION

Community Consultation was part of the original budget adoption process in June 2017, as per legislation. This report is advising Council of the monthly finance position compared to that budget.

7.3.2.2 FEES AND CHARGES REGISTER – 2018/2019

B7181

Author: Senior Accountant

MOVED Cr Milne that the proposed Fees and Charges are adopted for the 2018/2019 budget year.
Seconded Cr Harris CARRIED 2014-18/1430

PURPOSE

Council must review the Fees and Charges structure to be applied for the 2018/2019 financial year.

REPORT

Discussion
A list of the proposed Fees and Charges for 2018/2019 is attached. The list is encompassing of all sundry fees charged by Council in its general service provisions and includes dog registration fees which were previously adopted by Council at the 20 March 2018 meeting. Any relevant fees and charges set by the State Government have been excluded as no increases for 2018/2019 have yet been announced. The Fees and Charges Register will be updated when this information becomes available, but they do not require Council approval. Any fees and charges that do not have a comparable 2017/18 amount are new for 2018/2019.
To maintain existing cost recovery rates for various services, and to continue to minimise the general rate burden on our community, it is imperative that Council increase the fees and charges at least in line with the cost increases being experienced by Council in the delivery of such activities to our community. Accordingly, all fees have been reviewed by the relevant Budget Manager and have been increased where required.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1: Register of Fees and Charges as at 1 July 2018

**Policy**

Budget & Business Plan and Review Policy

**COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS**

Corporate Plan

How We Work – Good Governance

6.2 Ensure that Council’s policy and process frameworks are based on principles of sound governance and meet legislative requirements.

6.3 Align operational strategy to strategic objectives and measure organisational performance to demonstrate progress towards achieving our goals.

6.4 Ensure that decisions regarding expenditure of Council’s budget are based on an assessment of whole of life costs, risks associated with the activity and advice contained within supporting plans.

6.9 Provide access to Council’s plans, policies and processes and communicate with the community in plain English.

6.16 Provide contemporary internal administrative and business support services in accordance with mandated legislative standards and good practice principles.

Legislative Requirements

Local Government Act 1999 – Section 188 (1)

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

Financial

To ensure that Council is able to recover its costs in relation to user paid services provided to the community.

**COMMUNITY CONSULTATION**

Fees and charges set by the State Government are a legislative requirement and Council is required to charge the amounts applied by the relevant Act. Other fees and charges are set by Council as part of the budget process and public consultation on the 2018/2019 budget closes on 13 June 2018. The newly adopted fees and charges will be available for the Community to access on Council’s website from 2 July 2018.

7.3.2.3 **PUBLIC SUBMISSIONS ON THE DRAFT ANNUAL BUDGET & BUSINESS PLAN 2018/19 INCORPORATING THE LONG TERM FINANCIAL PLAN 2018/19 TO 2027/28**

B7181

Author: Manager, Financial Services

MOVED Cr de Vries that Council, having considered the submissions received during the public consultation period in relation to the draft Annual Budget and Business Plan 2018/19 incorporating the Long Term Financial Plan 2018/19 to 2027/28, endorses amendments to the draft document as recommended by Officers in the summary report.

Seconded Cr Miller CARRIED 2014-18/1431
PURPOSE

REPORT
Discussion
Public Submissions
Council must consider any submissions made during the public consultation period before adopting its Annual Budget/Business Plan (AB&BP) (with or without amendment) as required in Section 123 of the Act.

The consultation process:
- public notices were placed in the Leader and Bunyip newspapers on 23 May 2018 asking for public submissions on the draft AB&BP;
- a media release to highlight the Council Budget focus – the Mayor provided additional information as and when requested by the media;
- the draft AB&BP incorporating LTFP was available at Council’s Principal Office, Branch Offices/Libraries and on Council’s website;
- at the 6 June 2018 Council Workshop: at 5.00pm, for a period of 1 hour, any interested person was invited to address Council in support of their submission.

As consultation closes at 5pm on 13 June 2018, a summary and the actual submissions received during consultation will be emailed to Elected Members prior to the June Council meeting.

Council are to provide direction as to which items are to be included in the final draft of the AB&BP.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: 2018/2019 Annual Budget Public Consultation Submissions (to be emailed after Public Consultation closes)

Policy
Budget & Business Plan and Review Policy

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Corporate Plan
How We Work – Good Governance

6.2 Ensure that Council’s policy and process frameworks are based on principles of sound governance and meet legislative requirements.
6.3 Align operational strategy to strategic objectives and measure organisational performance to demonstrate progress towards achieving our goals.
6.4 Ensure that decisions regarding expenditure of Council’s budget are based on an assessment of whole of life costs, risks associated with the activity and advice contained within supporting plans.
6.9 Provide access to Council’s plans, policies and processes and communicate with the community in plain English.
6.16 Provide contemporary internal administrative and business support services in accordance with mandated legislative standards and good practice principles.

Legislative Requirements
Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
Financial
All submissions must be assessed by Council to consider the affect, if approved, on the long term financial sustainability of Council and any risk management issues.
COMMUNITY CONSULTATION
Detailed within this report and included as part of the draft Annual Budget and Business Plan 2018/2019 consultation and adoption process, and in accordance with the Act.

7.3.2.4 DISCRETIONARY RATE REBATES – 2018/2019
B6564
Author: Senior Rates Officer

MOVED Cr Milne that the proposed Discretionary Rate Rebates be adopted for the 2018/2019 rating year.
Seconded Cr Hurn CARRIED 2014-18/1432

PURPOSE
To consider the application of Discretionary Rate Rebates for the 2018/2019 rating year.

REPORT
Discussion
The report in Attachment 1 outlines proposed Discretionary Rate Rebates to be applied for the 2018/2019 rating year. Mandatory Rebates for the same period are also included for information purposes (Attachment 2).

The Discretionary Rebates have increased from last year, mostly due to anticipated additions to the existing independent living units within the four local retirement villages. The Discretionary Rebates will continue to be reviewed in 2018/2019 to confirm suitability and equality.

The Mandatory Rebate amount is expected to increase from last year, particularly in the area of Community Services, as Housing SA continues to transfer ownership of their properties to Housing Associations who are entitled to the Mandatory Rebate of 75% of total rates.

We currently have 42 properties that are eligible for the rebate and it is expected approximately 5 more will be added in 2018/2019.

Pursuant to the Local Government Act sections noted below, Council needs to review the application of Discretionary Rate Rebates applied, on an annual basis.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: Proposed Discretionary Rebates 2018/2019
Attachment 2: Estimated Mandatory Rebates 2018/2019

Policy
Budget & Business Plan and Review Policy
Draft Rebates & Remissions Policy – 4.1 & 4.2 Rate Rebates

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Corporate Plan
How We Work – Good Governance

6.2 Ensure that Council’s policy and process frameworks are based on principles of sound governance and meet legislative requirements.
6.3 Align operational strategy to strategic objectives and measure organisational performance to demonstrate progress towards achieving our goals.
6.4 Ensure that decisions regarding expenditure of Council’s budget are based on an assessment of whole of life costs, risks associated with the activity and advice contained within supporting plans.
6.9 Provide access to Council’s plans, policies and processes and communicate with the community in plain English.

6.16 Provide contemporary internal administrative and business support services in accordance with mandated legislative standards and good practice principles.

Legislative Requirements
Local Government Act 1999 – Sections 160-165
Local Government Act 1999 – Section 166

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

**Financial**
The Budget 2018/2019 consultation document includes estimated Mandatory Rate Rebates of $486k and Discretionary Rate Rebates of $113k, based on last year’s actuals and the 2.5% indexation and relevant growth. However, upon further analysis, Discretionary Rebates are forecast to be $115K as a result of a new application (highlighted in green on the attached summary) and an extra allowance for growth within the retirement villages.

Any rebate approved by Council will apply to both General - Rates and Community Wastewater Management Systems - Service Rates as required by Local Government Act 1999 Section 159 (9).

**COMMUNITY CONSULTATION**
The annual budget process includes public consultation on the 2018/2019 Budget, which closed on 13 June 2018.

7.3.3 MANAGER COMMUNITY AND CULTURE - DEBATE

7.3.3.1 SOCIAL INCLUSION ACTIVITIES

B4733

Author: Collaborative Project Officer

**MOVED** Cr Boothby that Council:

(1) Receives the report on Social Inclusion activities undertaken during 2017/18 and those proposed for 2018/19;

(2) Endorses the ongoing coordination of service providers under the Continuity of Support program funded through the Home and Community Care program;

(3) Requires Officers to provide a further report regarding future State Government funding for the Continuity of Support program;

(4) Requires Officers to provide a further report outlining the results of the Social Inclusion Scoping Project.

**Seconded** Cr Harris  
CARRIED 2014-18/1433

**PURPOSE**
The purpose of this report is to seek Council’s endorsement of the Social Inclusion activities undertaken during 2017/18 and those proposed for 2018/19.

**REPORT**

Background
In August 2017, Council approved the fifth and final quarterly update report on the progress of the Leisure Options Transition Project.

“MOVED Cr Milne that Council receives and approves the fifth and final quarterly update report on the progress of the Leisure Options Transition Project.  
Seconded Cr Miller  
CARRIED 2014-18/1150”

The Barossa Council 18/39621 Minutes of Council Meeting held on Tuesday 19 June 2018
The report provided information about the interim “Under 65 Social Support Program” and also described the Social Inclusion Scoping Study that would be undertaken during 2017/18. This report provides an update on these initiatives.

**Under 65 Social Support Program**

In May 2016, Council decided it would transition out of the Barossa Leisure Options (BLO) program as it did not want to become a National Disability Insurance Scheme (NDIS) approved provider when the Scheme commenced roll out in the region from 1 July 2017. As reported, all participants who were receiving disability funding through Disability SA successfully transitioned to other service providers during the Transition Project. All of these participants were eligible to receive support under the NDIS and many, if not all, have commenced the NDIS planning process. However, there remained a number of BLO participants who were not receiving Disability SA funding and could not transfer to other service providers; therefore another interim support program was required.

Funding for disability services has in the past, been complex. Whilst the NDIS will simplify funding arrangements for NDIS participants, funding arrangements for people with disability who are not eligible for NDIS support will continue to be complex.

For many years Council has received State Government block funding from the Department of Communities & Social Inclusion for the Home and Community Care program (HACC) to deliver services “For younger people with moderate, severe or profound functional disabilities who are isolated in the community within the Barossa and Light Council areas”. This complemented Council’s Home Assist program for older residents as it provides a similar range of service types.

During 2017/18, funding from the HACC program was utilised to create the ‘Under 65 Social Support Program’, comprised of Visual Arts, Film and New Media. It has been delivered by Tutti Arts, a NDIS Approved Provider, with impressive outcomes for both participants and themselves. Several former BLO participants have transitioned to the NDIS and participant numbers have doubled with new NDIS participants joining the program so that now approximately 50% are NDIS funded and 50% are HACC funded. This program has resulted in a new, sustainable business in the region, delivering a program for people with disability that meets cultural, wellbeing and economic development objectives of Council’s Community Plan.

Council was recently advised that funding for the State funded HACC program will be available for another financial year. For the 2018/19 funding period a total of $123,645 has been granted to Council. 35% of this funding is to be committed to continuing to provide transport and home assist type services and the remaining 65% is available for the continuation of the ‘Under 65 Social Support Program’.

The continuation of this support is to enable the State Government to comply with obligations under the bi-lateral agreement between the SA Government and the Federal Government regarding the roll out of the NDIS, which stipulates that no individual is to be disadvantaged by the introduction of the NDIS.

Eligibility criteria to receive support through the HACC program has been that the person is a recipient of the Disability Support Pension and receives no services through Disability SA. It is our understanding that some, but not all, of these people will be eligible for the NDIS. Those people whose disability is the result of a chronic health condition are unlikely to be eligible, as health is the responsibility of the State Government. However, as these people have been receiving low level disability services through the State HACC program, they are entitled to continue receiving the same level of support until their needs change, eg they reach the age of 65 when they can transition to the Aged Care system.

From 1 July 2019, the State HACC program will be replaced with the ‘Continuity of Support’ (CoS) program, and existing HACC service providers will be offered funding to continue providing support for this cohort who will never be eligible for the NDIS. There will be no new entrants to the CoS program, and eventually the program will cease once all participants have reached the age of 65.

Council will be updated on the CoS program as information becomes available from the State Government.

**Social Inclusion Scoping Project**

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*The Barossa Council 18/39621  Minutes of Council Meeting held on Tuesday 19 June 2018*
UNESCO uses the following definition of Social Inclusion:
"Inclusive society is defined as a society for all, in which every individual has an active role to play. Such a society is based on fundamental values of equity, equality, social justice, and human rights and freedoms, as well as on the principles of tolerance and embracing diversity."

Intrinsic in Council’s Community Plan is a value of ‘inclusion’. As Council is no longer involved to the same degree in the delivery of disability services. (ie much fewer participants with low support needs versus the high numbers and complex needs of the former BLO program), there is continued community expectation that Council will have an ongoing role in the social inclusion arena, and particularly in addressing access and inclusion issues for people with disability. Therefore during 2017/18, Council undertook a Social Inclusion Scoping Project (Scoping Project) to identify the opportunities.

Issues of disability, homelessness, mental health and reconciliation were explored and a detailed report of the Scoping Project will be available in the next few months. The following activities have been undertaken as part of the Scoping Project during the past year:

Disability
- Finalised Regional Disability Access and Inclusion Plan
- Established the Disability Access and Inclusion Advisory Group to replace the section 41 Disability Access Review Committee (DARC). Membership is comprised of people with disability, carers of people with disability, disability service providers and Council staff.
- Developed draft Disability Access and Inclusion Plan Action Plan and conducted community consultation culminating in a successful community engagement activity in collaboration with the NDIS Local Area Coordinator (LAC) and the Disability Access and Inclusion Advisory Group.
- Engaged with the NDIS LAC and facilitated access to Council libraries and the Rex for community meetings.
- Joined the Local Government Access & Inclusion Network (LGAIN) and attended meetings.
- Participated as a member of the organising committee for the Disability Expo organised by Carers’ and Disability Link, held at the Rex in 2017.
- Actively promoting Council’s achievements in access and inclusion through the media, e.g automatic door at the Rex, Disability Access and Inclusion Action Plan and community engagement initiatives.

Homelessness
- Organised and attended a meeting with local State Member, in conjunction with a local service provider, to discuss funding allocation to address homelessness in the Barossa.

Mental Health
- Attended White Dog Mental Health Group meetings.
- Organised community forums in Gawler and Barossa at which people with lived experience of mental illness and homelessness presented their stories, followed by a Resilience and Well-being workshop.
- Organised Barossa Mental Health & Ageing Forum at which the SA Mental Health Commissioner presented along with aged care providers and people with lived experience.
- Promoted and attended Mental Health First Aid training to increase community capacity to respond to people with mental illness in crisis.

Reconciliation
- Attended Reconciliation Group meetings and participated in 2018 Reconciliation Week activities.
- Secured an auspice/banker for the Reconciliation group and donations and sponsorship from local service providers.
- Prepared a funding submission for a grant for Reconciliation activities to be undertaken during 2018/19.

General
- Identified and consulted a number key stakeholders to identify issues and community development opportunities re: disability, homelessness, mental health and reconciliation.
• Currently supporting a local service provider to conduct workshops to identify local assets and gaps in service delivery for the purpose of collaborating to address the gaps and avoid duplication.
• Managed the hiring and maintenance regime of the BLO bus.

Conclusion
Whilst Council successfully transitioned out of the Barossa Leisure Options program during 2016/17, there remains the need to continue providing low level support for those participants aged under 65 with disability who are not eligible for the NDIS. This service complements the existing Home Assist and Community Transport services for older residents aged 65 plus, and is fully funded by the State Government.

During the past year Council has explored its role in the social inclusion arena and participated in a number of activities that further the objectives of the Community Plan. The finalisation of the Regional Disability Access and Inclusion Plan and The Barossa Council’s own Disability Access and Inclusion Action Plan, has been welcomed enthusiastically by a highly energetic and committed Advisory Group whose members are keen to continue partnering with Council in delivering access and inclusion outcomes for the community.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

| Community and Culture | 2.1; 2.4; 2.6; 2.8; 2.10 |
| Infrastructure        | 3.5; 3.6; 3.7; 3.8 |
| Health and Wellbeing  | 4.1; 4.2; 4.5; 4.8; 4.9 |
| Business and Employment | 5.3; 5.4; 5.9; 5.13 |

Legislative Requirements
Disability Discrimination Act 1992
Disability Inclusion Bill
Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
Administration of the Under 65 Social Support Program will be fully funded from State HACC funding in 2018/19.

From 1 July 2019, the State HACC program will be replaced with the ‘Continuity of Support’ program and existing HACC service providers will be offered funding to continue providing support for this group.

As approved by Council on 17 October 2017, the Disability Access Review Committee (DARC) reserve fund of $15,222 was to be renamed DAIP Funds and be made available to the new Disability Access & Inclusion Advisory Group to be used for the implementation of the Regional Disability Access and Inclusion Plan until they are exhausted.

COMMUNITY CONSULTATION
Significant community engagement was undertaken during the BLO Transition project which led to the development of the Under 65 Social Support program.

Further community consultation has been undertaken in the development of the Regional Disability Access & Inclusion Plan (DAIP) and Council’s own DAIP Action Plan.

Community engagement activities have also been undertaken as part of the Social Inclusion Scoping Project and are described briefly in the report above.
7.5.2. ENVIRONMENTAL SERVICES - DEBATE

7.5.2.1

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY (GRFMA) – NORTHERN FLOODWAY PROJECT

B7490

Author: Director, Development and Environmental Services

MOVED Cr Hurn that Council support and commit to the Gawler River Floodplain Management Authority’s Northern Floodway Project and Prospectus as circulated to the Constituent Councils.

Seconded Cr Harms

CARRIED 2014-18/1434

PURPOSE

The attached documents have been circulated for consideration and support by Constituent Councils.

REPORT

Background

The Gawler River Floodplain Management Authority (GRFMA) is established as a Regional Subsidiary pursuant to section 43 and Schedule 2 of the Local Government Act 1999 to coordinate the construction, operation and maintenance of flood mitigation infrastructure for the Gawler River.

Constituent Councils are City of Playford, Adelaide Plains Council, Town of Gawler, the Barossa Council, Light Regional Council, and Adelaide Hills Council.

Introduction

A Special Meeting of the GRFMA Board was held on 17 May 2018, the purpose of which was to:

• Receive feedback from Constituent Council staff on the final draft of the Northern Floodway Prospectus.
• Consider relevant information regarding flood planning management from the Adelaide Plains Council to enable further consideration of next steps in actioning the Northern Floodway Prospectus.
• Consider feedback from Constituent Council GRFMA Board Members on considerations they might have when undertaking the GRFMA Charter and Governance Review.

Discussion

Northern Floodway Project

The meeting unanimously resolved to continue progressing the Northern Floodway Project as a priority, subject to:

a) The Federal and State Governments confirming in writing a commitment to fund in totality all capital costs including the further design; and development costs associated with the Northern Floodway Project.

b) Acknowledging the GRFMA contribution will be responsibility for the ongoing maintenance of the Northern Floodway; and

c) The GRFMA seeking formal commitment from all Constituent Council’s on progressing the Northern Floodway Project on this funding principle.

The Chair of the GRFMA is to advise the Federal and State Government of this approach.

The Chair of the GRFMA has written to the Constituent Councils regarding the Northern Floodway Project (Attachment 1) following the Special Meeting seeking support and commitment from the Constituent Councils to progress the Northern Floodway Project.

The GRFMA commissioned development of a ‘Project Prospectus’ that outlines a ‘staged’ approach to quantify required works, engagement of all stakeholders and a clear project feasibility pathway for funding options.

A copy of the Northern Floodway Preliminary Project Prospectus is provided in Attachment 2.
Funding
As noted in the letter from the Chair, funding for the Northern Floodway Project is being pursued with the Federal and State Governments. The preferred approach is for State and Federal Governments each cover 50% of the projects capital costs as a minimum with Local Government (i.e., the GRFMA) contributing to the ongoing operational and maintenance costs.

Summary and Conclusion
The Chair of the GRFMA has written to Constituent Councils regarding the Northern Floodway Project, and importantly to seek Councils support and commitment to progress the project.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: Letter from the Chair of the GRFMA
Attachment 2: Northern Floodway Preliminary Project Prospectus

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

- Natural Environment and Built Heritage
- Infrastructure
- Health and Wellbeing
- How We Work – Good Governance

Corporate Plan
1.12 Build and maintain relationships with other levels of government to ensure development strategies are responsive to regional needs and issues.
3.11 Advocate for the allocation of State and Federal funding to maintain and invest in infrastructure within our region.
4.15 Plan for and where appropriate support response to extreme weather events or disasters in the region.
6.17 Advocate for The Barossa Council and its community, our region or local government in South Australia through direct action, representation on or collaboration with local, regional or State bodies.

Legislative Requirements
Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial Management
Initial estimated costs for the Northern Floodway Project are $27 million.

Risk Management
The GRFMA and Constituent Councils have a level of responsibility to act on dealing with known potential flood risks. The GRFMA needs to be seen to be moving forward in seeking to address flood measures in a strategic and financially sustainable manner.

COMMUNITY CONSULTATION
The prospectus for the Northern Floodway Project will be used to engage with all stakeholders in the project, particularly with land holders along the affected area of the Gawler River.

7.5.4 REGULATORY SERVICES REPORT - DEBATE

7.5.4.1 NOMINATIONS FOR THE ADELAIDE & MOUNT LOFTY RANGES BUSHFIRE MANAGEMENT COMMITTEE
B3262
The Barossa Council 18/39621    Minutes of Council Meeting held on Tuesday 19 June 2018

Author: Manager, Regulatory Services

**MOVED** Cr Milne that the State Bushfire Coordination Committee be advised that Council nominates the following representatives to sit on the Adelaide and Mount Lofty Ranges Bushfire Management Committee for a three year term commencing 1 July 2018, until 30 June 2021.

Representative: Jamie Turley, Manager Regulatory Services  
Proxy Representative: Steven Rigby, General Inspector

**Seconded** Cr Seager  

**CARRIED** 2014-18/1435

**PURPOSE**

To nominate Council representatives for the Adelaide and Mount Lofty Ranges Bushfire Management Committee for the coming three year period.

**REPORT**

**Introduction**

Correspondence has been received from the State Bushfire Coordination Committees requesting Council nominates a representative for the Adelaide and Mount Lofty Ranges Bushfire Management Committee. This correspondence is provided as Attachment 1, which also details the functions of Bushfire Management Committees.

**Discussion**

The current term of the Bushfire Management Committee is due to expire on 30 June 2018. Council therefore needs to nominate representatives for the coming three year period. Both staff members have been consulted.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1: Correspondence – State Bushfire Coordination Committee

**COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS**

Community Plan  

**Community and Culture**

Corporate Plan  

2.10 Collaborate with key emergency management stakeholders and provide support for community safety initiatives.

Legislative Requirements  

Section 72, Fire and Emergency Services Act 2005

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

Financial Considerations  

No additional financial impacts are expected as a result of the nominations. Staff attendance at meetings has been incorporated into the 2018/19 budget process.

Resource Considerations  

No additional resource impacts are expected as a result of the nominations.

**COMMUNITY CONSULTATION**

Consultation is not required under policy or legislative requirements.

**7.5.4.2 BUSHFIRE LAST RESORT REFUGE – SPRINGTON OVAL**

B3262

Author: Manager, Regulatory Services
MOVED Cr de Vries that Council supports a submission to Adelaide and Mount Lofty Ranges Bushfire Management Committee seeking the reassessment of the Springton Oval by the South Australian Country Fire Service as a Last Resort Refuge.
Seconded Cr Harris
CARRIED 2014-18/1436

PURPOSE
To seek Council support for the re-assessment of the Springton Oval as a Last Resort Refuge.

REPORT
Introduction
In 2010 the South Australian Country Fire Service (CFS) undertook an assessment of areas within the Council area for suitability as places of Last Resort in the event of a bushfire threatening the area.

Following this initial assessment, three areas were deemed suitable. A request has been received from the Springton CFS Brigade seeking the reassessment of the Springton Oval as a place of Last Resort during a bushfire.

Discussion
These areas of Last Resort are areas where members of the community may choose to go in the event that their personal bushfire survival plan has failed. They are often areas of open space which provide appropriate separation distances from radiant heat and direct flame contact. There are no guarantees of any services being provided.

One of the factors taken into account is the distance from surrounding vegetation, which include grassland, crops, open paddocks and scrub land.

With some residential development having occurred to the North of the Springton Oval, changes in property ownership and improved maintenance standards of the oval, a review is considered appropriate.

Existing places of last resort within the Council area:
- Talunga Park
- Curdnatta Recreation Park
- Stockwell Recreation Park
- Melrose Street, Mount Pleasant
- Davies Road, Sandy Creek
- Sturt Highway, Stockwell

Should Council support the proposal, a further report will be provided in due course.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: Correspondence – Springton CFS Brigade

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan
Community and Culture

Corporate Plan
2.10 Collaborate with key emergency management stakeholders and provide support for community safety initiatives.

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial Considerations
No additional financial impacts are expected as a result of the assessment.
Should the area be deemed suitable, signage will need to be installed which will be detailed in a later report.

Resource Considerations
No additional resource impacts are expected.
COMMUNITY CONSULTATION
Consultation is not required under policy or legislative requirements.

8. CONFIDENTIAL MATTERS
Nil

9. REPRESENTATIVES ON COUNCIL COMMITTEES - REPORTS
Nil

10. OTHER BUSINESS

LEAVE OF ABSENCE – CR MILLER

MOVED Cr Hurn that Cr Miller be granted Leave of Absence from Friday 29 June 2018 to Monday 20 August inclusive.
Seconded Cr Seager CARRIED 2014-18/1437

11. NEXT MEETING
Tuesday 17 July 2018 at 9.00am

12. CLOSURE OF MEETING
Deputy Mayor Lange declared the meeting closed at 9.43am
Confirmed at Council Meeting – Tuesday 17 July 2018

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