MINUTES OF THE MEETING OF THE BAROSSA COUNCIL
held on Tuesday 6 November 2018 commencing at 9.00am in the
Council Chambers, 43-51 Tanunda Road, Nuriootpa

1.1 WELCOME
Mayor Bob Sloane declared the meeting open at 9.00am.

1.2 MEMBERS PRESENT
Mayor Bob Sloane, Crs Margaret Harris, David de Vries, John Angas, Richard Miller,
Christopher Harms, Tony Hurn, Mark Grossman, Leonie Boothby, Scotty Milne and Michael
Seager

1.3 LEAVE OF ABSENCE
Nil

1.4 APOLOGIES
Cr Michael (Bim) Lange

MOVED Cr Seager that the apology received from Cr Lange be noted.
Seconded Cr Hurn  CARRIED 2014-18/1570

1.5 MINUTES OF PREVIOUS COUNCIL MEETINGS

MOVED Cr Grossman that the Minutes of the Council meeting held on Tuesday 16
October 2018 at 9.00am, as circulated, be confirmed as a true and correct record of the
proceedings of that meeting.
Seconded Cr de Vries  CARRIED 2014-18/1571

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 Harris  CARRIED 2014-18/1572

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 Milne that the information items contained in the Consensus Agenda be received and that any recommendations contained therein be adopted.

Seconded Cr Seager
CARRIED 2014-18/1573

5.3 DEBATE OF ITEMS EXCLUDED FROM THE CONSENSUS AGENDA

6. VISITORS TO THE MEETING / ADJOURNMENT OF MEETING

6.1 VISITORS TO THE MEETING
9.30am Presentation of Volunteer Service recognition certificates to Bev Mewett and Joy Hampel (Refer Minute page 2018/439)
9.35am Presentation of Youth Grant certificates to Lucy Blenkiron, Leo Keane, Amanda Tscharke, Thomas Jamieson and James Inwood (Refer minute Page 2018/439-440)

6.2 ADJOURNMENT OF COUNCIL MEETING
Nil

7. DEBATE AGENDA

7.1 MAYOR

7.1.1 REVIEW OF ORDER UNDER CONFIDENTIALITY PROVISIONS OF THE LOCAL GOVERNMENT ACT – MID YEAR CHIEF EXECUTIVE OFFICER PERFORMANCE TARGET REPORT – 17 FEBRUARY 2015

Pursuant to S120(1) of the Local Government Act 1999 Mr Martin McCarthy, Chief Executive Officer, disclosed a conflict of interest in the matter 7.1.1 – Review of Order Under Confidentiality Provisions of the Local Government Act – Mid Year Chief Executive Officer Performance Target Report – 17 February 2015 as the matter relates directly to his personal employment conditions.

Mr McCarthy advised Council of the conflict of interest and left the meeting at 9.04am.

MOVED Cr de Vries that Council in compliance with Section 90(9)(a) of the Local Government Act (Act) and having reviewed the confidentiality orders of 17 February 2015, 27 January 2016, 24 January 2017 and 19 December 2017 made in accordance with Section 90(3)(a) of the Act, in the matter of the Mid-Year Chief Executive Officer Performance Report resolve that the attachments, performance review documents and agenda remain confidential and that Council reviews the said order prior to 6 November 2019.

Seconded Cr Miller
CARRIED 2014-18/1574

PURPOSE

On 17 February 2015 Council passed a resolution as follows:

That Council having considered this matter in confidence under Section 90(2) and (3)(a) (being information the disclosure or which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)) of the Local Government Act of South Australia 1999 resolves that Council resolves that the attachments, performance review documents and agenda remain confidential and...
Government Act 1999 makes an order pursuant to Section 91(7) of the Act that all supporting attachments and performance review documents and agenda of the Confidential Council meeting held on 17 February 2015 in relation to confidential item 8.1.1 mid-year CEO Performance Report and not available for public inspection other than the minutes relating to this confidentiality order, until the conclusion of the Chief Executive Officer’s employment.

Any order made by Council that operates for a period extending for more than 12 months must be reviewed at least once in every year.

This order was last reviewed by Council on 19 December 2017 and thus is due for renewal at this meeting of 6 November 2018.

**REPORT**

The conditions of the order remain consistent with that considered at the meetings of 17 February 2015, 27 January 2016, 24 January 2017 and 19 December 2017 - that the relevant information pertains to the employment performance of the Chief Executive Officer as contemplated by Section 90(3)(a) and 90(9)(b) of the Act; it is therefore considered appropriate to maintain the order as is.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Nil

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

- How We Work – Good Governance
- Local Government Act 1999, S90 and S91

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

Failure to keep this matter confidential could expose Council to reputational risk and compromise the integrity of the review process.

**COMMUNITY CONSULTATION**

No public consultation is required or considered appropriate.

Mr Martin McCarthy returned to the meeting at 9.05am.

### 7.2 EXECUTIVE SERVICES – DEBATE

#### 7.2.1 CHIEF EXECUTIVE OFFICER – DEBATE

**7.2.1.1 2017-18 ANNUAL REPORT**

18/74214

Author: Communication and Engagement Officers

**MOVED** Cr Harris that Council adopt the 2017-18 Annual Report for The Barossa Council as presented in the attachment, with any necessary non-material amendments and typography corrections to be made by the Chief Executive Officer.

**Seconded** Cr Hurn

**CARRIED 2014-18/1575**

**PURPOSE**

The Annual Report for the financial year ending 30 June 2018 is presented for adoption by Council.
REPORT

Introduction
The Annual Report is produced by Council to communicate with and be accountable to our community. The report highlights financial and business plan performance and other disclosures as required by legislation.

Discussion
Section 131 (1) of the Local Government Act 1999 (the Act) states that:

“A Council must, on or before the 30 November in each year, prepare and adopt an annual report relating to the operations of the Council for the financial year ending on the preceding June.”

The Communication and Engagement Officers have continued to restyle the report to ensure it is more user and digital friendly, in line with the ongoing implementation of the Communications and Marketing Strategy. This year’s version adopts a more consolidated approach in an effort to highlight (as a snapshot) the achievements of Council.

If members have drafting changes that are non-material they will be amended by the Chief Executive Officer under the authorisation provided, should Council agree to the recommendation. Other material changes should be highlighted to our Communication and Engagement Officers and tabled at the Council meeting. Please note due to the large file size this document is provided in a low resolution format which may affect the viewing quality of some images and/or graphics.

Summary and Conclusion
The adopted Annual Report provides a snapshot of highlights in the 2017-18 year and will be distributed in accordance with the Act and made available on One Drive and the Council website as a searchable flipbook for public use.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Annual Report 2017-18

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

- Natural Environment and Built Heritage
- Community and Culture
- Infrastructure
- Health and Wellbeing
- Business and Employment
- How We Work – Good Governance

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

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 Section 131
Local Government (General) Regulations 1999
FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
The cost of preparing and producing the report are factored into the existing budget.

COMMUNITY CONSULTATION
Not required.

7.2.2 FINANCE – DEBATE

7.2.2.1 DRAFT DISPOSAL OF LAND AND OTHER ASSETS POLICY
B2247

Author: Manager, Financial Services

MOVED Cr Harris that the draft Disposal of Land and Other Assets Policy be received and the proposed changes contained therein, be approved.
Seconded Cr Milne CARRIED 2014-18/1576

PURPOSE
The current Disposal of Land and Other Assets Policy was approved by Council on 10 September 2014. An updated draft version (Attachment 1) is presented for review and adoption by Council.

REPORT
Introduction
The Disposal of Land and Other Assets Policy sets out the methods by which Land and Other Assets are disposed of and is required to be reviewed every four years.

Discussion
The Policy has been updated to include the following changes:
• Minor updates to the various definitions including Other Assets, Community Land, Not for Profit and Volunteers of The Barossa Council.
• Clarification of 4.4 Accounting for Disposal of Attractive Assets.
• Tidy up of clause 4.4.1 Land Disposal.

The relevant officers have been consulted on the draft Policy, pursuant to Council’s Policy Framework. The Corporate Management Team and the Audit Committee has reviewed the document and all changes are incorporated in (Attachment 1).

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: Draft Disposal of Land and Other Assets 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.

6.4 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
Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial - Nil
Resource – Nil
Risk is reduced by the transparency and accountability provisions provided in the Local Government Act 1999 and this Policy.

**COMMUNITY CONSULTATION**
No community consultation is required under legislation or Council’s Public Consultation Policy.

**7.2.2.2 ANNUAL FINANCIAL STATEMENTS 2017/2018 (AS AT 30 JUNE 2018)**

Author: Manager, Financial Services

**MOVED** Cr Milne that:
(1) The Barossa Council Annual Financial Statements 2017/2018 be received, noted and endorsed; and
(2) The Nuriootpa Centennial Park Authority Annual Financial Statements 2017/2018 be received, noted and endorsed.

**Seconded** Cr de Vries

**CARRIED 2014-18/1577**

**PURPOSE**
To present the Annual Financial Statements for the year ended 30 June 2018 to Council.

**REPORT**

**Discussion**
The completed Annual Financial Statements for 2017/2018 are provided as Attachment 1.

Council’s external audit has been carried out by Bentleys SA Pty Ltd, returning an unmodified report and no reports to the Minister.

The Mayor and Chief Executive Officer have previously been endorsed to sign the Financial Statements.

Attached for your information, are Nuriootpa Centennial Park Authority Financial Statements. These amounts have been consolidated into The Barossa Council Financial Statements for 2017/2018.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**
Attachment 1: The Barossa Council Annual Financial Statements 2017/2018
Attachment 2: Nuriootpa Centennial Park Authority Financial Statements 2017/18

**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
- Local Government (Financial Management) Regulations 2011

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

**Financial**

There are no financial or risk management considerations. Refer to the Report on Financial Results within this agenda for an analysis on the results.

At Council's Audit Committee meeting held on 30 October 2018, the financial statements were reviewed with the resolution “that subject to final confirmation with Council auditors, the 2017/18 Annual Financial Statements be endorsed and presented to Council for adoption”. The Auditors have provided an unmodified report which is included in Attachment 1.

**COMMUNITY CONSULTATION**

Council’s Public Consultation Policy does not require community consultation. The Statements are public documents, accessible to the community via Council’s website.

7.2.2.3

**REPORT ON FINANCIAL RESULTS 2017/2018 (AS AT 30 JUNE 2018)**

Author: Manager, Financial Services

MOVED Cr de Vries that the Report on Financial Results for 2017/2018 (as at 30 June 2018) be received and the proposed carried forward adjustments to 2017/18 as listed on pages 6 to 15, including reserve transfers contained therein, be approved, with any necessary non-material amendments and typography corrections to be made by the Chief Executive Officer.

Seconded Cr Hurn

CARRIED 2014-18/1578

**PURPOSE**

The Report on Financial Results for 2017/2018 (as at 30 June 2018) is attached for Council consideration and approval of carried forward adjustments to 2018/19.

**REPORT**

**Discussion**

The Report on Financial Results is prepared following the completion of the Financial Statements. This report provides Council with a final variance report for the actual results as compared to the adopted budget, along with suggested carried forward adjustments to the 2018/2019 financial year.

The report provides information as to the financial position of Council, containing: Executive Summary, Uniform Presentation of Finances, Key Performance Indicators, Financial Statements with Variance Reporting as compared to the original budget and compared to last year actual results.

The report also provides a list of proposed Operating and Capital Budget carried forward adjustments. Many of these adjustments are for projects not completed by 30 June 2018 for various reasons and/or are attached to grant funding/contributions for programs in 2018/2019.

For further analysis, reference should be made to the Annual Financial Statements 2017/2018, attached to Agenda item 7.2.2.2.

The report also includes capital expenditure and new initiatives review.
The following table shows reserve transfers for the year ended 30 June 2018:

<table>
<thead>
<tr>
<th>Reserve Movements during 17/18</th>
<th>30/6/17 Balance</th>
<th>17/18 (shaded amounts part or all Carried Forward (C/F) to 18/19)</th>
<th>30/6/18 Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>16/17 Reserve Balances</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>134 - Angas Recreation Park Reserve</td>
<td>-28,843.00</td>
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<td>-28,843.00</td>
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<td>935 - Angaston Hall Reserve</td>
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<td>956 - Angaston Management Group Reserve</td>
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<td>-31,640.00</td>
<td>20,260.00</td>
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<td>100 - Angaston Youth Action Group Reserve</td>
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<td>945 - Barossa Regional Art Gallery Reserve</td>
<td>-28,430.00</td>
<td>-39,942.00</td>
<td>68,372.00</td>
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<td>899 - Barossa Regional Gallery Cookbooks</td>
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<td>-18,736.00</td>
<td>-71,356.00</td>
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<td>924 - Bushgarden Project Reserve</td>
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<td>-577.00</td>
<td>-7,077.00</td>
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<td>929 - Community Transport Scheme Reserve</td>
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<td>153,594.00</td>
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<td>949 - Country Recreational Park Reserve</td>
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<td>-16,139.00</td>
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<td>974 - CVRS Reserve</td>
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<td>955 - DARIC Reserve</td>
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<td>966 - Developers Contributions Reserve</td>
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<td>994 - Gallery Gift Fund Reserve</td>
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<td>229 - Greener Waste Collection</td>
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<tr>
<td>907 - Leisure Options Bus Replace Reserve</td>
<td>-8,518.00</td>
<td>9,518.00</td>
<td>130.00</td>
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<td>908 - Leisure Options Program Reserve</td>
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<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>957 - Lyndoch &amp; Districts Community Reserve</td>
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<td>0.00</td>
<td>-28,182.00</td>
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<tr>
<td>947 - Lyndoch Street Party Reserve</td>
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<tr>
<td>936 - Lyndoch Town Hall Reserve</td>
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<td>-6,849.00</td>
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<td>937 - Moclucna Hall Reserve</td>
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<td>550 - Moclucna Recreation Park Reserve</td>
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<td>938 - Mt Pleasant Hall Reserve</td>
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<td>988 - Mt Pleasant Main St Comm Reserve</td>
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<td>-1,147.00</td>
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<td>951 - Murray Recreation Park Reserve</td>
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<tr>
<td>939 - Nungate Hall Reserve</td>
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<tr>
<td>544 - Nungate Swimming Pool Reserve</td>
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<td>540 - Old Union Chapel Reserve</td>
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<td>-76,423.00</td>
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<td>911 - Other Miscellaneous Reserve</td>
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<td>28,531.00</td>
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<tr>
<td>971 - Quarry Operations Reserve</td>
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<td>17,488.00</td>
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<td>902 - RSL &amp; Fitness Centre Reserve</td>
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<td>927 - Recyclables Collection Reserve</td>
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<td>919 - Refuse Collection Reserve</td>
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<td>-590.00</td>
<td>-169,452.00</td>
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<td>948 - Sculpture Park Reserve</td>
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<td>-600.00</td>
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<td>942 - Stockwell Half Reserve</td>
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<td>952 - Stockwell Park Reserve</td>
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<td>953 - Talunga Recreation Park Reserve</td>
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<td>960 - Tanunda Town Reserve</td>
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<td>943 - Wtown Hall Reserve</td>
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<td>946 - Wtown Historical Society Reserve</td>
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<td>955 - Wtown QUV Park Reserve</td>
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<td>979 - Youth Services Reserve</td>
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<td><strong>Total</strong></td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
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</tbody>
</table>
ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: Report on Financial Results 2017/2018

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.

6.3 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
Local Government (Financial Management) Regulations 2011

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. This report contains budget adjustments for decisions Council has made since the last review and other adjustments to meet financial changes in capital and/or operational areas. The document contains comments and implications for the Long Term Financial Plan as a result of this review.

COMMUNITY CONSULTATION
Community Consultation was part of the original budget adoption process in June 2017, as per legislation.

VISITORS TO THE MEETING - 9.29AM

PRESENTATION OF VOLUNTEER RECOGNITION CERTIFICATES
Mayor Sloane welcomed Bev Mewett and Joy Hampel to the meeting presented them with volunteer recognition certificates for their many years volunteering with the Nuriootpa Gardening Group. Bev Mewett has been an active member with the group since 1995 and Joy Hampel for the past 12 years.

Mayor Sloane congratulated Bev and Joy for their service to the community and thanked them for their attendance at the meeting.

PRESENTATION OF YOUTH GRANT CERTIFICATES
Mayor Sloane presented Youth Grant certificates to the following:
Tom Jamieson who received a youth grant of $200 – Tom was chosen to participated in the South Australian Rugby Union Junior State Representation Program (Under 18s) for a completion in Melbourne in June 2018.

James Inwood who received a youth grant of $200 and was selected to compete in the School Sport Australia Cross Country Championships on the Sunshine Coast in August 2018.
Leo Keane who received a youth grant of $250 and was chosen to represent Australia in the World Adolescent Robotics Championships in Guiyang City, China in July 2018.

Lucy Blenkiron who received a youth grant of $250 and is a member of the SA Branch of the Australian Mounted Games Association. Lucy represented Australia at the Worlds U17 Teams Championship in Belgium in August 2018.

Amanda Tscharke who received a youth grant of $200 and represented South Australia in the 2018 Australian Para Table Tennis Championships held in Canberra in May 2018. Amanda also participated in the 2018 World Para Individual Championships held in Slovenia in October.

Mayor Sloane congratulated all youth grant recipients on their achievements and thanked them for their attendance at the meeting.

7.3 CORPORATE AND COMMUNITY SERVICES - DEBATE

7.3.1 DIRECTOR CORPORATE AND COMMUNITY SERVICES - DEBATE

7.3.1.1 REVIEW OF ORDER UNDER CONFIDENTIALITY PROVISIONS OF THE LOCAL GOVERNMENT ACT – PUBLIC LIGHTING TARIFF DISPUTE – 21 NOVEMBER 2017

B7152

MOVED Cr Angas that Council in compliance with Section 90(9)(a) of the Local Government Act 1999 (the Act) and having reviewed the confidentiality order of 21 November 2017 made in accordance with Section 90(3)(h) of the Act, in the matter of the Public Lighting Dispute, resolve that:

(1) the minutes, report and attachments remain confidential and not available for public inspection

(2) the Chief Executive Officer be authorised to review and revoke the order.

Seconded Cr Milne CARRIED 2014-18/1579

PURPOSE

Council to review the terms of confidentiality regarding the Minutes, Report and Attachments of Confidential Item 8.1.1 of the 21 November 2017 Council Meeting, titled Public Lighting Tariff Dispute.

REPORT

Introduction
At a Confidential Council Meeting held 21 November 2017, the following was resolved:

Council having considered this matter in confidence under Section 90(2) of the Local Government Act (the Act) pursuant to Section 90(3)(h) of the Local Government Act 1999 being (i) information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council, makes an order pursuant to Section 91(7) and (9) of the Local Government Act 1999, that the minutes, report and attachments other than the minutes relating to the confidentiality order of the Confidential Council Meeting held on 21 November 2017 in relation to Confidential Item number 8.1.1 and titled Public Lighting Tariff Dispute be kept confidential and not available for public inspection until such date as the matter is resolved and reported to Council.

Discussion
Any order made by Council that operates for a period extending for more than 12 months must be reviewed at least once in every year; thus this order, pursuant to Section 91(9) Local Government Act (Act), is due for review.
The Local Government Association of SA requested that the matter be kept confidential until the finalisation of the public lighting tariff dispute, pursuant to Sections 90(3)(h) and (i) of the Local Government Act 1999 (“the Act”) being legal advice and information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council.

The matter has not yet been concluded, and the 12 month period relating to the confidentiality order expires on 20 November 2018.

Summary and Conclusion
Officers are recommending that the period of this confidentiality order be extended, as release to the public would be contrary to the public interest in that there would be prejudice to the fair treatment of a public report by an early disclosure.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Nil

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

Corporate Plan
6.1 Ensure that the community has access to information regarding the discussions held and decisions made by Elected Members

Legislative Requirements
Local Government Act 1999, S90 and S91

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
No relevant considerations are noted.

COMMUNITY CONSULTATION
There are no items related to this matter that require consultation under the Act or Council’s Policy.

7.3.2 DEBATE AGENDA – MANAGER COMMUNITY PROJECTS

7.3.2.1 BAROSSA VALLEY MACHINERY PRESERVATION SOCIETY – REQUIREMENT FOR FIRE PROTECTION SYSTEM AND ADDITIONAL FUNDING REQUEST

B1701

MOVED Cr Hurn that Council:

(1) Provide an interim contribution of $25,000 (ex GST) from the current Community Assets Fund budget toward financing the completion of the required development conditions of the Barossa Valley Machinery Preservation Society shed, as stage one of support from Council to facilitate practical completion of works without delay during the current Caretaker Period with a view to converting this to a loan arrangement in 2019 when associated costs are confirmed.

(2) Require officers to bring a further report to the new Council after the Election to detail the loan arrangements as part of a Quarter 2 budget adjustment in accordance with Council’s Budget & Business Plan and Review Policy.

Seconded Cr Seager  CARRIED 2014-18/1580

PURPOSE
The Barossa Valley Machinery Preservation Society (BVMPS) have installed their shed at the Angaston Railway Precinct. The development approval (final) issued on 14 May 2018 included...
a condition requiring fire protection to be installed prior to fitout of the building. The BVMPS have approached officers to assist with funding the installation.

**REPORT**

**Introduction**

The BVMPS shed loan was approved by Council at its 20 February 2018 meeting. The loan is for the value of $80,000 through the Local Government Finance Authority over a 10 year term.

The funding model (revised) for the $250,000 shed includes:

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>BVMPS Funds</td>
<td>$55,000</td>
</tr>
<tr>
<td>Council contribution</td>
<td>$55,000</td>
</tr>
<tr>
<td>Loan (Local Government Finance Authority)</td>
<td>$80,000</td>
</tr>
<tr>
<td>Donations</td>
<td>$30,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$220,000</strong></td>
</tr>
<tr>
<td>Building Better Regions – Round 2 Grant (unsuccessful) for flooring, additional fitout and remaining items, fire protection and power installation</td>
<td>$146,000</td>
</tr>
</tbody>
</table>

Due to the Round 2 Building Better Regions grant application being unsuccessful, the BVMPS have had to reduce their scope for the shed and have decided to wait to install the concrete flooring and other items. They will continue to apply for other grants and continue with their fundraising activity.

**Discussion**

The BVMPS have diligently managed the construction of the shed and have continued their normal business throughout this period. They were active at the Royal Adelaide Show, one of their main fundraising activities. They have also continued to enjoy strong support from local supporters of their project, with favourable pricing for works, services and materials.

Unfortunately, their application of $146,000 for Building Better Regions – Round 2 Grant was unsuccessful and this has resulted in their cash holdings being tighter than budgeted at this stage of the project. Due to their cash position, the BVMPS have requested additional assistance with funding the fire protection requirement of their shed build and a condition of them achieving practical completion of the project.

At the request of the BVMPS, officers have reviewed the National Building Code to determine if there is a shared responsibility for the provision of fire protection across the entire site. Section E1.3 documents that the requirement for fire protection is only triggered by a building over 500sqm and therefore would not be triggered by Council for the remainder of the site and the other improvements as part of the Angaston Railway Precinct upgrade. The fire protection could be in the form of a hydrant connected to mains water with a minimum flow rate, or tank/s with a minimum 288 KL capacity to collect and store water from the roof of the shed.

Advice was also sought from the Country Fire Service (CFS) who have attended the site with the BVMPS. The CFS officer confirmed that the shed requires fire protection and has provided the BVMPS with alternate solutions. Rather than the highest cost hydrant solution which could cost upwards of $70,000 to achieve the required flowrates and installation of associated infrastructure, a tank solution has been suggested. Discussion with the CFS officer indicated that due to the materials of the shed, and the nature of its agreed usage, it would be considered appropriate for a reduced capacity tank of 144KL to be used, reducing the tank cost as well as earthworks to prepare the pad.

The remaining costs associated with completing the installation of the fire protection equipment totals $54,845. The BVMPS cash on hand is $55,005 (once final shed and earthworks payments made); see Attachment 1. The letter in Attachment 2 requests that Council considers a further contribution of $25,000 to assist with funding the fire protection and leave the group with a sustainable level of operating funds.

Should Council agree to provide additional funding, it could be achieved by:

- further loan borrowings to the BVMPS, with repayments over a 10 year loan term; or
- by providing a contribution through existing budgeted funds for community assets; or
- a combination of those options.
It is noted that the BVMPS shed is subject to a Land Only Lease, which legally assigns ownership of the shed to the BVMPS and therefore, it is not a Council asset. The Community Assets Fund within Council’s existing operating budget is ordinarily set aside for Council owned assets, however could be used for this purpose.

<table>
<thead>
<tr>
<th>Cost Centre</th>
<th>Purpose</th>
<th>Balance</th>
<th>Operating / Capital</th>
</tr>
</thead>
<tbody>
<tr>
<td>252</td>
<td>Community asset replacement for unplanned failures</td>
<td>$51,617</td>
<td>Operating</td>
</tr>
<tr>
<td>199</td>
<td>Budget for potential New Initiatives from ex-Section 41 groups</td>
<td>$25,000</td>
<td>Operating</td>
</tr>
<tr>
<td>Building</td>
<td>Council-owned community facility renewal and replacement</td>
<td>$139,000</td>
<td>Capital</td>
</tr>
<tr>
<td>Renewal /</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Replacement</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Officers have worked closely with the BVMPS members in the initial budget and planning stages of the project and continue to support the BVMPS to achieve their goals. While given the relative level of support already provided, it is officer’s initial recommendation that Council assist the BVMPS with a loan. During the Election Caretaker Period, this would be classed as a Designated Decision and therefore not an appropriate recommendation prior to Council Elections. Therefore officers recommend that in order for Council to continue to support the BVMPS over this period, that a phased approach to supporting the BVMPS be taken. Firstly, Council may consider providing the BVMPS with a contribution from the Community Assets Fund. After the Council Election is completed, it is recommended that the new Council consider converting this contribution to a loan facility. A further report will be tabled with the new Council to consider this recommendation.

The BVMPS have flagged to officers their concern to progress this matter to practical completion to enable them to move their equipment from their current premises so that they no longer have to pay rent on the existing premises.

Summary
To enable the Barossa Valley Machinery Preservation Society to complete the approval conditions for their shed and progress to practical completion, they are requesting additional financial support from Council.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: Barossa Valley Machinery Preservation Society current financial position (18/73652)
Attachment 2: Letter from Barossa Valley Machinery Preservation Society (18/74299)

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Community Plan

Health and Wellbeing

2.3 Contribute to creating strong and sustainable community networks.
2.7 Embrace place-making principles when developing community infrastructure and regulate planning and development in public spaces.

Corporate Plan

How We Work – Good Governance

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.
FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial Management
If agreed by the new Council, officers will document a loan agreement that will outline repayment terms and schedule. The document will be signed by the BVMPS prior to the loan being drawn down.

Should Council wish to provide the additional funding as a contribution from existing budgets, this will potentially reduce available funds for other Council requirements that may present in the remainder of the financial year.

The shed project will continue to be well managed by the BVMPS, with additional fund raising and grant applications to be made in order to deliver the full scope over time. However, it should be noted that now the shed has reached the point of practical completion, there will be more limited options for significant grant funds as the project will no longer meet many infrastructure funding criteria.

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

7.4 WORKS AND ENGINEERING - DEBATE

7.4.1 DIRECTOR WORKS AND ENGINEERING - DEBATE

7.4.1.1 PROPOSED ROAD CLOSURE – 2019 SANTOS WOMENS TOUR DOWN UNDER
B7475 18/71576

MOVED Cr de Vries that the Commissioner of Police be advised that The Barossa Council endorses the closure and restrictions of the following roads on Friday 11 January 2019:

Memorial Avenue, Nuriootpa, from Park Avenue to Murray Street between 7.00am and 11.00am, and

Mengler Hill Road, from Light Pass Road, Bethany, to Gravel Pit Road, Angaston, between 10.00am and 3.30pm.

No parking to apply between 9.00am and 1.30pm on Friday 11 January 2019 on:
Murray Street, Angaston, between Sturt Street and Tyne Street on both sides of the road,
and

No parking to apply between 9.00am and 1.30pm on Friday 11 January 2019 on:
Eden Valley Road, Eden Valley between Cranes Range Road and a point 100m south of Burkes Hill Road on both sides of the road,

to facilitate the staging of Stage 2 of the 2019 SANTOS Women’s Tour Down Under.

Seconded Cr Miller  CARRIED 2014-18/1581

PURPOSE
Events South Australia as the organisers of the 2019 Santos Tour Down Under have advised that Stage 2 of the SANTOS Women’s Tour Down Under will be held on Friday 11 January 2019, the start in Nuriootpa and the finish on Mengler Hill.

Road closures and parking restrictions in Nuriootpa and on Mengler Hill and parking restrictions in Angaston and Eden Valley are required for the safety of all participants and the general public.
**REPORT**

**Background**
The SANTOS Tour Down Under is in its twenty first year of operation in South Australia and attracts many interstate and international visitors to the Barossa region.

In 2012, the event hosted a series of women's street criterium races, marking the first time female athletes participated in the event. In 2015, the annual women's race was established as part of the National Road Series, and in 2016 was granted UCI 2.2 status. Now operating as the Santos Women's Tour Down Under, the race was upgraded to UCI 2.1 status for the 2018 event, and saw elite international women's teams commence their season in Adelaide.

The 2019 Stage 2 route sees riders start off at Nuriootpa, where they will complete a ceremonial start before ending race neutral on Gawler Street and setting out for a loop of Greenock, Seppeltsfield, Tanunda, Bethany and Angaston.

Heading east through Angaston, the race will spice up with intermediate sprint points up for grabs on Murray Street, before heading to Eden Valley for the Cat 3, Three Cols Climb and Subaru QOM points.

Looping back along Eden Valley Road, the peloton will have one final sprint in Angaston before heading back towards Bethany for the famous Mengler Hill finish.

**Discussion**
The Barossa Council has supported this event for many years by organising and implementing the road closures and parking restrictions required for the event.

A request has been received (refer attached) from the organisers seeking The Barossa Council’s authorisation to close roads and implement parking restrictions on race days.

**Summary and Conclusion**
Council continues to support the local town groups as the community work together to host a successful event in the Barossa.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**
Attachment 1 – Letter of request

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

Community Plan

- 2. Community and Culture
- 4. Health and Wellbeing
- Business and Employment

2.1 Initiate and support activities which encourage participation and pride in the Barossa Council area.
2.6 Support a vibrant and growing arts, cultural, heritage and events sector.
4.2 Create opportunities for people of all ages and abilities to participate in the community.
5.13 Support economic development through events

Legislative Requirements
Local Government Act 1999
Road Traffic Act 1961
FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial and Resources
The in-kind cost of these road closures will be funded via Council’s Road Closure - Support budget and supported by SAPOL.

Risk Management
The road closure is deemed necessary as a risk mitigation strategy to maintain the safety of participants and the general public.

COMMUNITY CONSULTATION
The road closures will be advertised by the organisers in the media.

7.4.1.2 PROPOSED ROAD CLOSURE – 2018 WILLIAMSTOWN CHRISTMAS PARADE
B7475 18/73805

MOVED Cr Seager that the Commissioner of Police be advised that The Barossa Council endorses the closure of the following roads:

Victoria Terrace, Williamstown, from George Street to Queen Street between 3.00pm and 4.00pm, and

Queen Street, Williamstown, from Victoria Terrace to Memorial Drive between 3.00pm and 4.00pm

On Sunday 9 December 2018 to stage the 2018 Williamstown Christmas Parade.
Seconded Cr Miller CARRIED 2014-18/1582

PURPOSE
The Williamstown Action Group has applied to The Barossa Council for support as they plan the 2018 Williamstown Christmas Celebration on Sunday 9 December 2018.

REPORT
Background
Council has supported township Christmas parades for many years by organising and implementing the road closures and rubbish removal for the events.

The Parade will require a full street closure and diversion of traffic on the day and council operations staff will provide this support.

Summary and Conclusion
Council Operations staff has further assisted the local community to prepare and stage this event with assistance in the following areas

· Putting up the Christmas banners if required
· Street sweeping - as close as possible to the event
· Emptying of bins – also as close as possible to the event
· General main street tidy up

Council Officers will also request SAPOL direct that persons taking part in the “Williamstown Christmas Parade” on the above roads be exempted from all Australian Road Rules relating to pedestrian behaviour on roads.

Attending to these items enables the Group to successfully host the event each year as per the Community Plan.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Community Plan
2. Community and Culture

4. Health and Wellbeing

Business and Employment

2.1 Initiate and support activities which encourage participation and pride in the Barossa Council area.

2.6 Support a vibrant and growing arts, cultural, heritage and events sector.

4.2 Create opportunities for people of all ages and abilities to participate in the community.

5.13 Support economic development through events

Legislative Requirements
Local Government Act 1999
Road Traffic Act 1961

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial and Resources -
The in-kind cost and implementation of the road closure is to be met by Council via Council’s Road Closure – Support budget.

Risk management –
Council officers deem the closure necessary as a risk mitigation strategy to maintain the safety of participants and the general public.

COMMUNITY CONSULTATION
The community will be advised of the proposal by public advertisements to be placed in The Herald and Leader and also via placement of the SAPOL notice on Council’s website.

7.5 DEVELOPMENT AND ENVIRONMENTAL SERVICES - DEBATE

7.5.1 DEVELOPMENT SERVICES – DEBATE
Nil

7.5.2 ENVIRONMENTAL SERVICES REPORT - DEBATE

7.5.2.1 CONSIDERATION AND ADOPTION OF COMMITTEE RESOLUTIONS
B5476
Author: Director, Development and Environmental Services

MOVED Cr de Vries that Council having reviewed the Minutes of Barossa Bushgardens S41 Committee Meeting held 17 October 2018, that the Minutes be received and noted. CARRIED 2014-18/1583

Seconded Cr Hurn

PURPOSE
The Minutes of Council Section 41 Committees are presented for consideration and adoption of Council.

REPORT
The consideration and adoption of recommendations of Council Committees to Council requires assessment by Council to ensure compliance with Council obligations under section 6(a) of the Local Government Act. The relevant Minutes received in the past month are hereby presented for Council adoption.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: Minutes - Barossa Bushgardens S41 Committee Meeting held 17 October 2018
COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Natural Environment and Built Heritage

Corporate Plan

Natural Environment and Built Heritage

1.1 Collaborate with relevant authorities to ensure a regional and holistic approach in the management of natural resources.

1.2 Support native eco systems that support native flora and fauna.

1.3 Ensure environmental and agricultural sustainability and historic significance of the region is retained.

Legislative Requirements

Local Government Act and Regulations
Development Act and Regulations

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Identified within the body of the Minutes, and is included within the endorsed Council Budget.

COMMUNITY CONSULTATION

Not required by Council.

8. CONFIDENTIAL MATTER

Nil

9. REPRESENTATIVES ON COUNCIL COMMITTEES - REPORTS

Nil

10. OTHER BUSINESS

10.1 PRESENTATIONS – SERVICE AND RETIREMENT AWARDS

Mayor Sloane presented a service award and gift voucher to retiring member Cr Michael Seager and congratulated him on achieving over 30 years of service to the community as a member of the former Mount Pleasant Council and since amalgamation in 1997 with The Barossa Council.

Mayor Sloane presented a service award and gift voucher to retiring member Cr Scotty Milne who served 12 years on Council and a gift voucher to retiring member Cr Margaret Harris who served 8 years on Council.

Mayor Sloane also presented service awards to Crs David de Vries (15 years) and Cr Richard Miller (10 years).

Mayor Sloane thanked members for their service and wished those retiring from Council well in their future endeavours.

On behalf of Council, Cr Hurn congratulated Mayor Sloane on his term as Mayor.

11. NEXT MEETING

To be advised

12. CLOSURE OF MEETING

Mayor Sloane declared the meeting closed at 9.56am.

Confirmed at Council Meeting on a date to be advised - November 2018