



*The Barossa Council*

## **MINUTES OF THE MEETING OF THE BAROSSA COUNCIL**

held on Monday 26 November 2018 commencing at 5.03pm in the Council Chambers, 43-51 Tanunda Road, Nuriootpa

### **1.1 WELCOME**

Mr Martin McCarthy, Chief Executive Officer welcomed everyone to the meeting and declared the meeting open at 5.03pm.

### **1.2 DECLARATION OF OFFICE - MAYOR**

Declaration of Office was completed by Mayor Lange (\$60 of the Local Government Act 1999) and witnessed by Justice of the Peace, Mrs Ann Nitschke

Mayor Lange assumed the Chair at 5.05pm.

### **1.3 DECLARATION OF OFFICE – COUNCILLORS**

Declaration of Office was completed by Councillors (\$60 of the Local Government Act 1999) and witnessed by Justice of the Peace, Mrs Ann Nitschke.

### **1.4 MEMBERS PRESENT**

Mayor Michael (Bim) Lange, Crs John Angas, Cathy Troup, Tony Hurn, David Haebich, Leonie Boothby, Kathryn Schilling, Russell Johnstone, Richard Miller, Don Barrett, Dave de Vries and Carla Wiese-Smith

Mayor Lange gave a short opening address welcoming returning and new elected members.

### **1.5 LEAVE OF ABSENCE**

Nil

### **1.6 APOLOGIES FOR ABSENCE**

Nil

### **1.7 MINUTES OF PREVIOUS MEETINGS – FOR CONFIRMATION**

**MOVED** Cr de Vries that the Minutes of the Council meeting held on Tuesday 6 November 2018 at 9.00am, as circulated, be confirmed as a true and correct record of the proceedings of that meeting.

**Seconded** Cr Miller

**CARRIED 2018-22/1**

### **1.8 MATTERS ARISING FROM PREVIOUS MINUTES**

Nil

**1.9 NOTICE OF MOTION**

Nil

**1.10 QUESTIONS ON NOTICE**

Nil

**2. MAYOR**

**2.1 MAYOR'S REPORT**

Nil

**3. COUNCILLOR REPORTS**

Nil

**4. CONSENSUS AGENDA**

Nil

**5. ADOPTION OF CONSENSUS AGENDA**

**5.1 ITEMS FOR EXCLUSION FROM THE CONSENSUS AGENDA**

Nil

**5.2 RECEIPT OF CONSENSUS AGENDA**

Nil

**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**

5.19pm – Refer Minute Page Reference 2018/451

**7. DEBATE AGENDA**

**7.1 MAYOR - DEBATE**

Nil

**7.2 EXECUTIVE SERVICES - DEBATE**

**7.2.1 CHIEF EXECUTIVE OFFICER – DEBATE**

**7.2.1.1**

**APPOINTMENT OF DEPUTY MAYOR**

**B7322 18/80766**

**MOVED** Cr de Vries that Council:

- (1) Appoint a Deputy Mayor for a period of 12 months;
- (2) Adopt preferential voting system;

- (3) Undertake an indicative secret ballot should it be required;
- (4) Appoint the Chief Executive Officer to be returning officer for any ballot.

**Seconded** Cr Johnstone

**CARRIED 2018-22/2**

Cr Boothby nominated Cr Angas for the position of Deputy Mayor.

Cr Hurn nominated himself for the position of Deputy Mayor.

**MOVED** Cr Angas that Council having received more than one nomination for the position of Deputy Mayor adjourn the meeting for the purposes of undertaking the indicative secret ballot and that the meeting shall recommence once the Chief Executive Officer announces the result of the ballot.

**Seconded** Cr Johnstone

**CARRIED 2018-22/3**

### **ADJOURNMENT OF COUNCIL MEETING – 5.19PM**

The Council meeting adjourned at 5.19pm for the purpose of undertaking the indicative secret ballot for the position of Deputy Mayor.

At the conclusion of the indicative ballot Mr Martin McCarthy, Chief Executive Officer declared Cr Angas the winner – 9 votes to 3.

### **RESUMPTION OF COUNCIL MEETING – 5.21PM**

The Council meeting resumed at 5.21pm.

Pursuant to S74 of the Local Government Act 1999 Cr Angas disclosed a material conflict of interest due to the increased allowance and status of the position of Deputy Mayor, The Barossa Council. Cr Angas advised the meeting of the conflict of interest and left the meeting at 5.21pm.

**MOVED** Cr de Vries that Council pursuant to Section 51 (3) appoints Cr Angas as Deputy Mayor of The Barossa Council.

**Seconded** Cr Haebich

**CARRIED 2018-22/4**

### **PURPOSE**

Section 51 (3) of the Local Government Act provides that a Council may resolve to elect a Deputy Mayor. Further, that the Deputy Mayor will hold office for a term determined by the Council, but for a period not exceeding 4 years.

### **REPORT**

#### Introduction

The Barossa Council has historically elected a Deputy Mayor for a term of 12 months. The rationale for this has been that shorter terms allow for the option of the Deputy Mayor position being provided as an opportunity for more than one Elected Member, should they be interested, in gaining the experience in the role.

The Local Government Association has recently updated its guide for selecting a Deputy Mayor and this is reflected in this report.

#### Discussion

There are various ways to undertake the election and appointment of a Deputy Mayor.

Option A Resolution of Council

Option B An election process determined by the Council

Option A requires Council to test each nomination by resolution, and only if a resolution is lost (or not seconded) can it proceed to the next nomination.

Option B, which is that which has traditionally been adopted by Council, is to undertake a nomination and secret ballot, conducted by the Chief Executive Officer. In accordance with the updated guidelines this should be undertaken in adjourned Council so that nominees and the Mayor may cast a ballot. Once the result is determined the adjournment ends and the result is confirmed by a formal resolution of the Council.

It should be noted that whilst a ballot is undertaken no conflict of interest arises for the nominees. The Mayor is also provided a ballot due to the fact they form part of the members of Council pursuant to Section 51(4) of the Act and it is not a question before Council, it is a ballot. Once formal meeting procedures commence again the nominee determined by the ballot by virtue of the provisions of Section 74 of the Act will have a material conflict of interest due to the increased allowance and status of the position and must declare a conflict of interest and leave the meeting before the confirming resolution.

Option B if selected should stipulate if the voting system shall be first past the post or preferential voting utilising a show of hands or a secret ballot. Traditionally Council has undertaken a secret ballot using preferential voting. By way of example:

Example 1 - First past the post

Candidate 1	5 votes
Candidate 2	4
Candidate 3	2

Candidate 1 has the most votes and would be elected, but with a minority of the votes cast.

Example 2 - A preferential system with the elimination of the candidate with the lowest vote.

Candidate 1	5
Candidate 2	4
Candidate 3	2

Candidate 3 is eliminated and those votes are distributed to 3's second preference. Assume 3's supporters prefer 2 over 1, then the result will be:

Candidate 1	5
Candidate 2	6

Candidate 2 would be elected with a majority of the total votes cast.

Further if there is a tied vote it is established practice that lots shall be drawn. This is done by placing the tied nominee's names on identical pieces of paper, placing them in a receptacle so that no one can see the names on the paper and the Chief Executive Officer drawing names until only one nominee remains. The name of the candidate/s withdrawn will be the one/s excluded from the ballot.

## 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.

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

### Legislative Requirements

Local Government Act 1999 Section 51

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

The Deputy Mayor will be remunerated at \$21,588 paid quarterly in arrears and this is budgeted.

**COMMUNITY CONSULTATION**

Consultation is not required under policy or legislation.

Cr Angas returned to the meeting at 5.22pm.

**7.2.1.2****TIME AND PLACE OF ORDINARY MEETINGS OF COUNCIL****B7322 18/80762**

**MOVED** Cr Boothby that for the term of the Council Ordinary meetings:

- (1) Will be held on the third Tuesday of the month, with the exception of:
  - (a) the January ordinary meeting which shall be held on the fourth Tuesday of January; and
  - (b) the November 2022 meeting which shall be held on the Tuesday prior to polling day.
- (2) Shall commence at 6.30pm and;
- (3) Shall be held in The Barossa Council Chamber, 43-51 Tanunda Road, Nuriootpa.

**Seconded** Cr Wiese-Smith

**LOST**

Cr Wiese-Smith called for a division.

Mayor Lange set aside the result of the motion and called for a division.

Those voting in favour of the motion:

Crs Barrett, Angas, Boothby, Wiese-Smith and Troup

Those voting against the motion:

Crs Hurn, Haebich, Schilling, Miller, de Vries and Johnstone

Mayor Lange declared the motion

**LOST**

**MOVED** Cr de Vries that for the term of the Council Ordinary meetings:

- (1) Will be held on the third Tuesday of the month, with the exception of:
  - (a) the January ordinary meeting which shall be held on the fourth Tuesday of January; and
  - (b) the November 2022 meeting which shall be held on the Tuesday prior to polling day.
- (2) Shall commence at 9.00am and;
- (3) Shall be held in The Barossa Council Chamber, 43-51 Tanunda Road, Nuriootpa.

**Seconded** Cr Hurn

**CARRIED 2018-22/5**

**PURPOSE**

To set the meeting times, date and places for the ensuing four years of Council.

**REPORT**Introduction

Section 81(3) of the Local Government Act provides that Council must determine the time and place of ordinary meetings of Council.

Discussion

Council must hold an ordinary meeting at least monthly. Apart from the first meeting of Council, it must determine when and where it will meet. Ordinary meetings cannot be held on a Sunday or Public Holiday. Not being a municipal Council meetings can be held at any time of the day. The principles of open, accessible and transparent government are relevant to the setting of meeting times and places along with the provision of appropriate agenda and minutes.

The Barossa Council has traditionally met on the third Tuesday of the month at 9am except for January due to the holiday period and it often falls on or about Australia Day. The timing of the third week is sound for officers so as to present necessary reports including financial reports which are developed subsequent to months end.

It is further recommended that the last meeting of Council be held the Tuesday prior to polling day, as happened in this month. This allows for the current Council to meet the legislative standard and allows adequate time to support the incoming Council with induction, briefings and other administrative matters.

Meetings are held traditionally in the Council Chamber 43-51 Tanunda Road, Nuriootpa, as being the principle office unless Council determine otherwise by formal resolution.

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

Legislative Requirements

Local Government Act 1999 Section 81

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

All costs to support Council meetings are budgeted for.

**COMMUNITY CONSULTATION**

Consultation is not required under policy or legislation.

**7.2.1.3****AGENDA FORMAT FOR ORDINARY MEETINGS OF COUNCIL**

**B7322 18/80763**

**MOVED** Cr Hurn that Council approves the agenda format as outlined in the report.

**Seconded** Cr Wiese-Smith

**CARRIED 2018-22/6**

**PURPOSE**

To set the format for the agenda for ordinary meetings of Council for the term of Council.

**REPORT**Introduction

Council is provided an agenda at least 3 clear days (effectively that is 5 days as the day it is provided and the Council meeting day is not calculated in the 3 days) prior to an ordinary meeting. It is Council's decision as to the structure of its agenda.

The current agenda is derived from the Local Government Association (LGA) Meeting Procedures Handbook and the Council's development over many years.

Discussion**(1) Order of Business**

The Local Government Association has produced the *Meeting Procedures Handbook*, a copy of which will be provided to members through the member portal. As Council's Order of Business is based on this guide, it is not proposed to alter this.

**(2) Late Items / Other Business**

Only late items of matters of urgency may be added to the Council Agenda and this shall be at the discretion of the Mayor and endorsed by the Council. Late items not resolved to be a matter of urgency should be deferred to the next meeting or a special meeting to allow time for public notification of the matter and for relevant input from officers and due reading time and consideration by members. The Act also provides for calling special meetings to deal with matters of urgency.

The suggested order of business should not contain an item "Other Business". The inclusion of matters at a meeting on which there has been no public notification, no relevant report from officers and possible subsequent decision of the Council is not in keeping with the provisions or the tenor of the Act. Regulation 15(2) provides that a member may, with the leave of the meeting, raise a matter of urgency - any urgent item an elected member wishes to raise should be discussed with, and approved by the Mayor prior to the meeting and in most circumstances it would be the Mayor who seeks leave to introduce an urgent matter to the meeting.

**(3) Agenda Format**

## 3.1 General Agenda Structure

To comply with the Local Government Act and utilise the best practice structure provided through the LGA handbook the proposed structure of the agenda is as follows (the matters highlighted are amendments to the current structure):

1.	Administrative/Opening	Welcome
		Present
		Leave of Absence
		Apologies for Absence
		Confirmation of Minutes
		Matter Arising from Previous Minutes
		Petitions
		Deputations
		Notices of Motion
		Questions – With or Without Notice
2.	Mayor	Mayor Report/s
3.	Councillor	Councillor Report/s
4.	Consensus Agenda	Mayor
		Executive Services
		Corporate and Community Services
		Works and Engineering Services

		Development and Environmental Services
5.	Consensus Agenda Adoption	Items for Exclusion from Consensus Agenda
		Receipt of Consensus Agenda
		Debate of Items Excluded from Consensus Agenda
6.	Visitors to the Meeting/Adjournment of Meeting	Visitors to the Meeting
		Adjournment of Council Meeting
7.	Debate Agenda	Mayor
		Executive Services
		Corporate and Community Services
		Works and Engineering Services
		Development and Environmental Services
8.	Confidential Agenda	(Items will be specifically listed and sent under separate cover via email)
9.	Urgent Other Business	Only allowed if Mayor agrees and then Council endorses or provides its leave
10.	Next Meeting	Date will be listed for the next ordinary meeting
11.	Closure	Mayor will close the meeting

A prior agenda section "Representatives on Council Committees Report" is proposed to be removed. Members wishing to make reports relevant to Committees can do so under Council Report/s or as part of agenda items presented to Council of committee minutes.

### 3.2 Consensus Agenda and Debate Agenda

Council currently categorises agenda items between 'Consensus' and 'Debate' items. Currently all 'Consensus' items, which are generally matters for information only, are moved *en bloc*; however at the commencement of this section of the meeting, the Mayor will ask Councillors if they wish to remove any item from the 'Consensus' agenda section into the 'Debate' agenda section for discussion or clarification of any part of that particular item.

It is not proposed to alter this.

It is stressed only information items for receiving and noting are provided in the consensus report as any item requiring an active decision from Council must be able to demonstrate that Council has exercised its mind to the decision and performed its role to be an informed decision maker.

### 3.3 Debate Agenda Report format:

Current format of reports is:

- (1) **Headings incorporating which meeting, the Directorate, area responsible for report and date**
- (2) **Title of Report – File Number – And Author if it is not one of the Executive**
- (3) **Purpose**  
Why the matter is coming to Council and what is being sought
- (4) **Recommendation**  
Officers recommendation, this is not binding in anyway and can be changed, altered or discarded by Council, it is a starting point for discussion. It becomes a motion if it is moved and seconded by a Councillor. When a motion is passed it becomes a resolution of the Council.
- (5) **Report**  
This is where the detail of the topic, research, comments and discussion and advice is provided by officers to Council. It will normally be structured into background, introduction, discussion and summary and conclusions but not always.
- (5) **Attachments or Other Supporting References**  
Further background material in support of the officer's analysis and report.



**(6) Community Plan / Corporate Plan / Legislative Requirements**

Officers will identify relevant Council strategy that the report relates to. If the matter does not fit Council strategy an explanation should be provided as to why the matter is being considered and in normal circumstances if it does not contribute to strategic outcomes and direction its purpose should be questioned and officers would normally provide an explanation as to the strategic relevance of the item in these cases.

Relevant legal requirements and statute will be quoted where it is relevant.

**(6) Financial, Resource and Risk Management Considerations**

Reference will be made to any relevant financial, resourcing or risk issues so that any decision arising from the recommendation is clearly stated to Council and what the possible impacts are. These matters can be covered in the report at times but will be cross referenced.

**(7) Community Consultation**

Identifies any policy or legislative requirement to be undertaken in relevance to the recommendation, or what have been consultation outcomes. These matters can be covered in the report at times but will be cross referenced.

**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.

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

Legislative Requirements

Local Government Act 1999

Council Meeting Procedures Handbook from LGA.

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

All costs to support Council meetings are budgeted for.

**COMMUNITY CONSULTATION**

Consultation is not required under policy or legislation.

**7.2.1.4****SUPPLEMENTARY ELECTION POLICY**

**B1485**

Author: Governance Advisor

**MOVED** Cr de Vries that Council having received and considered the Policy approves the draft Supplementary Elections Policy which is provided as Attachment 1 to this report.  
**Seconded** Cr Johnstone **CARRIED 2018-22/7**

**PURPOSE**

Under Part 2 Section 6(2)(b) of the Local Government (Elections) Act 1999 (the Act), a council can make a policy not to fill a casual vacancy when that vacancy occurs in certain circumstances allowed by the Act.

The Supplementary Election Policy has been re-drafted in plain English. Other than drafting the policy in plain English, no substantive changes have been made to the contents of the Policy, as

much of it is prescribed by the Act. Council is asked to consider the updated Supplementary elections Policy.

## REPORT

### Background

The prior Council have adopted a Supplementary Election Policy to limit expenditure of council resources on additional election processes outside of the legislative requirement to hold General Elections (including Periodic Elections). On that basis, councils have determined that the cost for short term replacement outweighs the benefits of operating with a reduced number of councillor for a limited period of time.

### Introduction

The draft Policy stipulates that unless required under the Act, in the event of a casual vacancy occurring for an office other than the Mayor, such position will remain vacant until the next General Election of the Council. The policy sets out the circumstances under the Act where a Supplementary Election will and will not be held.

The draft Policy has been re-drafted in plain English, however, no other substantive changes have been made to the contents of the Policy, from previous years.

### Discussion

On the basis of current available information, the cost of each Supplementary Election would need to be budgeted at approximately \$50,000 given direct election materials, employee expenses and the like.

The Council is established with a Mayor and 11 Area members, elected to represent the whole district. In the event that a casual vacancy (or vacancies) was to occur in the current term then Council would be operating with a maximum of 10 Elected Members plus the office of the Mayor. This means that there will be occasions when voting to resolve decisions will be equal and increases the likelihood that the Mayor will be called upon to exercise a casting vote in accordance with section 86(6) of the Local Government Act 1999.

### Summary and Conclusion

Notwithstanding the voting considerations and given the potential budgetary implications of undertaking additional Supplementary Election processes, it is the recommendation of officers that the draft Supplementary Election Policy be reviewed and approved by Council.

## ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 – draft Supplementary Elections 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.

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

### Legislative Requirements

Local Government Act 1999 – sections 51-57, 86

Local Government (Elections) Act 1999 – Section 6

## FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Appropriate budgetary provision will need to be made each financial year if a Supplementary Election Policy is not retained.

## COMMUNITY CONSULTATION

Consultation is not required under policy or legislation.

**7.2.1.5****QUESTIONS LAPSED AND QUESTIONS LYING ON THE TABLE****B7322**

Author: Governance Advisor

**MOVED** Cr de Vries that Council receives and notes the Chief Executive Officer report pursuant to regulation 12(20) of the *Local Government (Procedures at Meetings) Regulations 2013*, there being no motions that lapsed at the general election.

**Seconded** Cr Miller**CARRIED 2018-22/8****PURPOSE**

In accordance with regulation 12(19) and 12(20) of the *Local Government (Procedures at Meetings) Regulations 2013* (the "Regulations"), any questions that remain lying on the table at the conclusion of a general election, lapse. It is the role of the Chief Executive Officer to report to the new Council, under regulation 12(20) of the Regulations, any procedural motions that have lapsed. Council is asked to receive and note the Chief Executive Officer report pursuant to the abovementioned regulation.

**REPORT**

There are no motions that lapsed pursuant to regulation 12(19) of the Regulations.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

N/A

**COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS**Corporate Plan

How We Work – Good Governance

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

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

Legislative Requirements

Local Government (Procedures at Meetings) Regulation – regulation 12(19) – (20)

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

There are no financial, resource or risk management considerations.

**COMMUNITY CONSULTATION**

Consultation is not required under policy or legislation.

**7.2.1.6****COUNCIL WORKSHOP ARRANGEMENTS****B7322 18/80764**

**MOVED** Cr Angas that Council approves the arrangements outlined in the report to hold Council workshops at least monthly, subject to material being necessary and available for discussion as determined by either the Mayor or Chief Executive Officer, and that they shall be held:

- (1) On the first Wednesday of each month at 5.30pm, except for January where no workshop will be held.
- (2) At the Council Chamber 43-51 Tanunda Road, Nuriootpa unless there is need for specific site visits.

**Seconded** Cr Boothby

**AMENDMENT:**

**MOVED** Cr de Vries that Council approves the arrangements outlined in the report to hold Council workshops at least monthly, subject to material being necessary and available for discussion as determined by either the Mayor or Chief Executive Officer, and that they shall be held:

- (1) On the first Wednesday of each month at 6.30pm, except for January where no workshop will be held.
- (2) At the Council Chamber 43-51 Tanunda Road, Nuriootpa unless there is need for specific site visits.

**Seconded** Cr Hurn

**CARRIED 2018-22/9**

The motion as amended was put and

**CARRIED 2018-22/10**

**PURPOSE**

To determine if, and if so, when to set Council workshops.

**REPORT**Introduction

Council has held workshops in the past to allow the exchange of idea, discussion of matters general, undertaking of training, development of budgets and other matters as they arise.

Discussion

As with all Council and committee meetings, workshops are open to the public, except where they meet limited confidentiality tests.

In the previous term of Council, the Elected Members opted to participate in monthly workshops to allow staff and outside community bodies to present information to Council for general exploration and discussion. No decisions can be made in an informal workshop environment, or any action undertaken to ascertain a view, just as decision outside of a Council meeting cannot be undertaken so as to obtain a consensus view or predetermine an outcome. Nonetheless workshops run in accordance with the Local Government Act allows Council to receive information, discuss matters and ask questions in an informal environment. Councillors and staff found these sessions very useful as an opportunity to explore opportunities, share ideas, and particularly in receiving presentations from external stakeholders on matters that didn't require formal Council consideration.

Council workshops were normally held on the first Wednesday of each month commencing at 5.30pm. Workshops typically last for two hours. Traditionally a meal was held after a Council workshop. It is suggested that modern standards of public administration and in accordance with recent Ombudsman's findings and the Hospitality Policy a small social platter maybe appropriate rather than a full sit down meal. However, these are all factors for Council decision.

The Council, Mayor or Chief Executive Officer may also schedule additional workshops to discuss and receive information on specific matters, the development of the annual budget and business plan through dedicated financial workshops being a good example. Additional workshops are scheduled to try and coincide with other commitments such as at the conclusion of or before a Council meeting thus limiting repeat travel and visits.

During the last term of Council the Local Government Act (Act) was amended to require the adoption of an Informal Gatherings Policy, if Council was to hold them. The relevant policy is attached for member's information. It will be reviewed with Council within this period of Council. In summary any designated informal gathering that meets the definition must:

1. Be held in public except for limited circumstances where the matter meets Section 90(3) of the Act or of a planning session of a general or strategic nature;

2. An agenda will be published and displayed on Council's web site;
3. Formal meeting procedures do not apply;
4. No minutes are held, notes may be tabled at a Council meeting following the meeting if necessary, normally such matters would be incorporated in a report coming to Council for decision;

It is important to understand what an informal gathering by definition is. By definition in the Policy is "a gathering or discussion to which all Council members or Council committee members (as the case may be) are invited, even if not all attend".

Once this test is passed the next consideration is to determine if the gathering is a designated informal gathering or discussion. The *Local Government (General) Regulations 2013* define a designated information gathering or discussion as "an event organised and conducted by or on behalf of the Council or Chief Executive Officer to which members of the Council or Council committee (as the case may be) have been invited and that involves discussion of a matter that is, or is intended to be, part of the agenda for a formal meeting of the Council or Council committee".

#### Conclusion

The holding of workshops has been to date an invaluable tool to discuss matters between members and the executive and senior staff to help formulate ideas and thoughts on matters. It is recommended that they continue on the basic outline.

### **ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Informal Gatherings Policy

### **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.
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#### Legislative Requirements

Local Government Act 1999 Section 90(8)

Local Government (General) Regulations 8AB

Informal Gatherings Policy

### **FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

All costs to support Council meetings or gatherings are budgeted for.

### **COMMUNITY CONSULTATION**

Consultation is not required under policy or legislation.

#### **7.2.1.7**

### **APPOINTMENT OF ELECTED MEMBER AND STAFF ON EXTERNAL ASSOCIATIONS, BOARDS AND COMMITTEES**

**B7322**

Author: Governance Advisor

### **ELECTED MEMBER AND OFFICER REPRESENTATIVES**

#### **Eastern Hills and Murray Plains Catchment – Local Action Planning Committee**

A Memorandum of Understanding exists between Council and the Eastern Hills and Murray Plains Catchment – Local Action Planning Committee for the management of the Jutland Water

Reserve. The Committee has written to the Chief Executive Officer seeking to have a Barossa Council representative continue, given the retirement of the previous Council representative – Cr Seager. The correspondence from the Committee is attached hereto as Attachment 1 and Council is asked to appoint its representative for the Committee.

**MOVED** Cr Miller that Cr Barrett be appointed as a member of the Eastern Hills and Murray Plains Catchment – Local Action Planning Committee for the life of this Council or until further reviewed and changed.

**Seconded** Cr Angas

**CARRIED 2018-22/11**

#### **Gawler River Floodplain Management Authority**

Previously, the Mayor, his proxy (Elected Member) and the Director, Development and Environmental Services was appointed, in accordance with the Gawler River Floodplain Management Authority's Charter. The Gawler River Floodplain Management Authority are currently in the process of reviewing its Charter, and it is likely that the need for a Proxy could be removed.

**MOVED** Cr de Vries that Mayor Lange and his Proxy Cr Johnstone and the Director, Development and Environmental Services be appointed Council's representatives on the Gawler River Floodplain Management Authority for the life of this Council or until further reviewed and changed.

**Seconded** Cr Miller

**CARRIED 2018-22/12**

#### **Local Government Association (LGA)**

Delegates are required to attend the Annual General Meeting, and any meetings Ordinary General Meetings and Special General Meetings that may be called.

It is customary for the Mayor to be the delegate to the LGA. Council should elect a Proxy to represent Council in the event that the Mayor is unable to attend a meeting.

**MOVED** Cr Hurn that Mayor Lange and his Proxy Cr Angas be appointed Council's representatives to the Local Government Association for the life of this Council or until further reviewed and changed.

**Seconded** Cr Johnstone

**CARRIED 2018-22/13**

#### **Local Government Finance Association of SA (LGFA)**

Meetings are held six times a year.

**MOVED** Cr Hurn that Mayor Lange be appointed Council's delegate to the Local Government Finance Association of SA (LGFA) for the life of this Council or until further reviewed and changed.

**Seconded** Cr Haebich

**CARRIED 2018-22/14**

#### **Nuriootpa Centennial Park Authority (trading as the Barossa Valley Tourist Park)**

The Nuriootpa Centennial Park Authority (NCPA) manages the Nuriootpa Centennial Park Precinct on behalf of The Barossa Council as a wholly owned subsidiary under section 42 of the *Local Government Act 1999*.

The NCPA is governed by a Board of Management which has the responsibility to manage the business and affairs of the Authority in accordance with the Charter. The selection of Board Members is via a nomination process and formal appointment via Council resolution. The annual rotation of NCPA Board members has been considered and the Board have made the necessary recommendations to Council to appoint continuing members to the Board.

Nominations have been received and endorsed for appointments from:

1. Mr Guy Martin, current Board member and Chair (two years)
2. Mr Brett Lydeamore, current Board member (two years)
3. Mr Trevor Schmidt, current Board member (one year)

4. Ms Sara La Nauze, current Board member (one year)

All nominees satisfy the one or more of the skills base requirement under the Charter. Nomination forms and associated correspondence are attached hereto as Attachment 2.

In accordance with the Authority's Charter which was approved by Council on 20 May 2014, Council's Manager, Organisational Development and Risk is a member of the Authority's Board. The Charter at clause 26.1.1 also requires that an Elected Member be nominated to serve on the Board for the life of this Council.

The Authority meets monthly.

**MOVED** Cr Johnstone that:

- (1) Council, being satisfied that Mr Guy Martin, Mr Brett Lydeamore, Mr Trevor Schmidt, and Ms Sara La Nauze possess the requisite qualities and skills, pursuant to clause 26.1.3 of the Nuriootpa Centennial Park Authority Charter appoints Mr Guy Martin and Mr Brett Lydeamore as members of the Board of Management for a period of two years concluding after the Board meeting scheduled for September 2020, and Mr Trevor Schmidt and Ms Sara La Nauze for a period of one year concluding after the Board meeting scheduled for September 2019.
- (2) Cr Hurn be appointed Council's representative on the Nuriootpa Centennial Park Authority Committee for the life of this Council or until further reviewed and changed.

**Seconded** Cr Miller

**CARRIED 2018-22/15**

### **Penrice Consultative Committee**

**MOVED** Cr Angas that Mayor Lange and the Director, Development and Environmental Services be appointed Council's representative to the Penrice Consultative Committee for the life of this Council or until further reviewed and changed.

**Seconded** Cr Miller

**CARRIED 2018-22/16**

### **Central Local Government Region of South Australia (trading as Legatus Group)**

This is a regional subsidiary established under section 43 of the Local Government Act and consists of Barossa, Barunga West, Clare and Gilbert Valleys, Copper Coast, Flinders Ranges, Light, Adelaide Plains (formerly Mallala), Mount Remarkable, Northern Areas, Orroroo/Carrieton, Peterborough, Port Pirie, Wakefield and Yorke Peninsula. It was established to undertake co-ordinating, advocacy and representational roles on behalf of its Constituent Councils at a regional level.

**MOVED** Cr de Vries that Council's representative on the Central Local Government Region of South Australia for the life of this Council or until further reviewed and changed, be Mayor Lange and the Chief Executive Officer.

**Seconded** Cr Miller

**CARRIED 2018-22/17**

### **Tourism Barossa Inc.**

Council is a significant funder and more broadly a stakeholder in tourism in the Barossa and is afforded a member on the Board of Tourism Barossa.

**MOVED** Cr Angas that Cr Boothby be appointed Council's representative to Tourism Barossa Inc. for the life of this Council or until further reviewed and changed.

**Seconded** Cr Johnstone

**CARRIED 2018-22/18**

## **ASSOCIATIONS, BOARDS AND COMMITTEES – STAFF MEMBER REPRESENTATIVES**

### **Association of Tanunda STEDS irrigators Inc.**

**MOVED** Cr Miller that Council's representative on the Association of Tanunda STEDS Irrigators Inc. for the life of this Council or until further reviewed and changed, be the Co-ordinator, Community Wastewater Management.

**Seconded** Cr Wiese-Smith

**CARRIED 2018-22/19**

### **Junction Women's Housing Regional Reference Group**

**MOVED** Cr Angas that Council's representative on the Junction Women's Housing Regional Reference Group for the life of this Council or until further reviewed and changed, be the Director, Corporate and Community Services, and/or the Manager Community Projects.

**Seconded** Cr Barrett

**CARRIED 2018-22/20**

### **Barossa Zone Emergency Management Committee**

**MOVED** Cr Boothby that Council's representative on the Barossa Zone Emergency Management Committee for the life of this Council or until further reviewed and changed, be the Risk Advisor.

**Seconded** Cr Miller

**CARRIED 2018-22/21**

### **Local Government Emergency Liaison Officer**

**MOVED** Cr de Vries that Council's Local Government Emergency Liaison Officer for the life of this Council or until further reviewed and changed, be the Director, Works and Engineering Services.

**Seconded** Cr Johnstone

**CARRIED 2018-22/22**

### **South Para Natural Resource Management Committee**

**MOVED** Cr de Vries that Council's representative on the South Para Natural Resource Management Committee for the life of this Council or until further reviewed and changed be the Director, Development and Environmental Services and/or their delegate.

**Seconded** Cr Wiese-Smith

**CARRIED 2018-22/23**

### **Ranges to River Local Government Advisory Committee**

**MOVED** Cr de Vries that Council's representative on the Ranges to River Local Government Advisory Committee for the life of this Council or until further reviewed and changed, be the Director, Development and Environmental Services and/or their delegate.

**Seconded** Cr Hurn

**CARRIED 2018-22/24**

### **PURPOSE**

Council nominates Elected Members and staff members as representatives on a variety of associations, boards and committees which have been established outside of the Barossa Council committee framework. Attendance at these meetings provide significant education, advocacy and regional co-ordination opportunities for the representatives, and, when they filter the information back to the Elected Body, Council obtains valuable information upon which to make informed decisions.

To achieve standards of good public administration, representatives can file their meeting minutes or reports through the Elected Member Reports or Consensus Agenda items at the next available Council meeting.



Elected members are able to claim reimbursement for their travel expenses associated with attendance at these meetings in accordance with the Elected Members Allowances and Benefits Policy.

Council is now asked to appoint its representatives to the following associations, boards and committees.

#### ATTACHMENTS OR OTHER SUPPORTING REFERENCES

**Attachment 1** – correspondence from the Eastern Hills and Murray Plains Catchment – Local Action Planning Committee (18/69476)

**Attachment 2** – nominations and associated correspondence received with respect to the Nuriootpa Centennial Park Authority

#### COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS



How We Work – Good Governance

##### Community Plan

2.3 Contribute to creating strong and sustainable community networks.

##### Corporate Plan

5.9 Contribute to informed decision making and the promotion of Council and community interests in relation to economic growth, planning and development through participation on peak bodies, industry boards and working parties.

##### Legislative Requirements

There are no legislative requirements.

#### FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

There are no financial, resource and risk management considerations with appointment of Elected Members and staff to these various associations, boards and associations.

#### COMMUNITY CONSULTATION

There is no requirement for community consultation.

#### 7.2.1.8

#### **ELECTED MEMBERS' ALLOWANCES AND BENEFITS POLICY**

**B7322**

Author: Governance Advisor

Pursuant to S74 of the Local Government Act 1999 Mayor Lange disclosed a conflict of interest in the matter 7.2.1.8 Elected Members' Allowance and Benefits Policy as the Policy includes the use of a Council vehicle for the Mayor. Mayor Lange advised the meeting of the conflict of interest and left the meeting at 6.01pm.

Deputy Mayor Angas assumed the Chair at 6.01pm.

**MOVED** Cr de Vries that Council receives, considers and approves the draft Elected Members' Allowances and Benefits Policy, as attached, and makes the following policy decisions:

- (1) That the following sub-clauses to clause 4.1 shall be deleted (if required):  
Nil – not required

And;

- (2) That allowances shall be paid in instalments up to 3 months in arrears of each month in respect of which an instalment is payable

**Seconded** Cr Miller

**CARRIED 2018-22/25**

**PURPOSE**

To receive, consider and approve the draft Elected Members' Allowances and Benefits Policy at Attachment 1.

**REPORT**Background

The Elected Members' Allowances and Benefits Policy sets out the allowances, reimbursement of expenses and the provision of benefits by Council to the Elected Members. The Policy lapses upon the general elections and is required to be reviewed and presented to Council following an election.

Introduction

In accordance with section 77 of the *Local Government Act 1999* (the "Act"), Council's policy regarding Elected Members' allowances and benefits lapsed at the conclusion of the general election of Council.

A revised policy is presented to Council for its consideration at Attachment 1. The supporting administrative process is presented for the Elected Body's information at Attachment 2, however, the process will be further reviewed and approved by the Chief Executive Officer in accordance with his role to determine Council's administrative matters.

Discussion

Elected Member allowances for The Barossa Council are determined by the Remuneration Tribunal of South Australia's Determination 6 of 2018 at Attachment 3. These allowances will be adjusted annually on the first, second and third anniversary of the 2018 local government election to reflect changes in the Consumer Price Index, as defined by section 76(15) of the Act.

The draft Policy has been updated to:

- include updated financial figures released by the Remuneration Tribunal of South Australia in its Determination 6 of 2018.
- implement improved process changes;
- allow for Council to make policy decisions; and
- make minor corrections

At clause 4.1, Council is asked to make a decision on whether any of the sub-clauses relating to the overarching principles of the Policy should be deleted.

The Barossa Council has previously paid allowances in instalments up to 3 months in arrears of each month in respect of which an instalment is payable. At clause 4.2.4, Council may decide whether allowances are paid in arrears or in advance.

The Policy has been reviewed by Council's Audit Committee and endorsed in principle.

Summary and Conclusion

Council is asked to receive, consider and approve the Elected Members' Allowances and Benefits Policy and make decisions regarding clauses 4.1 and 4.2.4 of the Policy.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1 - draft Elected Members' Allowances and Benefits Policy

Attachment 2 – draft Elected Members' Allowance Payment and Expense Reimbursement Process

Attachment 3 - Remuneration Tribunal of South Australia - Determination 6 of 2018 and supporting Report

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

How We Work – Good Governance

Corporate Plan

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

Legislative Requirements

Local Government Act 1999 – sections 76-79

Local Government (Accountability and Governance) Amendment Act 2015

Local Government (Members Allowances and Benefits) Regulations 2010

Income Tax Assessment Act 1997- section 28.25 (Cth)

Determination 6 of the Remuneration Tribunal 2018 – Allowances for Members of Local Government Councils

Fees and Charges Register

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

Important issues of transparency, consistency and public confidence in Council process attach to the adoption of this Policy. Elected Members, too, can be confident in the protections afforded by the allowances, mandatory reimbursements and discretionary reimbursements, which allow the Members to undertake their Council duties to the best of their abilities without being financially compromised.

**COMMUNITY CONSULTATION**

This Policy is based on Local Government Act provisions and best practice guidelines from the Local Government Association which both act in the best interests of transparency to the public. The allowances paid to Elected Members are in accordance with the Act and pursuant to the Remuneration Tribunal South Australia's most recent Determination. Further, the Register of Elected Member Allowances and Benefits is a public document. Accordingly, officers contend that no public consultation is required in this matter as public interest is already being protected.

Mayor Lange returned to the meeting and resumed the Chair at 6.02pm.

**7.2.1.9.****ELECTED MEMBERS' TRAINING AND DEVELOPMENT POLICY**

**B7322**

Author: Governance Advisor

**MOVED** Cr de Vries

- (1) That Council receives, considers and approves the draft Elected Members' Training and Development Policy attached to this report.
- (2) That the Chief Executive Officer prepare and present to Council for approval the draft Training and Development Plan, following consultation / gap analysis with Elected Members in the coming months.

**Seconded** Cr Johnstone

**CARRIED 2018-22/26**

**PURPOSE**

Council's Elected Members' Training and Development Policy is now due for review. An updated draft version is attached for Elected Members' consideration at Attachment 1.

**REPORT**Background

Section 80A of the Local Government Act 1999 requires Council to prepare and adopt a training and developing policy for its Elected Members to assist them in the performance and discharge of their functions and duties and comply with any requirements of the Local Government (General) Regulations 2013.

Introduction

The current Elected Members' Training and Development Policy was approved on 18 April 2017. The Policy is now due for a review. The updated draft version the Policy is presented as Attachment 1 for the Elected Body's consideration and approval.

Discussion

The draft Policy has had minor updates and corrections, but is substantively the same as previously adopted.

The draft Policy provides for a formal Training and Development Plan which will be prepared by the Chief Executive Officer following consultation / gap analysis with Elected Members in the coming months and then presented to Council for approval. Activities approved on the Plan require no further Council approval.

The Plan is updated annually by the CEO and referred to the Council for approval.

Summary and Conclusion

Council is asked to approve the draft Elected Members' Training and Development Policy.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

**Attachment 1** – draft Elected Members' Training and Development Policy

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

## How We Work – Good Governance

Corporate Plan

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

6.13 Ensure that Elected Members undertake training and development to assist them in making informed decisions.

Legislative Requirements

Local Government Act 1999: Section 80A

Local Government (General) Regulations 2013, Regulation 8AA

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

**Financial** – Elected Members' training and development is supported with an annual budget allocation.

**Resource** – Officers undertake support for Elected Member training and development within their current duties.

**Risk Management** – It is fundamental to good governance that Council supports its Elected Members with the necessary training to make them effective advocates for the Barossa constituents.

**COMMUNITY CONSULTATION**

There is no community consultation required under the Local Government Act 1999. Further, the Training Plan is based on the Local Government Association recommendations and all training costs and attendances will be recorded in the *Elected Members' Allowances and Benefits* and the *Elected Members' Training and Development Registers*. Accordingly, officers contend that no public consultation is required in this matter as public interest is already being protected through these transparent processes.

**7.2.1.10****AUDIT COMMITTEE MEMBERSHIP**

**B7455**

**MOVED** Cr Hurn that Council:

- (1) Appoint Cr Johnstone and Cr Angas to The Barossa Council Audit Committee for the term of this Council;
- (2) Adopt the existing Terms of Reference for the Audit Committee;

- (3) Delegate authority to the Audit Committee to appoint a Chairperson for the Committee at its first meeting.

**Seconded** Cr Schilling

**CARRIED 2018-22/27**

#### **PURPOSE**

Elected Member representatives to be appointed to the Audit Committee for the ensuing term of Council.

#### **REPORT**

##### Introduction

The Local Government Act 1999 requires that all councils in South Australia establish an Audit Committee.

##### Discussion

The Audit Committee is responsible for:

- overseeing and monitoring the participation of Management and the External Auditors in the financial reporting process;
- overseeing and making recommendations on the approach used by Management to address business risks; and
- reviewing and making recommendations on how Council's corporate, financial, governance and legal responsibilities are being addressed.

The Audit Committee Terms of Reference (copy attached) at clause 3.1 states that the Committee shall consist of five members, three being Independent Members and two Elected Members. Ideally, Members will have a financial, risk management and/or auditing background.

Meetings are held at least four times per year as determined by the Committee. Minutes and Agendas of previous meetings are available on Council's website.

Current Independent Members are Ms Tanya Johnston, Mr Peter Brass (Chair) and Mr Ian Swan. Both Mr Brass and Ms Johnston's term expires on 27 January 2019. Council advertised for Expressions of Interest (EOIs) for the positions in the Leader and Bunyip on 14 November 2018 and posted information on the website. EOIs close at 5.00pm on 28 November 2018 and will be reviewed by an Interview Panel, consisting of the Chief Executive Officer, Manager Financial Services and the two appointed Elected Members. A report will be presented to the December Audit Committee meeting, to make a recommendation regarding appointments to the January 2019 Council Meeting.

Mr Swan's term expires in January 2020, as appointments have been staggered to secure consistency of Independent Members on the Committee.

##### Summary and Conclusion

Two Elected Member representatives to be appointed to the Audit Committee. Offices recommend that Council adopt the existing Terms of Reference and that it be reviewed by the incoming Audit Committee.

#### **ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1: Audit Committee Terms of Reference

#### **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

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

#### Legislative Requirements

Local Government Act 1999

### **FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

Costs related to advertising for Independent Members of the Audit Committee are allowed for in the Budget. There are no Risk Management considerations.

### **COMMUNITY CONSULTATION**

There are no items related to this matter that require consultation under the Act or Council's Policy as the requirement of an Audit Committee and associated functions are legislatively required.

## **7.2.2 FINANCE - DEBATE**

### **7.2.2.1**

#### **BUDGET UPDATE 2018/2019 (AS AT 30 SEPTEMBER 2018)**

**B7181**

Author: Senior Accountant

**MOVED** Cr Hurn that the Budget Update for 2018/2019 (as at 30 September 2018) be received and the budget variations including reserve transfers contained therein be adopted.

**Seconded** Cr Wiese-Smith

**CARRIED 2018-22/28**

### **PURPOSE**

The Budget Update for 2018/2019 (as at 30 September 2018) is attached for Council consideration and adoption of budget variations.

### **REPORT**

#### Discussion

The report provides information as to the financial position of Council, containing budget update reports which include Executive Summary, Uniform Presentation of Finances, Key Performance Indicators, Summary of Operating Budget Variance Adjustments and Summary of Capital Budget Variance Adjustments.

The proposed variances between the Original Budget and this budget update are listed on the operating and capital budget adjustment pages. Please note for reconciliation purposes, from the Original Budget to the first Budget Update, the variances also include a summary of the carried forwards as approved by Council at the meeting on 6 November 2018. The report also includes details of new initiatives and capital expenditure adjustments.

### **ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1: Budget Update as at 30 September 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 Sect 123 (13)

Local Government (Financial Management) Regulations 2011 Regulation 9 (1)(a)

### **FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

#### Financial

To enable Council to make effective and strategic financial decisions, a Quarterly Budget Review 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 2018, as per legislation.

## **7.3 CORPORATE AND COMMUNITY SERVICES – DEBATE**

### **7.3.1 DIRECTOR CORPORATE AND COMMUNITY SERVICES - DEBATE**

#### **7.3.1.1**

#### **ESTABLISHMENT OF COUNCIL COMMITTEES AND SUPPORTING TERMS OF REFERENCE** **B3342**

#### **Discussion**

#### ***Committees established under Section 41 of the Local Government Act 1999***

#### **Community Assistance Scheme Committee**

The Community Assistance Scheme Committee (CASC) was established on 21 June 2011 to manage Community Grants, Youth Grants and Heritage Grants in accordance with the Objectives set out in its Terms of Reference (*Attachment 1*) and the Community Assistance Scheme Policy and Guidelines (available on Council's website [www.barossa.sa.gov.au](http://www.barossa.sa.gov.au)).

Clause 3.1 of its Terms of Reference states that the Committee will consist of the Mayor, Deputy Mayor and a minimum of two Elected Members nominated by the Council.

Meetings are held quarterly and attended by Officers to provide advice and administrative support. Minutes and Agendas of previous meetings are available on Council's website.

The Terms of Reference was last updated in December 2016.

#### **MOVED** Cr Angas that Council:

- (1) Appoint the Mayor, Deputy Mayor, Cr Schilling and Cr Wiese-Smith to the Community Assistance Scheme Committee for the life of this Council (or until further reviewed and changed);
- (2) Adopt the existing Terms of Reference for the Community Assistance Scheme Committee.

**Seconded** Cr Johnstone

**CARRIED 2018-22/29**

**Barossa Regional Gallery Committee**

The Barossa Regional Gallery Committee was established on 18 February 2003 to manage the Barossa Regional Gallery and the Tanunda Soldiers' Memorial Hall facilities and also, since 21 December 2010, the Barossa Valley Sculpture Park interests, in accordance with the Objectives in its Terms of Reference (*Attachment 2*). The current Terms of Reference was approved on 21 December 2010 and adopted again by the 2014-18 Council on 16 December 2014.

Clause 3.1 of its Terms of Reference states that the Committee will consist of no less than six and no more than nine independent members appointed by the Council and one Elected Member nominated by Council.

Meetings are held bi-monthly or as determined by the Committee. Minutes of previous meetings are available on Council's website [www.barossa.sa.gov.au](http://www.barossa.sa.gov.au)

**MOVED** Cr Boothby that Council:

- (1) Appoint Cr Troup to the Barossa Regional Gallery Committee (Committee) for the life of this Council (or until further reviewed and changed);
- (2) Adopt the existing Terms of Reference for the Barossa Regional Gallery Committee.

**Seconded** Cr Wiese-Smith

**CARRIED 2018-22/30**

**Advisory Groups (former Section 41 Committees)**

In 2015, the *Redefining Community Committees* strategic project was implemented to transfer many of the facilities and town centre management committees to a more streamlined governance and management structure. During 2015, Council formally dissolved the following Section 41 committees and approved their transition to advisory groups ("volunteer groups"):

<b>Council Meeting</b>	<b>Committee</b>
21 July 2015	Angas Recreation Park
21 July 2015	Angaston Town Hall
21 July 2015	Old Union Chapel
15 September 2015	Stockwell Recreation Park and Stockwell Hall
21 October 2015	Murray Recreation Park
21 October 2015	Williamstown Queen Victoria Jubilee Park
17 November 2015	Lyndoch Hall
17 November 2015	Rowland Flat Memorial Community Centre
17 November 2015	Williamstown Soldiers' Memorial Hall
17 November 2015	Moculta Recreation Park and Soldiers' Memorial Hall
17 November 2015	Tanunda Recreation Park
17 November 2015	Williamstown Community Council
15 December 2015	Curdnatta Recreation Park
15 December 2015	Lyndoch & Districts Community
15 December 2015	Talunga Recreation Park and Mount Pleasant Soldiers Memorial Hall and Main Street (now Mount Pleasant Progress Association Inc)

The advisory groups have no Terms of Reference or specific delegated powers; a Memorandum of Understanding was established for each Group and endorsed by Council. This information is provided for information purposes no action at this time is necessary.

Other former Section 41 committees:

Angaston Management Group	Council approved the transition of the Angaston Management Group to an incorporated association (now Angaston Community and Business Alliance).
Tanunda Town Committee	14. Council adopted the Redefining Community Committee's Business Case for Change which included the Tanunda Town Committee's decision not to become an independent incorporated group.



**Current Advisory Groups/Working Parties****Community Transport and Home Assist Advisory Group**

The Group acts in an advisory capacity to the Barossa Regional Community Transport and Home Assist Schemes. Membership includes at least one Elected Member. Meetings are held quarterly at times agreed by the Group. Its Terms of Reference was last adopted on 16 December 2014 (refer [Attachment 3](#)).

**MOVED** Cr Johnstone that Council:

- (1) Appoint Cr Boothby to the Community Transport and Home Assist Advisory Group for the life of this Council (or until further reviewed and changed);
- (2) Adopt the existing Terms of Reference for the Community Transport and Home Assist Advisory Group.

**Seconded** Cr Miller

**CARRIED 2018-22/31**

**Volunteering Barossa and Light Advisory Committee**

The Volunteering Barossa and Light Advisory Committee can now be formally disbanded as its objectives are now met through Council's Coordinator Volunteering Services. The Committee has not met for some years.

**MOVED** Cr Miller that Council disbands the Volunteering Barossa and Light Advisory Committee.

**Seconded** Cr Hurn

**CARRIED 2018-22/32**

**Youth Advisory Committee (YAC)**

The Youth Advisory Committee provides a conduit between Barossa's youth and the Council and plans and delivers youth-oriented programs, community events and competitions with the assistance of the Coordinator Youth Projects. While historically no Elected Member has been a representative on this group, Council is required to reappoint the Group and its Terms of Reference (updated by YAC in November 2017) ([Attachment 4](#)).

**MOVED** Cr Johnstone that Council:

- (1) Endorse the appointment of the Coordinator Youth Projects as a Council representative on the Youth Advisory Committee for the life of this Council (or until further reviewed and changed);
- (2) Adopt the existing Terms of Reference for the Youth Advisory Council (dated 8 November 2017).

**Seconded** Cr Schilling

**CARRIED 2018-22/33**

**Disability Access and Inclusion Advisory Group**

This Advisory Group was established when the former Section 41 Disability Action Review Committee was dissolved in October 2017. The Advisory Group was established to promote equitable participation in the Barossa region by people with a disability. While no Elected Member has been a representative on this Group, Council is required to reappoint the Group and its Terms of Reference ([Attachment 5](#)).

**MOVED** Cr Haebich that Council:

- (1) Endorse the appointment of the Collaborative Project Officer as a Council representative on the Disability Access and Inclusion Advisory Group for the life of this Council (or until further reviewed and changed);
- (2) Adopt the existing Terms of Reference for the Disability Access and Inclusion Advisory Group.

**Seconded** Cr Hurn

**CARRIED 2018-22/34**

### Community and Economic Development Forum

The Community and Economic Development Forum (CEDF) was established as a central strategic communication forum on matters relating to hard and soft community assets and services as they relate to main streets, public spaces, halls, galleries, amenity landscaping, events and initiatives that contribute to the viability, vibrancy, liveability and sustainability of The Barossa Council area. The CEDF is no longer required as its objectives are served via The Big Project activities, normal operations and where necessary, the bringing together of stakeholder and community engagement groups as required. The Committee has not met for some years.

### Sport, Recreation and Community Facilities Forum

The Sport, Recreation and Community Facilities Forum (SRCFF) was established as a central strategic communication forum on matters relating to recreation park based community assets including show halls, ovals, hard courts, toilets, amenity landscaping and other assets used by special interest groups and the general community within The Barossa Council. The SRCFF acts in an advisory capacity to Council and supported by Council Officers under the direction of the Director Works and Engineering. The SRCFF will continue to operate in an informal capacity. The Committee has not met for some years.

### The Big Project – Working Groups

Council, at its meeting held on 20 September 2016, approved the establishment of "The Big Project" and a small informal Working Party as a guidance mechanism to the project. The Project Director calls meetings as required.

Subsequent working groups have been established for sub-projects as required. A separate report will be presented to the 18 December 2018 Council Meeting.

## **PURPOSE**

To re-establish and elect Member representatives to relevant Section 41 Committees of Council.

## **REPORT**

### **Introduction**

Council committees and committee members undertake important functions on behalf of Council. Section 41 of the Local Government Act 1999 provides the formal legal framework for these committees to operate within. In order to provide a conduit between Council and committee, Elected Member representatives should be appointed to each of these committees for the term of the Council.

The objectives, membership, conduit, delegated powers and reporting requirements of each committee are reflected in their Terms of Reference which require Council approval.

Outside of this formal legal framework, Council also has groups which act only in an informal and advisory capacity and which have no delegated powers from Council. These groups and working parties require Council approval to continue.

## **ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

- Attachment 1: Community Assistance Scheme Committee Terms of Reference
- Attachment 2: Barossa Regional Gallery Committee Terms of Reference
- Attachment 3: Community Transport and Home Assist Advisory Group Terms of Reference
- Attachment 4: Youth Advisory Committee Terms of Reference
- Attachment 5: Disability Access and Inclusion Advisory Group Terms of Reference

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

Legislative Requirements

Local Government Act 1999

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

There are no financial, resource or risk management considerations.

**COMMUNITY CONSULTATION**

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

**7.3.2 MANAGER COMMUNITY PROJECTS - DEBATE**

Nil

**7.4 WORKS AND ENGINEERING - DEBATE****7.4.1 DIRECTOR WORKS AND ENGINEERING – DEBATE****7.4.1.1****DISBANDMENT OF THE STRATEGIC ASSET MANAGEMENT ADVISORY COMMITTEE**

**B3621 18/78724**

**MOVED** Cr de Vries that Council endorses the disbandment of the Strategic Asset Management Advisory Committee.

**Seconded** Cr Angas

**CARRIED 2018-22/35**

**PURPOSE**

Disbandment of the Strategic Asset Management Advisory Committee.

**REPORT****Background**

The Strategic Asset Management Advisory Committee, 'Committee' was established on 21 July 2015 together with the endorsement of the Terms of Reference of the Committee – see attached.

The Committee met at regular intervals from August 2015 to July 2016 with a key focus on the development and review of the updated Infrastructure Asset Management Plans (IAMPS). Once the IAMPS were adopted by Council, the Committee met infrequently with a single meeting held on 10 November 2017 to debate the 2017-18 and 2018-19 Footpath program of works. The committee has been inactive since this time.

**Discussion**

Council is obligated, under section 123 of the Local Government Act to undertake a comprehensive review of its strategic management plans within 2 years after each general election.

It is proposed that all Elected Members have the opportunity to develop and review the IAMPS and other strategic asset management matters such as defined levels of service, grant opportunities, disposal of assets etc. through the existing monthly Council workshops and then debate and make decisions at the monthly Council meetings.

This is largely the approach that has been taken during the course of the last 2 years making the need for regular committee meetings unnecessary. Under item 1.3 of the Terms of Reference of the Committee, the Committee, '...may be wound up at any time by resolution of Council'.

Council can re-establish the Committee and the corresponding Terms of Reference at any time and considering the mechanisms in place, it is recommended to disband the committee.

#### **ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1 – Terms of Reference – Strategic Asset Management Advisory Committee.

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

##### Legislative Requirements

S41 Local Government Act – Committees of Council

S122(1a) local Government Act – Strategic Management Plans – Infrastructure and Asset Management Plans

##### Policy

Asset Management Policy

#### **FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

Regardless of the debate outcome, supporting the role of the committee falls within the scope of existing resources devoted to asset management planning and strategy.

#### **COMMUNITY CONSULTATION**

No community consultation is required by legislation or under the principals of the Public Consultation Policy.

### **7.5 DEVELOPMENT AND ENVIRONMENTAL SERVICES – DEBATE**

#### **7.5.1 DEVELOPMENT SERVICES – DEBATE**

##### **7.5.1.1**

#### **RE-ESTABLISHMENT OF THE STRATEGIC PLANNING AND DEVELOPMENT POLICY COMMITTEE**

**MOVED** Cr de Vries that Council:

- (1) Re-establish the Strategic Planning and Development Policy Committee pursuant to Section 101A of the *Development Act 1993*.
- (2) Adopts the updated Terms of Reference for the Strategic Planning and Development Policy Committee.

**Seconded** Cr Wiese-Smith

**CARRIED 2018-22/36**

#### **PURPOSE**

This report relates to re-establishment of the Strategic Planning and Development Policy Committee.

#### **REPORT**

##### Background

The Strategic Planning and Development Policy Committee (the Committee) was initially established in 2012. The Committee fulfils a requirement under Section 101A of the *Development Act 1993* but operates as a Committee as if it were established under *Local Government Act 1999* – i.e. as if it was a Section 41 Committee.

Features and procedures of the Committee:

- Membership comprises the Mayor and all elected members.
- The Mayor is the Presiding Member.
- The Committee to meet at least quarterly in March, June, September and December.
- A quorum at meetings is one half of the membership plus one.

- The provisions of Part 2 of the Local Government (Procedures at Meetings) Regulations 2013 apply to meetings.
- The Committee reports to Council on its activities at least quarterly via minutes of its meetings, and is required to prepare an annual report of its activities to the Council.
- The Committee has various delegations relating to Development Plan Amendments and other development policy related functions and responsibilities.

#### Discussion

##### *Committee functions and responsibilities*

The functions of the Committee as set down in the Development Act are:

- “(a) To provide advice to Council in relation to the extent to which the council's strategic planning and development policies accord with the Planning Strategy.
- (b) To assist Council in undertaking strategic planning and monitoring directed at achieving—
  - (i) orderly and efficient development within the area of the council.
  - (ii) high levels of integration of transport and land-use planning.
  - (iii) relevant targets set out in the Planning Strategy within the council area.
  - (iiia) implementation of affordable housing policies set out in the Planning Strategy.
- (c) To provide advice to Council (or to act as its delegate) in relation to strategic planning and development policy issues when the Council is preparing—
  - (i) a Strategic Directions Report, or
  - (ii) a Development Plan Amendment.
- (d) Other functions (other than functions relating to development assessment or compliance) assigned to the Committee by the Council.”

In respect to (d) above, Council did not previously assign any other functions to the Committee; however additional functions and responsibilities which Council may consider in future include:

- Assist with strategic management plan, corporate plan, community plan
- Infrastructure, open space planning
- Overall social, economic, physical and environmental directions (focus of strategic management plan)
- Planning related and other policies (eg liquor licensing, use of roads for business purposes, outdoor dining)
- Major projects

#### Meeting times

The Committee itself previously set its meeting times, deciding to hold Ordinary meetings on the third Tuesday in March, June, September and December commencing at 9.30am. This is the same day as Ordinary Council meetings and invariably requires adjournment of the Council meeting to enable the Committee meeting to take place. The Committee may choose to review this aspect at a future Committee meeting.

#### Delegation/authority

In relation to item (c) and as indicated above, Council has previously delegated various authority to the Committee in relation to a Strategic Directions Report or a Development Plan Amendment, including the power to initiate Development Plan Amendments, authorise Statements of Intent, conduct a public meeting, respond to agency comments and public submissions, and endorse a final amendment for submission to the Minister for Planning for approval. There is no identified need to amend existing delegations.

#### Formalities

The Terms of Reference address all decisions associated with the establishment of the Committee as required under the *Local Government 1999*, *Local Government (Procedures at Meetings) Regulations 2013*, *Development Act 1993* and *Development Regulations 2008*. These matters are summarised below:

- Membership.
- Appointment of Presiding Member.
- Determine the reporting and other accountability requirements for the committee.
- Determine meeting procedures.
- Quorum for meetings.
- Delegations under the Development Act and Regulations in relation to Development Plan Amendments.
- Terms of Reference.
- Frequency of meetings.

The attached Terms of Reference have been updated into the new format and minor edits have been made to reflect current titles/references.

Under the *Planning, Development and Infrastructure Act 2016* there is no requirement to have the Committee. However until such time that Section 101A is revoked Council still required to have the Committee.

#### **ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1 – Terms of Reference

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

Community Plan



Natural Environment and Built Heritage

Corporate Plan

- 1.1 Facilitate planned and appropriate development of our townships and district to maintain the character of townships and rural landscapes and to preserve properties and sites which have historic significance.
- 1.3 Work with community and State Government to manage township boundaries and growth within them to ensure development is planned and appropriate whilst ensuring opportunities for population growth and tourism development.
- 1.6 Apply development policies to protect places of environmental value and significance.

Legislative Requirements

Development Act 1993

Local Government Act 1999

Local Government (Procedure at Meeting) Regulations 2000

#### **FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

*Financial Management*

Nil

*Risk Management*

Nil

#### **COMMUNITY CONSULTATION**

Nil

#### **7.5.1.2**

#### **BAROSSA ASSESSMENT PANEL**

**B6746**

Author: Manager, Development Services (Council Assessment Manager)

**MOVED** Cr Haebich that Council:

- (1) Appoint the following Councillors to the Barossa Assessment Panel pursuant to the Planning Development and Infrastructure Act 2016 and Planning Development and Infrastructure (General) Regulations 2017 for a two year term ending November 2020

(unless intervening legislation regarding accreditation of members affects the term of appointment or until further reviewed and changed):

- (2) Council Member: Cr Miller  
Council Deputy Member: Cr Johnstone

- (3) delegate authority to the Director Development and Environmental Services to commence an Expression of Interest process in the lead up to the expiry of the current term (30 June 2019) for the Independent Panel Members, taking into account any requirements associated with the proposed Accredited Professionals Scheme.

**Seconded** Cr Johnstone

**CARRIED 2018-22/37**

## **REPORT**

### Background

Council Assessment Panels form part of the development consent process in the South Australian Planning System. Decisions regarding certain applications involving public representation or non-delegated assessment are decided by the Panel.

Council must appoint the Members of the Assessment Panel in accordance with the provisions of the *Planning, Development and Infrastructure Act 2016* (the PDI Act).

In July 2018, Council resolved to appoint the Presiding Member (Bruce Ballantyne) and Independent Members (Deirdre Reiman, Grant Hewitt, Rob Veitch) for the period 1 July 2018 – 30 June 2019, and appoint Council Member (Cr Richard Miller), Council Deputy Member (Cr Mark Grossman) for the period 1 July 2018 for the term of the current Council.

### Introduction

Assessment Panels may comprise up to five Members, one of which may be an Elected Member of Council.

Membership for the current Councillor of the Barossa Assessment Panel concluded following the election of a new Council in November 2018.

### Discussion

Legislation permits a Member (or former Member) of Council as part of the Constitution for the council's Assessment Panel. In doing so, however Council can also appoint a Deputy Elected Member as a proxy.

In doing so, Council must be satisfied that the person is appropriately qualified to act as a Member of the Assessment Panel on account of the person's experience in Local Government

It is also necessary to note an Accreditation Scheme for Assessment Panels is being developed which seeks to achieve certain qualifications and / or levels of experience for Panel Members. This Accreditation would be applied on a State-wide basis.

While it has been intimated the Accreditation Scheme may be finalised by the end of this year with implementation due by the middle of next year; no confirmation of this timeline is available.

When the requirements of the Accreditation Scheme are fully known it may be necessary to review Elected membership (as well as Independent membership) of the council's Assessment Panel membership. At this stage, it is understood that a Council Member or former Council Member(s) will not need to be accredited under the Scheme.

All councils will be seeking to renew membership of their Panels in the lead up to the Scheme being operational. It is proposed that a call for Expressions of Interest should commence sometime in the new year, allowing sufficient time to assess potential candidates and making a formal recommendation to the Council by June 2019.

### Summary and Conclusion

The recommendation for Elected membership of Council Assessment Panel is based on current statutory requirements while acknowledging the need for review once details of the State Government's Accreditation Scheme for Panel Members are known.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment: Information about role and function of council Assessment Panels.

**COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS**Community Plan

Natural Environment and Built Heritage

Corporate Plan

- 1.11 Provide transparent, efficient and effective development assessment processes and regulatory activities.

Legislative Requirements

Planning, Development and Infrastructure Act 2016

Planning, Development and Infrastructure (General) Regulations 2017

Development Act 1993

Development Regulations 2008

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**Financial Management

Council is responsible for the costs and other liabilities associated with the activities of the Assessment Panel. The Assessment Panel will operate in accordance with the existing budget allocation, which may be reviewed as necessary dependent on vacancy and subsequent Member appointment requirements.

Risk Management

If Council does not resolve to appoint its own Assessment Panel the Minister for Planning can establish a Local Assessment Panel which will make decisions on the Council's behalf, at the Council's cost.

In addition, if the Minister has reason to believe that the Assessment Panel appointed by Council has consistently failed to comply with a requirement under the PDI Act, the Minister may request the State Planning Commission to conduct an inquiry under the PDI Act.

**COMMUNITY CONSULTATION**

Not required.

**7.5.2 ENVIRONMENTAL SERVICES – DEBATE****7.5.2.1****APPOINTMENT OF ELECTED MEMBER ON BAROSSA BUSHGARDENS COMMITTEE**

**MOVED** Cr Haebich that Council:

- (1) Endorses the appointment of Cr Schilling as Council representative on the Barossa Bushgardens Committee for the life of this Council (or until further reviewed and changed);
- (2) Adopts the updated Terms of Reference for the Barossa Bushgardens Committee.

**Seconded** Cr Wiese-Smith

**CARRIED 2018-22/38**

**PURPOSE**

To reaffirm the establishment of the Barossa Bushgardens S41 Committee and appoint the Council representative on the Committee.



**REPORT**

The Committee was established on 6 March 2001 to develop and manage the Bushgardens property.

The Committee meets on a bi-monthly basis during the day.

Its current Terms of Reference was approved on 16 December 2014 and it is proposed that pending further discussions with the Committee, it continues without change, but has been updated to the current template format.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1 – Terms of Reference

**COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS**Community Plan

Natural Environment and Built Heritage



Community and Culture



Infrastructure



Health and Wellbeing



Business and Employment

Corporate Plan

- 1.5 Maintain and seek to expand Council initiated native conservation and land management initiatives.
- 1.8 Partner with affiliated government, community and business organisations to support NRM programs and services, sustainable land practices and wastewater and stormwater reuse initiatives.
- 2.2 Collect, maintain and make accessible our Aboriginal heritage, and the history and heritage of our community.
- 2.4 Foster volunteering opportunities that are responsive to the needs of the Community.
- 2.11 Advocate for and support initiatives designed to improve education infrastructure.
- 3.2 Ensure Council's parks, gardens and playgrounds are accessible, relevant, and safe and maintained to an agreed level of service.
- 3.9 Ensure Council facilities and assets are accessible, safe and maintained to an agreed level of service.
- 5.8 Advocate for investment and support of local business through local transportation, training and employment initiatives.

Legislative Requirements

Local Government Act 1999

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS***Financial Management*

Nil

*Risk Management*

Nil

**COMMUNITY CONSULTATION**

Nil

## 7.5.2.2

**APPOINTMENT OF ELECTED MEMBER ON GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY (GRFMA) AUDIT COMMITTEE**

**MOVED** Cr Hurn that Council receives this report, notes its contents and does not provide a nomination on this occasion.

**Seconded** Cr Miller

**CARRIED 2018-22/39**

**PURPOSE**

Council as a constituent member of the GRFMA has been invited to provide an Elected Member Expression of Interest for nomination for appointment to the GRFMA Audit Committee.

**REPORT**

Registrations of Interest from Constituent Council Elected Members for nomination for appointment to the GRFMA Audit Committee,

A vacancy now exists following the retirement of a previously appointed GRFMA Audit Committee member who was the Constituent Councils Elected Member representative.

Nominations are sought from members (who may be a GRFMA Board Member or a member of a Constituent Council who have financial experience relevant to the functions of the GRFMA Audit Committee.

Section 13 of Schedule 2 Part 1 of the *Local Government Act 1999* requires that the functions of an Audit Committee (for a regional subsidiary) include –

- Reviewing annual financial statements to ensure that they provide a timely and fair view of the state of affairs of the subsidiary, and;
- Liaising with external auditors; and;
- Reviewing the adequacy of the accounting, internal auditing, reporting and other financial management systems and practices of the subsidiary on a regular basis.

The Committee meets not less than four times per year.

Nominations (using the attached Registration of Interest Form) must be received by the GRFMA by COB on 7 December 2018.

Following nomination and GRFMA Board endorsement the Constituent Councils must then approve the appointment of members of a regional subsidiary Audit Committee.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1 – Gawler River Floodplain Management Authority Audit Committee Nomination Form and Terms of Reference

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

Community Plan



Natural Environment and Built Heritage



Infrastructure



Health and Wellbeing



Business and Employment



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.
- 5.9 Contribute to informed decision making and the promotion of Council and community interests in relation to economic growth, planning and development through participation in peak bodies, industry boards and working parties.
- 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**

The appointment and operation of the GRFMA Audit Committee will serve to address potential financial risk management considerations on behalf of Constituent Councils.

## **COMMUNITY CONSULTATION**

Not required

## **7.5.3 HEALTH SERVICES – DEBATE**

Nil

## **7.5.4 REGULATORY SERVICES – DEBATE**

### **7.5.4.1**

### **DRY AREA WORKING GROUP**

**B1475**

Author: Manager, Regulatory Services

**MOVED** Cr Hurn that Council disband the Dry Area Working Group.

**Seconded** Cr Schilling

**CARRIED 2018-22/40**

## **PURPOSE**

To seek Council's support to disband the Dry Area Working Group.

## **REPORT**

### **Introduction**

Council, at its meeting held 17 March 2009, approved the establishment of a Dry Area Working Group as per the condition of approval of the regulation prohibiting the possession and consumption of liquor in designated parts of the Barossa Municipality.

### **Discussion**

At the September 2017 meeting of The Barossa Council, Elected Members endorsed a report which recommended that an application be submitted to the Liquor and Gambling Commissioner to extend the existing eight alcohol dry areas beyond 22 January 2018.

Approval has now been granted for an indefinite period to reduce the administrative burden on councils in applying for regular extensions.

### **Conclusion**

The Dry Area Working Group can now be formally disbanded due to the completion of its assigned objectives.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Nil

**COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS**Corporate Plan

Health and Wellbeing

- 4.16 Support and where appropriate provide advocacy for emergency services, crime prevention and law enforcement.



Community and Culture

- 2.6 Provide, promote and support community arts and cultural events, programs, attractions and services.

Community Plan

Community and Culture

- 2.12 Contribute to a safer community.



Business and Employment

- 5.13 Support economic development through events.

Legislation

Liquor Licencing Act 1997

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**Risk Management

Nil

Resource Considerations

Nil

Financial Considerations

Nil

**COMMUNITY CONSULTATION**

Consultation is not required under Policy or Legislative requirements.

**7.5.5 WASTE SERVICES – DEBATE**

Nil

**8. CONFIDENTIAL MATTER**

Nil

**9. REPRESENTATIVES ON COUNCIL COMMITTEES - REPORTS**

Nil

**10. OTHER BUSINESS**

Nil

**11. NEXT MEETING**

18 December 2018 at 9.00am

**12. CLOSURE OF MEETING**

Mayor Lange declared the meeting closed at 6.27pm.

Confirmed at Council Meeting on 18 December 2018

Date:.....

Mayor:.....