



The Barossa Council

MINUTES OF THE MEETING OF THE BAROSSA COUNCIL

held on Tuesday 22 January 2019 commencing at 9.00am in the
Council Chambers, 43-51 Tanunda Road, Nuriootpa

1.1 WELCOME

Mayor Bim Lange declared the meeting open at 9.00am.

1.2 MEMBERS PRESENT

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

1.3 LEAVE OF ABSENCE

Nil

1.4 APOLOGIES FOR ABSENCE

Nil

1.5 MINUTES OF PREVIOUS MEETINGS – FOR CONFIRMATION

MOVED Cr Miller that the Minutes of the Council meeting held on Tuesday 18 December 2018 at 9.00am, as circulated, be confirmed as a true and correct record of the proceedings of that meeting.

Seconded Cr Haebich

CARRIED 2018-22/83

MOVED Cr de Vries that the Minutes of the Confidential Council meeting held on Tuesday 18 December 2018 at 11.31am, as circulated, be confirmed as a true and correct record of the proceedings of that meeting.

Seconded Cr Wiese-Smith

CARRIED 2018-22/84

MOVED Cr Wiese-Smith that the Minutes of the Confidential Council meeting held on Tuesday 18 December 2018 at 11.48am, as circulated, be confirmed as a true and correct record of the proceedings of that meeting.

Seconded Cr de Vries

CARRIED 2018-22/85

MOVED Cr Johnstone that the Minutes of the Confidential Council meeting held on Tuesday 18 December 2018 at 11.51am, as circulated, be confirmed as a true and correct record of the proceedings of that meeting.

Seconded Cr Troup

CARRIED 2018-22/86

MOVED Cr Haebich that the Minutes of the Confidential Council meeting held on Tuesday 18 December 2018 at 12.21pm, as circulated, be confirmed as a true and correct record of the proceedings of that meeting.

Seconded Cr Angas

CARRIED 2018-22/87

1.6 MATTERS ARISING FROM PREVIOUS MINUTES

Nil

1.7 PETITIONS

Nil

1.8 DEPUTATIONS

Nil

1.9 NOTICE OF MOTION

Nil

1.10 QUESTIONS – WITH OR WITHOUT NOTICE

Cr de Vries provided notice of intention to ask the following questions:

QUESTION:

Will the levies raised in the Barossa Council region be increased over and above CPI as a result of the proposed changes?

RESPONSE

The Discussion Paper (July 2018) titled *Managing Our Landscapes - Conversations for Change* outlines the following points:

- The State Government intention to cap annual land and water levy rises at a rate set by an independent body or according to the Consumer Price Index (CPI).
- It is intended that the Landscape Boards provide a publicly available budget outlining how levies will be spent in the forthcoming financial year and an end-of-financial-year report documenting actual expenditure.
- Landscape Boards will be at arm's length from government and responsible for their own budget.

Comments:

The Minister has indicated that the new Landscape SA Bill will be tabled in early 2019. Assuming that the Bill is enacted, the new landscape Boards and Greening Adelaide would be established sometime during 2019-20.

Based on this timeframe, the new Landscape Boards/Greening Adelaide are likely to lay down their first budget for the 2020-21 financial year. This would suggest that the outgoing NRM Boards would prepare their final budget for 2019-20. Any increase in the NRM Levy for 2019-20 is therefore at the determination of the current NRM Board, based upon priorities within their NRM Plans.

QUESTION:

Will the money spent in the Barossa Council region increase or decrease as a result of these proposed changes?

RESPONSE

The Discussion Paper outlines the following points:

- It is intended that levies (land and water) collected in a region will be spent in the region, except for a portion of priority landscape scale or cross-boundary projects, and services to underpin regional outcomes.
- Landscape Boards will be required to establish a five-year Landscape Plan for their region, identifying up to five priorities to be achieved by the plan during that time.
- Landscape Boards will be required to partner with the private sector, non-government organisations and local and federal government to deliver environmental programs to create jobs and drive investment in local communities.
- Green Adelaide will co-administer the \$2 million Grassroots Grants fund to support environmental groups and not for profits deliver on-ground projects.

Comments:

At this stage, it is difficult to determine if there is to be a change in the level of funding across the Barossa Council, as this is dependent on which region the Council is placed within, and what are the top five priorities identified for that region. Regional priorities may mean that funds are allocated on an 'as needed basis', which may not be within the Barossa Council area.

If the amendments to the boundaries are implemented as proposed, the revenue base for the 'Plains and Valleys Landscape Board' (encompassing The Barossa Council) will be much smaller and predominately rural when compared to the current NRM Board that includes Metropolitan Adelaide.

As the new Landscape Boards will be responsible for employing a general manager who will employ and direct staff that will deliver environmental management programs on behalf of the Board, the amount of funds available for on ground works could be impacted by the amount of revenue that can be generated from within the region. The co-contribution to priority landscape scale or cross-boundary projects would also see potential reduction in funds available to local on ground works.

QUESTION:

Will our level of service delivery increase or decrease as a result of these proposed changes? And if so, in what way?

RESPONSE

The Discussion Paper outlines the following points:

- To help create jobs and drive investment, some of the on-ground delivery for each region would be outsourced to the private and non-government sectors and local councils.
- Green Adelaide will co-administer the \$2 million Grassroots Grants fund to support environmental groups and not for profits deliver on-ground projects.

Comments:

The expectation is that the new system will help deliver the 'back to basics' focus for the management of our natural resources, namely soil, water and pest plants and animals. At present, the Adelaide and Mount Lofty Ranges (AMLR) NRM Board provides funds for the following programs directly within The Barossa Council:

- NRM Education
- Natural Resource Centres (NRC) at Barossa Bushgardens and Mount Pleasant
- Land Management (former Upper Torrens Land Management Project)

Environmental groups (i.e. Williamstown and Lyndoch, Eastern Hills and Murray Plains) are also funded by both the AMLR and SA Murray Darling NRM Boards that operate within the Barossa Council area.

With the changes to the Landscape Board boundary (as proposed), the level of funding generated may be lower, which may impact on service delivery if the 'back to basics' focus on soil, water and pest plants and animals is implemented.

At this stage, feedback from the community engagement has given strong support to the likes of the Education and NRC programs, which could see their continuation under the new board structure.

It is anticipated that these current programs will receive continued funding for at least the 2019-20 financial year by the current NRM Board. Thereafter, these programs and others are likely to be evaluated by the new Landscape Board when preparing their new five year Landscape Plan (top five priorities) and annual budgets.

2. MAYOR

2.1 MAYOR'S REPORT

MOVED Cr Wiese-Smith that the Mayor's report be received.

Seconded Cr Johnstone

CARRIED 2018-22/88

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

Seconded Cr Miller

CARRIED 2018-22/89

5.3 DEBATE OF ITEMS EXCLUDED FROM THE CONSENSUS AGENDA

6. VISITORS TO THE MEETING / ADJOURNMENT OF MEETING

6.1 VISITORS TO THE MEETING

Nil

6.2 ADJOURNMENT OF COUNCIL MEETING

Nil

7. DEBATE AGENDA

7.1 MAYOR - DEBATE

Nil

7.2 EXECUTIVE SERVICES - DEBATE

7.2.1 CHIEF EXECUTIVE OFFICER - DEBATE

7.2.1.1

MINUTES OF THE AUDIT COMMITTEE MEETING AND APPOINTMENT OF CHAIRPERSON AND TWO INDEPENDENT MEMBERS

B9085

Author: Director Corporate and Community Services (Acting Chief Executive Officer)

MOVED Cr de Vries that Council:

- (1) Having reviewed the draft Minutes of the Audit Committee meeting held 8 January 2019, being the first meeting after the Local Government Elections, adopt the Resolutions contained therein;
- (2) Approve the appointment of Mr Peter Brass as Chairperson of the Audit Committee as recommended by the Audit Committee;
- (3) Appoint Mr Peter Brass and Ms Ellen Ewing as Independent Members of the Audit Committee, commencing on 27 January 2019, with one right of extension of the appointment as recommended by the Audit Committee.

Seconded Cr Wiese-Smith

CARRIED 2018-22/90

PURPOSE

Council to consider:

- The draft Minutes of the Audit Committee meeting held 8 January 2019 (*Attachment 1*);
- the recommendation from the Audit Committee regarding the appointment of the Chairperson following the recent Periodic Election;
- the recommendation from the Audit Committee regarding the appointment of two Independent Members.

REPORT

Introduction

On 8 January 2019, the Audit Committee held its first meeting following the 2018 Local Government Elections; the Terms of Reference requires nomination of a Chairperson for the Committee, to be approved by Council.

The appointment of two Independent Members is required, as current Independent Members Mr Peter Brass and Ms Tanya Johnston's terms expire on 27 January 2019.

Discussion

Audit Committee Minutes

The draft Minutes of the Audit Committee meeting held 8 January 2019 (*Attachment 1*) are presented for the consideration and adoption of Council.

Appointment of Chairperson

The Audit Committee Terms of Reference (TOR) states: "*The Committee shall, at its first meeting or at its first meeting following a Periodic Election, nominate a Chairperson, preferably from among the Independent Members. The nomination must be approved by Council.*"

The Audit Committee, at its meeting held 8 January 2019, resolved to recommend Peter Brass as the Audit Committee Chairperson subject to Council approval (refer meeting minutes: *Attachment 1*).

Appointment of two Independent Members

Three Expressions of Interest were received for the two Independent Member positions. Interviews were held on 7 December 2018. The Interview Panel, consisting of the Chief Executive Officer, Manager Financial Services and Crs Angas and Johnstone, considered that all three applicants demonstrated the required level of skill, expertise and experience to meet the requirements of the positions. However, when combined with the ongoing experience, attributes and skills of the ongoing Independent Member (Mr Ian Swan), it was considered that Mr Peter Brass* and Ms Ellen Ewing would provide greater diversity and balance to the membership.

**Retiring Committee members are eligible for re-election.*

A report was presented to the Audit Committee at its 8 January 2019 meeting, who subsequently resolved to recommend that Council appoint Mr Brass and Ms Ewing as Independent Members

for a two year term, commencing on 27 January 2019, with one right of extension of the appointment. (Note: Mr Brass declared a conflict of interest and left the meeting during consideration of this Agenda item - refer meeting minutes: Attachment 1.)

Clause 3.8 of the Committee TOR states "All members of the Committee shall be appointed by Council on the recommendation of the Committee".

Summary

- Adoption of the minutes of the Audit Committee meeting held 8 January 2019 is sought.
- The Audit Committee's nominated Chairperson, Mr Peter Brass, requires approval by Council.
- The Audit Committee recommends that Mr Peter Brass and Ms Ellen Ewing be appointed as Independent Members of the Audit Committee (commencing 27 January 2019).

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1: Minutes of the Audit Committee meeting held 8 January 2019

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



How We Work – Good Governance

Corporate Plan

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

Legislative Requirements

Local Government Act 1999

Local Government (Procedures at Meetings) Regulations 2013

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial

Costs related to advertising for the Independent Members are allowed for in the Budget.

Resource

Managed within existing officer resources.

Risk Management

The consideration and adoption of recommendations of Council committees and adherence to their Terms of Reference is a risk management tool.

COMMUNITY CONSULTATION

Not required under legislation or Council's Public Consultation Policy. Audit Committee Meetings are open to the public to attend and Agendas and Minutes are provided on Council's website.

7.2.1.2

QUARTERLY UPDATE TO DELEGATIONS REGISTER – 4th QUARTER 2018

B7510

Author: Governance Advisor

MOVED Cr Johnstone

(1) Revocation of Delegations

- (a) Council hereby revokes delegations to the Chief Executive Officer of those powers and functions under the provisions of the *South Australian Public Health*

Act 2013, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations and South Australian Public Health (Fees) Regulations 2018 as specified in an extract contained in Attachment 1 of this report.

(2) Delegations made under the South Australian Public Health Act 2013, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations and South Australian Public Health (Fees) Regulations 2018

(a) In exercise of the powers contained in Section 44 of the *Local Government Act 1999*, Council hereby delegates to the person occupying the office of Chief Executive Officer of the Council, the powers and functions under the provisions contained in Attachment 1 and which are specified in an extract contained in Attachment 1 of this report.

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

(3) Delegations made under the Liquor Licensing Act 1997

(a) In exercise of the powers contained in Section 44 of the *Local Government Act 1999*, Council hereby delegates to the person occupying the office of Chief Executive Officer of the Council, the powers and functions under sections 131(1ab), (1ad) and (1c) of the *Liquor Licensing Act 1997*, which are specified in an extract contained in Attachment 2 of this report.

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

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

Seconded Cr de Vries

CARRIED 2018-22/91

PURPOSE

Council is asked to delegate the additional and amended powers to the Chief Executive Officer which are now available under the *Liquor Licensing Act 1997* and the *South Australian Public Health Act 2013*, *South Australian Public Health (Legionella) Regulations 2013*, *South Australian Public Health (Wastewater) Regulations* and *South Australian Public Health (Fees) Regulations 2018*.

REPORT

Background

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

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

Used well, delegations greatly assist Council by enabling the Elected Body to progress with the strategic element of local government and leave the day-to-day operations and administration

to the staff who have the relevant expertise and experience to deal with such matters – thus improving effectiveness and efficiency.

Introduction

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

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

Attachment 3 is the LGA's Table of Delegations Updates, which outlines the required changes to powers and functions of its Instrument of Delegation under the *South Australian Public Health Act 2013*, *South Australian Public Health (Legionella) Regulations 2013*, *South Australian Public Health (Wastewater) Regulations* and *South Australian Public Health (Fees) Regulations 2018*; and the Instrument of Delegation under the *Liquor Licensing Act 1997*.

Discussion

1. *South Australian Public Health Act 2013*, *South Australian Public Health (Legionella) Regulations 2013*, *South Australian Public Health (Wastewater) Regulations* and *South Australian Public Health (Fees) Regulations 2018*

As a result of the commencement of the *South Australia Public Health (Fees) Regulations 2018*, amendments were made to various regulations enacted under the *South Australian Public Health Act 2013*, as specified in the Attachment 1 of this report. The amendments relate to fees and charges payable under the Act and Regulations, and inserts new provisions on the recovery, refund, reduction or remit payment of fees under the Act and Regulations.

2. *Liquor Licensing Act 1997*

Amendments to sections 131(1ab), (1ad) and (1c) of the *Liquor Licensing Act 1997* allow Council to establish temporary dry zones (up to 48 hours) in public place/s within the Council area, by publishing a notice in the Gazette, which must be published 14 days before the commencement of the dry zone period. Council is required to provide any such notices to the Commissioner of Police, and has the power to vary or revoke a notice under these provisions. The proposed amendments to the Instrument are specified in Attachment 2 of this report.

Summary and Conclusion

Council is now asked to approve the new and amended powers for delegation to the Chief Executive Officer.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1:	Proposed amendments to the Instrument of Delegation under the <i>South Australian Public Health Act 2013</i> , <i>South Australian Public Health (Legionella) Regulations 2013</i> , <i>South Australian Public Health (Wastewater) Regulations</i> and <i>South Australian Public Health (Fees) Regulations 2018</i>
Attachment 2:	Proposed amendments to the Instrument of Delegation under the <i>Liquor Licensing Act 1997</i>
Attachment 3:	LGA's Table of Delegations Updates, which outlines the required changes to powers and functions of its Instruments of Delegation under the <i>South Australian Public Health Act 2013</i> , <i>South Australian Public Health (Legionella) Regulations 2013</i> , <i>South Australian Public Health (Wastewater) Regulations</i> and <i>South Australian Public Health (Fees) Regulations 2018</i> and the <i>Liquor Licensing Act 1997</i>

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Identify Theme/s (utilising the icons)



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

South Australian Public Health Act 2013, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations and South Australian Public Health (Fees) Regulations 2018

Liquor Licensing Act 1997

Local Government Act, sections 44 and 101

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial

There are no financial considerations.

Resource

Facilitation of these delegations to the Chief Executive Officer will be undertaken according to officer's existing duties.

Risk

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

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

COMMUNITY CONSULTATION

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

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

7.2.1.3

ELECTED MEMBERS' TRAINING AND DEVELOPMENT PLAN

B2744

Author: Governance Advisor

MOVED Cr Wiese-Smith

- (1) That Council receives the summary of results of the Elected Member survey question on training and development (*Attachment 2*); and

- (2) That Council receives, considers and adopts the draft Elected Members' Training and Development Plan (*Attachment 1*).
- (3) That the Chief Executive Officer updates and approves the *Elected Members' Training and Development Request Form* and the *Elected Members' Training and Development Feedback Questionnaire* (*Attachment 3*).

Seconded Cr Miller

CARRIED 2018-22/92

PURPOSE

The Elected Members' Training and Development Policy (the "Policy") was adopted on 26 November 2018. At clause 4.1.1 of the Policy, Council is required to 'develop and adapt a Training and Development Plan (the "Plan") to ensure that activities available to all Elected Members comply with the Regulations and contribute to the person development of the individual and the achievement of the strategic and good governance objectives of Council'.

The draft Plan is provided at *Attachment 1* for Council's consideration and adoption.

REPORT

Background

In accordance with the Policy and Regulation 8AA of the *Local Government (General) Regulations* 2013, all newly Elected Members are required to complete the mandatory training within the first 12 months of their term. Returning Elected Members are encouraged to complete the mandatory training within the first 12 months of their term, and must demonstrate competency in the training modules.

Elected Members may also complete additional training and development throughout their term in accordance with their needs.

Introduction

In December 2018, the Elected Members were given the opportunity via an online survey to conduct a self-assessment as to competencies they wish to develop through various training opportunities. Based on Member responses, the Local Government Association's recommended training for Elected Members and mandated Training Standard required under Regulation 8AA of the *Local Government (General) Regulations* 2013, the Plan was developed.

Discussion

To facilitate the most convenient and cost-effective training delivery method for the Training Standards, the Chief Executive Officer has arranged for the mandatory training to be delivered at a one-day training session by Norman Waterhouse Lawyers at the Council Chambers on 23 February 2018. The session will be run in conjunction with the Town of Gawler. The session will cover three out of the four mandatory modules. Training materials for the fourth module (financial management and reporting) will be provided by Norman Waterhouse Lawyers and will be delivered by the respective councils in-house, at workshops.

The cost of the training, which is \$3850 + GST + travel disbursements will be split equally between The Barossa Council and the Town of Gawler. Norman Waterhouse Lawyers has been chosen as they are the most cost-effective out of the options available.

Any Elected Members who are required to complete the mandatory training, but are unable to attend the training session on 23 February 2018 may be able to complete the mandatory training modules 1-3 online, which is delivered by the LGA. To ensure costs are kept to a minimum, only Elected Members who have extenuating circumstances will have the option to complete the mandatory training online.

In accordance with the Policy, the Plan will be updated annually by the Chief Executive Officer, in conjunction with the Elected Members, and referred to Council for approval.

During the development of the draft Plan, Elected Members were asked to complete an online



How We Work – Good Governance

survey on, amongst other things, training and development requirements that they wish to pursue. The survey question provided a number of training matters, and asked Elected Members to indicate whether they were satisfied that they are competent with the matter; or to indicate interest in further training on the matter. Attachment 2 is the summary of the results of the survey question on training and development, which have been addressed by way of officer comments.

For Elected Members who require further training, the following options are available. These options are included in the officer comments section of Attachment 2.

- Relevant training included in the draft Plan;
- Training provided at Council workshops (if appropriate);
- For Council-specific matters, in-house training provided by the relevant Council department;
- Other training on a needs basis, in accordance with the *Elected Members Training and Development Policy*.

Once the Plan is adopted, no further Council approval is required for an Elected Member to attend activities specified within the Plan. The Policy also allows for Elected Members to undertake any training, without Council approval if:

- The total training/development activity cost (includes registration fee, transportation, meals and accommodation expenses calculated in accordance with the Policy) is training is less than \$500;
- Sufficient funds are available within the budget line for Elected Member training and development;
- Attendance is necessary or expedient to the performance or discharge of official duties or functions

For training and development activities where the total training cost is greater than \$500, the Elected Member is required to submit an *Elected Member's Training and Development Request Form* at a Council meeting for Council's consideration. The Mayor may authorised an Elected Member's *Request Form* (and the CEO may authorise the *Mayor's Request Form*) where attendance is urgent and sufficient funds are available. The request must be ratified at the next practicable Council meeting.

Attachment 3 is the updated *Elected Members' Training and Development Request Form* and the *Elected Members' Training and Development Feedback Questionnaire*.

Summary and Conclusion

Council is asked to receive, consider and adopt the draft Training and Development Plan attached to this report.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1:	Draft Training and Development Plan 2019 – 2020
Attachment 2:	Summary of the results of Elected Member survey question on training and development and officer comments
Attachment 3:	Updated <i>Elected Members' Training and Development Request Form</i> and the <i>Elected Members' Training and Development Feedback Questionnaire</i>

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

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

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 80A

Local Government (General) Regulations 2013, Regulation 8AA

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

It is fundamental to good governance that Council support its Elected Members with the necessary training to make them effective advocates for the community. Budget has been established for Elected Member training support based on historical spending.

COMMUNITY CONSULTATION

The Training and Development Plan is based on the Local Government Association recommendations and all training costs and attendances will be recorded, respectively, in the Register of Elected Members' Allowances and Benefits and the Register of Elected Members' Training and Development. Accordingly, officers contend that no public consultation is required in this matter as public interest is already being protected through transparent processes.

7.2.1.4**LEGATUS (CENTRAL LOCAL GOVERNMENT REGION OF SOUTH AUSTRALIA) – AUDIT COMMITTEE EXEMPTION****B7486**

MOVED Cr Boothby that Council, being satisfied that Legatus has adequate controls and oversight in its structure put a notice of motion to the Board of Management of Legatus that it seek an exemption from the Minister for Local Government to establish an Audit Committee, pursuant to Regulation 18 of the Local Government (Financial Management) Regulations 2011 on condition that the:

- (1) Financial accounting tasks of Legatus remain removed from the organisation directly;
- (2) External Auditor undertakes the necessary annual audit and reports to each councils their findings including an opinion on the adequacy of internal controls; and
- (3) Legatus Chief Executive Officer provides an annual report on internal controls that are maintained and in place during the year to Legatus Board.

Seconded Cr Johnstone**CARRIED 2018-22/93****PURPOSE**

To seek Council endorsement to apply for an expectation for Legatus to the requirement for an audit committee.

REPORTBackground

In 2016, (report and correspondence attached), Council endorsed a position to seek an exemption for audit committee requirements on the basis that the oversight was an unnecessary burden for an organisation that primarily is about regional representation, lobbying, administrative and co-ordinating regional initiatives.

The rationale has not changed.

The attempt to seek an exemption in 2016 was rejected on the vote of one Council as it must be unanimous.

Introduction and Discussion

Recent experience since 2016 has shown that obtaining necessary expertise and filling positions is problematic. The risk profile of the organisation remains low to very low in that its operating budget is in the order of \$165,000 in contributions from 15 Councils per annum and along with other revenues averages over the forward estimates \$340,159 per annum with matching expenditure.

The structure of the organisation is such that many of the risks are mitigated or minimised due to the following factors:

1. There are 15 member Councils overseeing its operations, finances and activities that represented an extensive diversification of oversight.
2. The provision of adequate services for financial management are separated to the organisation and provided by a member Council significantly reducing financial risk.
3. Transactions of a strategic, business or financial context are minimal due to the fact that there is limited financial and resource capacity to deliver other than basic services which again are overseen by 15 Council.
4. The scope of the organisation is such that any anomalies would be adequately tested at the annual audit activity of the external auditor.

The requirement for an audit committee incurs unnecessary administrative and governance burden and cost with little benefit that is not already derived from the structure of the organisation and external audit controls.

It is understood that Legatus is the only Local Government Association regional subsidiary of Councils established under Section 43 not to have sought, and received, the exemption which is provided for at Regulation 18 of the Local Government (Financial Management) Regulations 2011.

Summary and Conclusion

With adequate oversight and low to very low risk profile of Legatus it is suggested Council put to Legatus the proposal to seek an exemption and reduce unnecessary administrative and governance burden, a fact the legislation recognises as a unique exemption category.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Report and correspondence from 2016 report

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



How We Work – Good Governance

Corporate Plan

- 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 (Financial Management) Regulations 2011

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial

If an exemption is not in place a committee will be established requiring independent representatives and thus sitting fees would be required, Council member representation would not attract a sitting fee.

Resource

Will be absorbed by existing resources if committee required.

Risk Management

Generally considered low considering the simple operating nature of the organisation and low volume and value of financial transactions.

COMMUNITY CONSULTATION

There is no community consultation required under the Local Government Act.

7.2.2 FINANCE - DEBATE

7.2.2.1

MONTHLY FINANCE REPORT (AS AT 31 DECEMBER 2018)

B411

Author: Senior Accountant

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

Seconded Cr Johnstone

CARRIED 2018-22/94

PURPOSE

The Uniform Presentation of Finances report provides information as to the financial position of Council, including notes on material financial trends and transactions.

REPORT

Discussion

The Monthly Finance Report (as at 31 December 2018) is attached. The report has been prepared comparing actuals to the Original adopted budget 2018/19 and incorporating the adopted Revised Budget for September.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1: Monthly Finance Report 31 December 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 (Financial Management) Regulations 2011 - Reg 9(1)(b)
LGA Information paper no. 25 – Monitoring Council Budget Performance

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial

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

COMMUNITY CONSULTATION

Community Consultation was part of the original budget adoption process in June 2018, as per legislation. This report is advising Council of the monthly finance position compared to that budget.

7.2.2.2

LONG TERM FINANCIAL PLAN 2019/20 to 2028/29 AND ANNUAL BUDGET & BUSINESS PLANNING TIMETABLE 2019/20**B7181**

Author: Manager Financial Services

MOVED Cr de Vries that Council endorses the proposed timetable for the annual review, consideration and adoption of the Long Term Financial Plan 2019/20 to 2028/29 and the Annual Budget & Business Plan 2019/20.

Seconded Cr Johnstone**CARRIED 2018-22/95****PURPOSE**

A business planning timetable is required to ensure Council meets key milestones for the annual review and adoption of the Long Term Financial Plan (LTFP) 2019/20 to 2028/29 and the consideration and adoption of the Annual Budget & Business Plan (AB&BP) 2019/20.

REPORTDiscussion

The Local Government Association has produced a number of information papers to assist Councils to meet requirements of the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011.

The proposed timetable for the annual review/update of the Long Term Financial Plan and the consideration/adoption of the Annual Budget & Business Plan is outlined in the table below:

Who	Activity	From	To
Council Meeting	Endorse AB&BP and LTFP timetable		22/1/19
Finance/Elected Members	New Initiatives and Capital Works to be submitted via website link – email will be sent to Elected Members with link.		22/1/19 Due date for submissions 22/2/19
Council Workshop	1st Review and discuss - EM's to be given the opportunity to put forward suggestions for the budget; CMT to present budget process, advisory groups' budget(s), priorities and pressures; strategic and long term aspirations; consider adopted long term indexing & assumptions		22/1/19 after Council meeting

Who	Activity	From	To
Council Workshop	2nd - General priorities and pressures – Review & Discuss - continue as/if required from the last workshop		6/2/19
Council Workshop	3rd - AB&BP and LTFP Prepare Rates report including: Rating Analysis of other Councils and consider other Council Rating Strategies to fund New Initiatives		6/2/19
Council	Due date for submissions/New initiatives from Elected Members		22/2/19
Advisory Groups	Due date for Advisory Groups' Budget submissions		22/2/19
Audit Committee	AB&BP and LTFP review To review indexing and assumptions		March 2019

Council Workshop	4th - AB&BP and LTFP Brief Council on EM and/or Community NI/Submissions, consider what to progress in the budget process		After 19/3/2019 Council meeting
Council Workshop	5th AB&BP and LTFP Review draft Operating Budgets & Capital Works submissions		After 16/4/2019 Council meeting
Council Management & Staff	<i>During January to April, budget preparation including rating and valuation modelling is undertaken</i>	Jan 2019	April 2019
Council Workshop	6th AB&BP and LTFP Summary - Rating & Valuation and New Initiatives review for DDR; update Operating budgets as/where required; LTFP annual review with KPIs'		1/5/2019
Audit Committee	AB&BP and LTFP review and endorse for consultation		May/ June 2019
Special Council Meeting	Endorse Nuriootpa Centennial Park Authority Budget Endorse draft AB&BP and LTFP for public consultation		14/5/19
	Public Notices in local papers and Council internet provision for web submissions		22/05/19
	Public Submissions period – 3 weeks AB&BP and LTFP	22/05/19	12/06/19
Special Council Meeting	1 hour period to be provided at a Special Council Meeting (coinciding with the Council workshop) - as per Local Government Act 1999, Sec 123 (4)(a)(i)(B)– “where members of the public may ask questions, and make submissions, in relation to the matter”		5/06/19
Council Meeting	AB&BP and LTFP Consideration of public submissions		18/06/19
Special Council Meeting	Adopt AB&BP and LTFP, Valuation and Rating		27/06/19

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Policy

Budget & Business Plan and Review Policy

LGA Information papers – No. 8 Long-term Financial Plan and No. 13 Annual Business Plan

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan



How We Work – Good Governance

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

- 6.9 Provide access to Council's plans, policies and processes and communicate with the community in plain English.
- 6.16 Provide contemporary internal administrative and business support services in accordance with mandated legislative standards and good practice principles.

Legislative Requirements

Local Government Act 1999 Section 123

Local Government (Financial Management) Regulations 2011

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial

The Budget Timetable is an integral part of financial planning to ensure an organised and thorough process is undertaken.

COMMUNITY CONSULTATION

Included as part of the draft 2019/20 Budget & Business Plan consultation and adoption process.

7.3 CORPORATE AND COMMUNITY SERVICES - DEBATE

7.3.1 DIRECTOR CORPORATE AND COMMUNITY SERVICES – DEBATE

Nil

7.3.2 MANAGER COMMUNITY PROJECTS - DEBATE

7.3.2.1

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

B8100

MOVED Cr Angas that Council

- (1) Loan the Barossa Valley Machinery Preservation Society the sum of \$25,000 (ex GST) from Council's cash holdings, in accordance with Council's Treasury Management Policy. The purpose of the loan is toward financing the installation of fire protection storage tank development requirements;
- (2) Require the loan to be for a term of 10 years with the interest rate fixed at 4.3% p.a. for the full 10 years;
- (3) Require the loan to be repaid by 20 equal half-yearly instalments of both principal and interest;
- (4) Authorise the Chief Executive Officer to sign the loan document to be issued by Council to the Barossa Valley Machinery Preservation Society;
- (5) Require copies of the Society's annual audited financial statements for the life of the loan;
- (6) Agree a Memorandum of Understanding with the Barossa Valley Machinery Preservation Society to define the terms of the loan agreement;
- (7) Require that the \$2,500 GST component of the initial cash contribution be returned to Council; and
- (8) Enter a second quarter budget adjustment to reflect the agreed loan arrangement.

Seconded Cr Wiese-Smith

CARRIED 2018-22/96

PURPOSE

An interim contribution of \$25,000 ex GST was provided to the Barossa Valley Machinery Preservation Society (BVMPs) in November 2018 to facilitate practical completion of the required

fire protection development conditions of their shed. It was intended to convert this contribution to a loan arrangement; however, due to the council election caretaker period, the consideration of the loan was delayed until the new Council. This report is tabled for the new Council to consider the loan arrangement.

REPORT

Introduction

To achieve practical completion of the shed, the BVMPs are required to install fire protection through installation of a 160 KL rainwater tank. The funding model of the shed installation included a grant application of \$146,000 for Building Better Regions – Round 2. Unfortunately they were unsuccessful in obtaining this grant and have therefore reduced the scope of their shed project and will now wait to install the concrete flooring and other items in order to be able to achieve the highest priority installations. They will continue to apply for other grants and continue with their fundraising activity.

Discussion

Due to their cash position, the BVMPs requested additional financial assistance of \$25,000 to fund the fire protection requirement of their shed build.

At the 6 November 2018 meeting, Council considered:

- further loan borrowings to the BVMPs, with repayments over a 10 year loan term; or
- providing a contribution through existing budgeted funds for community assets; or
- a combination of those options.

The following was agreed:

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

Council has already contributed to this project with an \$80,000 loan facility through Local Government Finance Authority (LGFA) and a \$55,000 cash contribution; therefore it was recommended that the additional \$25,000 be via a loan rather than a further contribution. Council's Treasury Management Policy clauses 4.2.2.2 and 4.2.2.3 allow for this.

During the drafting of the November 2018 report, Manager Financial Services contacted the LGFA to discuss the options for a loan facility for this purpose. Advice was that the LGFA would not consider a loan of \$25,000 with the minimum facility being \$50,000. Also concurrently, a review of Council's Treasury Management Policy is underway and a proposed addition is to enable loans from Council's cash holdings to community groups that meet certain criteria. The Policy will also document an administration fee to cover the additional resourcing required to administer the loan facility, that the interest rate set be equal to the LGFA rate at the time of loan establishment, that a community group can only receive one Council loan at any one time and that Council only consider total community loans to the value of \$1,000,000 (ex GST). It is noted that the BVMPs have an existing loan of \$80,000 through Council, funded by the LGFA. However, as this is retrospective to the policy review, and due to the small additional loan required, it is still appropriate and affordable for the BVMPs to be granted the additional loan in this instance.

It is officer's recommendation that Council consider a loan from Council's cash holdings to the BVMPs for \$25,000, for a 10 year term, at 4.3% per annum as at 31 October 2018 (the rate when

the initial contribution was provided). The loan repayment schedule will be half yearly repayments of principal and interest:

Barossa Valley Machinery Preservation Society Inc Schedule of Loan Repayments - Loan 2				
Half Yearly Principal Payment	Half Yearly Interest Payment	Total of Half Yearly instalment	Principal Outstanding at start of each Half Year	Instalment Payment Date
1,013.64	537.50	1,551.14	25,000.00	8/05/2019
1,035.43	515.71	1,551.14	23,986.36	8/11/2019
1,057.70	493.44	1,551.14	22,950.93	8/05/2020
1,080.44	470.70	1,551.14	21,893.23	8/11/2020
1,103.67	447.47	1,551.14	20,812.79	8/05/2021
1,127.39	423.75	1,551.14	19,709.12	8/11/2021
1,151.63	399.51	1,551.14	18,581.73	8/05/2022
1,176.39	374.75	1,551.14	17,430.10	8/11/2022
1,201.69	349.45	1,551.14	16,253.71	8/05/2023
1,227.52	323.62	1,551.14	15,052.02	8/11/2023
1,253.91	297.23	1,551.14	13,824.50	8/05/2024
1,280.87	270.27	1,551.14	12,570.59	8/11/2024
1,308.41	242.73	1,551.14	11,289.72	8/05/2025
1,336.54	214.60	1,551.14	9,981.31	8/11/2025
1,365.28	185.86	1,551.14	8,644.77	8/05/2026
1,394.63	156.51	1,551.14	7,279.49	8/11/2026
1,424.62	126.52	1,551.14	5,884.86	8/05/2027
1,455.24	95.90	1,551.14	4,460.24	8/11/2027
1,486.53	64.61	1,551.14	3,005.00	8/05/2028
1,518.47	32.67	1,551.14	1,518.47	8/11/2028
25,000.00	6,022.80	31,022.80		

As loans do not attract GST, the GST component of the initial contribution provided of \$2,500 will be required to be returned to Council.

Summary

It is officer's recommendation that Council consider a loan from Council's cash holdings to the BVMPs for \$25,000, for a 10 year term, at 4.3% per annum as at 31 October 2018. Based on the current financial information provided, the BVMPs believes it is in a position to accommodate the loan repayments on an additional loan account of \$25,000.

In order for Council to maintain continual confidence of the BVMPs's repayment capacity, it is recommended that regular receipt of updated financial reports be provided.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1: Barossa Valley Machinery Preservation Society – initial additional funding request (18/74299)

Attachment 2: Barossa Valley Machinery Preservation Society – current financial position (18/73652)

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Identify Theme/s (utilising the icons)



Community and Culture



Infrastructure



Corporate Plan

2.1 Deliver sound community infrastructure and public space planning activities which incorporate place-making principles and take into account the future needs of the community.

3.3 Ensure Council's sporting, recreational and leisure building facilities and associated programs meet the current need of the community to an agreed level of service.

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

Legislative Requirements

Local Government Act 1999

Policy requirements

Treasury Management Policy

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial Management Considerations

This change to the 2018-19 budget has not been through the NI-DDR process as the loan is established with a loan agreement and will reinstate the Council cash holdings. At the next iteration of Council's Long Term Financial Plan, the loan, reduction to Council's cash holdings and its repayments will be included. The initial loan will be treated as a contribution to the BVMPS and a reduction to cash from Council's bank account.

The BVMPS loan interest will be shown on the Statement of Comprehensive Income as operating income, with the principal repayment amounts as addition to cash holdings in the Statement of Financial Position; however, for this loan amount the cash effect is insignificant.

COMMUNITY CONSULTATION

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

7.4 WORKS AND ENGINEERING SERVICES – DEBATE

7.4.1 DIRECTOR WORKS AND ENGINEERING – DEBATE

7.4.1.1

PROPOSED ROAD CLOSURE – 2019 A DAY ON THE GREEN

B9032 18/88666

Author: Manager Engineering Services.

MOVED Cr Boothby that the Commissioner of Police be advised that The Barossa Council endorses the closure of the following roads to stage the 2019 A Day On The Green at Peter Lehmann Winery:

Para Road, Tanunda from Carl Drive to Stelzer Road between 7.45pm and 12 midnight on Saturday 23 February 2019, and

Langmeil Road, Tanunda from Angas Street to Para Road between 7.45pm and 12 midnight on Saturday 23 February 2019, and

Parking and speed restrictions along Para Road, Tanunda from Barossa Valley Way to Stelzer Road, and,

Parking restrictions along Carl Drive, Hoffmann Avenue and Braunack Avenue, Tanunda for a distance of 30 metres from Para Road between 11.30am and midnight on Saturday 23 February 2019.

Seconded Cr Wiese-Smith

CARRIED 2018-22/97

PURPOSE

Roundhouse Entertainment has applied to The Barossa Council for support as they plan the 2019 A Day on The Green on Saturday 23 February 2019.

REPORT

Background

The requested road closure has been successfully deployed for previous events at the Peter Lehmann Winery and assists with the safe and orderly egress of vehicles leaving the event.

Promoters Roundhouse Entertainment began "A Day on The Green" in Victoria with the first show on Australia Day 2001. Since then it has grown to become firmly established as one of Australia's most successful and respected outdoor concert events.

Peter Lehmann Winery on Stelzer Road, Tanunda, traditionally hosts an event each summer and to assist with the safe access and egress of patrons it is necessary to install parking restrictions, a street closure and diversion of traffic on the night.

Summary and Conclusion

The requested closure and parking restrictions are deemed necessary as a risk mitigation strategy to maintain the safety of participants and the general public.

Roundhouse Entertainment have engaged Traffic Group Australia Pty Ltd to implement the traffic management plan attached, including the installation, monitoring and removal of the appropriate traffic management devices.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Traffic Group Australia Pty Ltd – Ingress and Egress Traffic Management Plans

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 implementation of the road closure is to be met entirely by Roundhouse Entertainment.

Risk management –

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

Organisers have been advised of the drainage upgrade and road reconstruction on Para Road that will be underway, commencing 16 October for a period of 8-10 weeks.

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 SA Police (SAPOL) notice on Council's website.

7.4.1.2

PROPOSED ROAD CLOSURE – 2019 BAROSSA VINTAGE FESTIVAL - ZIEGENMARKT

B9032 19/1557

Author: Manager Engineering Services.

Pursuant to S75 of the Local Government Act 1999 Cr Wiese Smith disclosed a perceived conflict of interest in the matter 7.4.1.2 – Proposed Road Closure – 2019 Barossa Vintage Festival – Ziegenmarkt as she is a member of the Barossa Vintage Festival Committee.

Cr Wiese-Smith advised Council of the conflict of interest and left the meeting at 9.13am.

MOVED Cr Angas that the Commissioner of Police be advised that The Barossa Council endorses the closure of the following roads in Tanunda on Friday 26 April 2019:

Maria Street from Julius Street to Young Street and
John Street from William Street to Albert Street,
from 6.30am up to 12 noon,

to stage the 2019 Ziegenmarkt as part of the 2019 Barossa Vintage Festival.

Seconded Cr Johnstone

CARRIED 2018-22/98

PURPOSE

A request has been received from Tourism Barossa for temporary road closure of several streets around "Goat Square", Tanunda, for the staging of the 2019 Barossa Vintage Festival Ziegenmarkt event.

REPORT

Background

The 2019 Barossa Vintage Festival Program describes the event held in Goat Square Tanunda as "A quintessential Barossa event featuring Barossa wine and food, fresh and ready to eat produce, a live auction and plenty of family friendly entertainment".

Introduction

Literally meaning "goat market", the Ziegenmarkt first appeared in Tanunda during the mid-1800's. Organisers of the 2019 event promise participants a bustling live market and an opportunity to bid on fresh produce, buy livestock, taste the local fare and embrace the sights, sounds, tastes and experiences of a bygone era.

Programmed to be held on Friday 26 April 2019 this is a free event scheduled to run between 8.00am and 11.00am.

Summary and Conclusion

Council has previously supported this event by organising and implementing the road closure. The proposed road closure is pursuant to Section 33 of the Road Traffic Act 1961.

Parking restrictions will also be implemented along one side of each of the surrounding streets, being Maria Street, John Street, Julius Street, Young Street and William Street to allow smooth passage of vehicles utilising the detours.

The road closure and parking restrictions are deemed necessary as a risk mitigation strategy to maintain the safety of participants and the general public.

The total cost to Council to facilitate the proposed events is \$1,000 inclusive of Council staff costs for the road closures and speed restrictions.

If Council elects not to implement the road closure requirements, this will need to be performed by a traffic management company engaged at the event organiser's expense, as happens with some other public events of similar nature in the Barossa.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Community and Culture



Health and Wellbeing



Business and Employment

Corporate Plan

- 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 estimated actual cost of \$1,000 for Council to facilitate the road closures and speed restrictions would be allocated from 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.

Cr Wiese-Smith returned to the meeting at 9.14am.

7.4.1.3

PROPOSED ROAD CLOSURE – 2019 BAROSSA VINTAGE FESTIVAL – ANGASTON TOWN DAY B9032 19/1567

Author: Manager Engineering Services.

Pursuant to S75 of the Local Government Act 1999 Cr Wiese Smith disclosed a perceived conflict of interest in the matter 7.4.1.3 – *Proposed Road Closure – 2019 Barossa Vintage Festival – Angaston Town Day* as she is a member of the Barossa Vintage Festival Committee.

Cr Wiese-Smith advised Council of the conflict of interest and left the meeting at 9.14am.

MOVED Cr Hurn that the Commissioner of Police be advised that The Barossa Council endorses the closure of the following roads on Sunday 28 April 2019:

Murray Street, Angaston, from Sturt Street to Tyne Street
from 9.00am up to 4.00pm,

to stage the Angaston Town Day "Something in the Street" event as part of the 2019 Barossa Vintage Festival.

Seconded Cr Barrett

CARRIED 2018-22/99

PURPOSE

A request has been received from Angaston Community Business Alliance for temporary road closure of Murray Street, Angaston, for the staging of the 2019 Barossa Vintage Festival Angaston Town Day event.

REPORT

Background

Angaston has traditionally held a Town Day event in Murray Street as part of the Barossa Vintage Festival.

Introduction

The 2019 Barossa Vintage Festival Program has themed this Angaston Town Day event as "Something in the Street" and is to include street markets, local food and wine and the finish line of the "Punkt zu Punkt" 33.3 kilometre Trail run. Organisers of the 2019 event invite participants to "experience our unique Barossa Heritage" in a relaxed environment.

Programmed to be held on Sunday 28 April 2019, this is a free event scheduled to run between 10.00am and 3.00pm.

Summary and Conclusion

Council has previously supported this event by organising and implementing the road closure. The proposed road closure is pursuant to Section 33 of the Road Traffic Act 1961.

Parking restrictions will also be implemented along one side of the traffic diversion streets, being Sturt Street and Dean Street, to allow smooth passage of vehicles utilising the detours.

The road closure and parking restrictions are deemed necessary as a risk mitigation strategy to maintain the safety of participants and the general public.

The total cost to Council to facilitate the proposed events is \$1,100 inclusive of Council staff costs for the road closures and speed restrictions.

If Council elects not to implement the road closure requirements, this will need to be performed by a traffic management company engaged at the event organiser's expense, as happens with some other public events of similar nature in the Barossa.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTSCommunity Plan

Community and Culture



Health and Wellbeing



Business and Employment

Corporate Plan

- 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 estimated actual cost of \$1,100 for Council to facilitate the road closures and speed restrictions would be allocated from 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.

Cr Wiese-Smith returned to the meeting at 9.15am.

7.5 DEVELOPMENT AND ENVIRONMENTAL SERVICES – DEBATE**7.5.1 DEVELOPMENT SERVICES – DEBATE**

Nil

7.5.2. ENVIRONMENTAL SERVICES - DEBATE**7.5.2.1**

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY (GRFMA) - GRFMA AUDIT COMMITTEE MEMBERSHIP AND REVIEW OF GRFMA PUBLIC CONSULTATION POLICY B9072

Author – Director Development and Environmental Services

Pursuant to S75 of the Local Government Act 1999 Cr Barrett disclosed a perceived conflict of interest in the matter 7.5.2.1 – Gawler River Floodplain Management Authority (GRFMA) – GRFMA Audit Committee membership and Review of GRFMA Public

Consultation Policy as he is a friend and work colleague of Cr Malcolm Herrmann, Adelaide Hills Council, who has been appointed to the GRFMA Audit Committee.

Cr Barrett advised Council of his perceived conflict of interest in order they are aware of his association with Cr Herrmann prior to discussion on the matter. Cr Barrett remained in the meeting and voted on the matter.

MOVED Cr de Vries that Council:

(1) pursuant to Section 30(3), Part 2, Schedule 2 of the *Local Government Act 1999* endorse the appointment of Councillor Malcom Herrmann – Adelaide Hills Council to the Gawler River Floodplain Management Authority Audit Committee, being an Elected Member of a constituent council with financial experience relevant to the functions of the audit committee, and

(2) Endorse the review, and subsequent amendment to the GRFMA Public Consultation Policy.

Seconded Cr Haebich

CARRIED 2018-22/100

PURPOSE

To endorse the appointment of the Gawler River Floodplain Management Authority Audit Committee, and seek feedback on the GRFMA Public Consultation Policy.

REPORT

Introduction

The Executive Officer for the Gawler River Floodplain Management Authority (GRFMA) has written to each of the Constituent Councils seeking:

1. endorsement for the appointment of the Gawler River Floodplain Management Authority Audit Committee, and
2. feedback on the GRFMA Public Consultation Policy

A copy of the letter is provided in Attachment 1.

Discussion

AUDIT COMMITTEE MEMBERSHIP

Council as a constituent member of the GRFMA is required to endorse the appointment of an Audit Committee pursuant to the relevant provisions of the *Local Government Act 1999*.

At its meeting in December 2018, the Board considered nominations and resolved to appoint Cr M Herrmann (Adelaide Hills Council) as the Elected Member representative on the GRFMA Audit Committee, subject to approval from constituent councils

Details of Cr M Herrmann's credentials are provided in the accompanying correspondence from the Executive Officer.

PUBLIC CONSULTATION POLICY

GRFMA Policies are required to be reviewed annually with the latest review being undertaken in December 2018.

As per the correspondence, the GRFMA Board adopted all policies without change, except for the Public Consultation Policy (refer Attachment 1).

The proposed amendment provides clarity around actions by the Chairperson and or Executive Officer that "getting on with the general business" of the Authority, such as meeting with councils,

individuals and stakeholders, to foster the outcomes of the Business Plan, is not considered public consultation.

Summary and Conclusion

The GRFMA is seeking endorsement for the appointment of the Elected Member representative on the GRFMA Audit Committee, and feedback on amendments to the Public Consultation Policy.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 – Letter from GRFMA Executive Officer

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Natural Environment and Built Heritage



Infrastructure

Corporate Plan

- 1.7 Maintain and extend existing initiatives to reduce, re-use and recycle water resources.
- 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.
- 3.10 Ensure Council owned stormwater infrastructure are accessible, safe and maintained to an agreed level of service.

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

ADELAIDE AND MOUNT LOFTY RANGES NRM BOARD – DRAFT BUSINESS AND OPERATIONAL PLAN 2019-20 to 2021-22

B8570

Author: Director Development and Environmental Services

Pursuant to S73(3) of the Local Government Act 1999 Cr Russell Johnstone disclosed a material conflict of interest in the matter 7.5.2.2 - Adelaide and Mount Lofty Ranges NRM Board – Draft Business and Operational Plan 2019-20 to 2021-22 as he is a member of the Board.

Cr Johnstone advised Council of his conflict of interest and left the meeting at 9.16am

MOVED Cr Wiese-Smith that Council

(1) Note and receive the report.

(2) Endorse the draft Submission as provided to the Adelaide and Mount Lofty Ranges Natural Resources Management Board on the Business and Operational Plan 2019-20 to 2021-22.

Seconded Cr Boothby**CARRIED 2018-22/101****PURPOSE**

To provide Council with information regarding the Adelaide and Mount Lofty Ranges Natural Resources Management Board's draft Business and Operational Plan for the period 2019-20 to 2021-22, and a copy of the Submission prepared by Council Administration.

REPORTBackground

The *Natural Resources Management Act 2004* requires the NRM Board to review its Business and Operational Plan once every three years. The Board last reviewed its Plan for the period 2016-17 to 2018-19.

The Adelaide and Mount Lofty Ranges Natural Resources Management Board (the Board) is seeking comment on the Business and Operational Plan 2019-20 to 2021-22 (Attachment 1).

Introduction

The Board had written to the Chief Executive Officer late November requesting that written Submissions in relation the Business and Operational Plan be submitted by 7 January 2019.

Timing of the request did not provide sufficient time to prepare a Report for the December Council meeting. Consequently, the Board had been provided with a draft Submission by the required date, noting that it was to be endorsed by Council at the January meeting.

Discussion

The Business and Operational Plan is a three-year Plan that sets out the income and proposed expenditure for the Board.

The Plan represents Volume 2 of the Adelaide and Mount Lofty Ranges Natural Resources Management Plan. The other part is the Strategic Plan, which identifies the strategic directions necessary for all stakeholders in the region to maintain, restore and enhance the region's natural resources.

FUNDING SOURCES

Table 1 shows the expected funds to be received over the three year period, compared with the 2018-19 adopted budget.

Table 1 Summary of Board income streams

Funding source	Adopted 2018-19 Budget (\$)	Estimated Budget (\$)		
		2019-20	2020-21	2021-22
Levy funds				
Division 1 – regional NRM levy	30,716,303	31,545,643	32,397,376	33,272,105
Division 2 water levy (prescribed water resources)	696,000	726,238	823,147	842,1092
Division 2 water levy (public water supply)	1,200,000	1,232,400	1,265,675	1,299,848
Water levy penalties	200,000	200,000	200,000	200,000
Australian Government funding				
National Landcare Program – Regional Land Program (RLP)	-	404,365	403,683	396,632
-				

Core Services				
National Landcare Program – RLP Soil Acidity – What Lies Beneath	-	-	-	-
National Landcare Program – RLP Back from the Brink	-	-	-	-
Other income sources				
Adelaide Living Beaches - Tennyson Dunes	52,532	53,845	-	-
Education program in schools	149,500	-	-	-
Gross Pollutant Trap maintenance	40,000	-	-	-
Interest	150,000	150,000	150,000	150,000
TOTAL INCOME	33,074,335	34,312,491	35,239,881	36,160,694

BOARD ACTIONS

The Business and Operational Plan proposes that project expenditure is delivered across the following drivers:





- Land management and change
- Economic impacts
- Knowledge and capacity
- Climate change
- Planning and improvement

Under the Landscape South Australia reforms, the Government has indicated that new Boards will have the following investment priorities:

Green Adelaide

-  Coastal management
-  Urban rivers and wetlands
-  Water sensitive urban design
-  Green streets and flourishing parklands
-  Fauna in the city
-  Controlling pest plants and animals
-  Nature education

Landscape SA Boards

-  Soil quality
-  Water management
-  Pest plant and animal control
-  Land stewardship

The Board's future expenditure aligns with these priorities as shown in Table 2.

Table 2 Summary expenditure

Funding source	Estimated Budget (\$)		
	2019-20	2020-21	2021-22
Land management and change			
<ul style="list-style-type: none"> • Support land managers to protect and improve the condition of land, water and ecosystems • Improve the long-term prospects of threatened and declining species and communities • Restore and conserve coast and marine environments, including through the Adelaide Living Beaches Strategy 	23,497,673	24,112,920	24,744,374

- Invest in key water management projects including securing low flows in the Western Mount Lofty Ranges, protecting and enhancing watercourses, and integrated urban water management
- Operate and maintain water management services assets, including the Patawalonga Lake System
- Support management of over abundant native species and priority pest plants and animals
- Undertake water resource management and planning in collaboration with water users and the community



Economic impacts

- | | | | |
|----------------------------------|---------|---------|---------|
| • Support sustainable production | 608,899 | 626,898 | 642,843 |
|----------------------------------|---------|---------|---------|



Community capacity

- | | | | |
|---|-----------|-----------|-----------|
| • Support volunteers and community run natural resource centres | | | |
| • Increase the knowledge and capacity of natural resources managers | 7,229,350 | 7,436,352 | 7,630,510 |
| • School and community education | | | |
| • Promote healthy soil management | | | |



Climate change

- | | | | |
|--|---------|---------|---------|
| • Ecosystem, urban and primary production adaptation | 150,875 | 155,562 | 159,456 |
|--|---------|---------|---------|



Planning and improvement

- | | | | |
|---|-----------|-----------|-----------|
| • Regional planning | 2,825,694 | 2,908,149 | 2,983,511 |
| • Monitoring, evaluation, reporting and improvement | | | |

TOTAL	34,312,491	35,239,881	36,160,694
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The Business and Operational Plan provides a three year outlook, hence is indicative only. The final expenditure is subject to the development of annual implementation plans and funding agreements negotiated annually with Local Governments, State Government agencies and other organisations.

Quantum of the Division 1 Regional NRM Levy

The proposed annual increase in the levy is 2.70%.

	2019-20	2020-21	2021-22
Division 1 regional NRM Levy	31,545,643	32,397,376	33,272,105

The average per property levy (residential, industrial, commercial) for The Barossa Council is \$34 based on estimated capital value data.

The average levy per residential property in each council area was calculated on the basis of value of rateable land. The levy amount was calculated as a percentage of each measure of income listed above (e.g. mean income, mean wages and salaries). The levy was calculated for

maximum property values in each Local Government area, as well as for properties of average value.

The estimated share of the levy for The Barossa Council for 2019-20 is \$474,425. The quantum for 2016-17 was \$432,886.

Quantum of the Division 2 NRM Water Levy

The proposed rate for the Division 2 Water Levy for all prescribed areas is shown below.

	2019-20	2020-21	2021-22
Division 2 NRM Water Levy	\$6.16/ML on water allocated	\$6.33/ML on water allocated	\$6.50/ML on water allocated

COUNCIL SUBMISSION

Given the impending changes to the NRM legislation, the draft Submission (*Attachment 2*) highlights the concern on the potential impact on the quantum of revenue that can be generated within the proposed smaller, more rural Plains and Valleys Landscape Board region, and therefore the capacity to sustain the current programs that are hosted by the Council.

The Submission has also highlighted the opportunity to make a better connection between the land use planning and natural resource management systems, noting that there are deficiencies in the current system for Water Affecting Activities which are governed by the Plan.

The Submission also reinforces the comments made to the Minister for Environment and Water (as per resolution 2018-22/78) regarding the distinctive cultural, economic and environmental character of the Barossa Valley and its surrounds.

MOVED Cr Johnstone that the Chief Executive Officer write to the Minister for Environment and Water seeking clarification on the future structural arrangements for the forecast Northern Hills and Plains Region.

Seconded Cr de Vries **CARRIED 2018-22/78**

Finally, the Submission notes the proposed capping of the NRM levy under the proposed reform.

Summary and Conclusion

The Adelaide and Mount Lofty Ranges Natural Resources Management Board has sought comment on the Business and Operational Plan 2019-20 to 2021-22 by 7 January 2019.

A draft Submission has been provided to the Board, but is now presented to Council for endorsement.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 - Business and Operational Plan 2019-20 to 2021-22

Attachment 2 - Draft Submission

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Natural Environment and Built Heritage

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.

Legislative Requirements

Natural Resources Management Act 2004

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial Management

Council currently hosts a number of NRM programs that are fully or part funded by the NRM Board, namely:

- Land Management program
- Natural Resource Centre
- NRM Education

Each of these programs are subject to a new Service Agreement being finalised for the 2019-20 financial year.

There is a potential that the new Landscape Governance Framework (splitting the Adelaide and Mount Lofty Ranges NRM region in to three) may diminish the success of these programs, as there will be a reduction in the revenue generated from the smaller, more rural Plains and Valleys region.

The Minister as part of the NRM Reform is proposing to place a cap on annual land and water levy rises, either set by an Independent body or according to the Consumer Price Index (CPI), and that councils continue to collect land levies via council rates.

Risk Management

Nil

COMMUNITY CONSULTATION

Nil

Cr Johnstone returned to the meeting at 9.17am.

7.5.2.3

SA MURRAY-DARLING NRM BOARD – DRAFT BUSINESS AND OPERATIONAL PLAN 2019-20 to 2021-22 **B208**

Author: Director Development and Environmental Services

MOVED Cr Boothby that Council;

(1) Note and receive the Report.

(2) Endorse the draft Submission to the SA Murray-Darling Ranges Natural Resources Management Board on the Business and Operational Plan 2019-20 to 2021-22.

Seconded Cr Miller

CARRIED 2018-22/102

PURPOSE

To provide Council with information regarding the SA Murray-Darling Natural Resources Management Board's draft Business and Operational Plan for the period 2019-20 to 2021-22, and of the Submission prepared by Council Administration.

REPORT

Background

The *Natural Resources Management Act 2004* requires the NRM Board to review its Business and Operational Plan once every three years. The Board last reviewed its Plan for the period 2016-17 to 2018-19.

The SA Murray-Darling Natural Resources Management Board (the Board) is seeking comment on the Business and Operational Plan 2019-20 to 2021-22

Introduction

The Board had written to the Chief Executive Officer requesting that written submissions in relation the Business and Operational Plan be submitted by 25 January 2019 ([Attachment 1](#)).

Discussion

The Business and Operational Plan is a three-year Plan that sets out the income and proposed expenditure for the Board.

The Plan represents Volume B of the SA Murray-Darling Natural Resources Management Plan ([Attachment 2](#)). The other part is the Strategic Plan, which identifies the strategic directions necessary for all stakeholders in the region to maintain, restore and enhance the region's natural resources.

FUNDING SOURCES

Table 1 shows the expected funds to be received over the three year period, compared with the 2018-19 adopted budget.

Table 1 Summary of Board income streams

Funding source	Adopted 2018-19 Budget (\$)	Estimated Budget (\$)		
		2019-20	2020-21	2021-22
Levy funds				
Division 1 – regional NRM levy	5,767,000	5,920,700	6,080,000	6,244,000
Division 2 water levy (prescribed water resources)	8,284,780	8,508,470	8,738,198	8,974,130
Other Income				
Animal and plant control contracts	180,000	180,000	180,000	180,000
Interest	100,000	100,000	100,000	100,000
Other	26,913			
Grants – State Government				
Impact of Orchard Covers - PIRSA	20,000			
Grants – Australian Government				
National Landcare Program Regional Land Partnerships – Core Services	439,796	446,883	449,433	443,737
National Landcare Program Regional Land Partnerships – Project Services	909,926			
Commonwealth On-Farm Further Irrigation Efficiency (COFFIE) Program	31,011			
Working on Country	570,476	578,463		
Other	162,959			
TOTAL INCOME	16,492,861	15,734,516	15,547,631	15,941,867

BOARD ACTIONS

The Business and Operational Plan proposes that project expenditure is delivered across the following drivers:

1. Managing our biodiversity assets to improve resilience of ecosystems into the future for all while achieving landscape scale ecological change.
2. Managing water resources for the benefit of multiple users including the environment in a changing climate

3. Working with landholders towards sustainable production systems
4. More people doing more NRM better – through behavioural and generational change
5. Building increased understanding of the adaptive capacity of the region
6. Leadership, best practice and continuous improvement

The board's future expenditure aligns with these priorities as shown in Table 2.

Table 2 Summary expenditure

Focus Areas	Estimated Budget (\$)		
	2019-20	2020-21	2021-22
Managing our biodiversity assets to improve resilience of ecosystems into the future for all, while achieving landscape scale ecological change			
<ul style="list-style-type: none"> Restore and improve ecological functions at a landscape-scale, especially in the Upper Murray Maintain condition of key regional assets (such as Billiat Conservation Park , Ngarkat Conservation Park and their surrounds) including reducing risks to threatened species from inappropriate fire regime through active fire management, addressing total grazing pressure and site-scale restoration, especially in the Southern Murray Mallee – Lowan Mallee Maintain condition and improve the level of protection of biodiversity hotspots (prevent loss), focused on Rockleigh to Monarto, Burra to Kapunda, Prospect Hill, Western Murray Mallee and Northern Murray Mallee areas Promote and support sustainable grazing of native pastures for production and biodiversity outcomes predominately in the Central, Northern Ranges and Pastoral zone. Secure the future of prioritised (by staff team) threatened species and threatened ecological communities by implementing recovery plans, addressing habitat decline and species-specific threats. 	1,971,580	1,831,255	1,861,182
Managing water resources for the benefit of multiple users including the environment in a changing climate			
<ul style="list-style-type: none"> Improving the ecological function of wetlands along the River Murray corridor through the management of environmental water Continue to optimise irrigation in key irrigation districts to provide water for the environment and improve productivity, focused on the Upper Murray and river corridor Ensure the use of water resources in prescribed areas is managed within sustainable limits – intermediate focus will be on the Eastern Mount Lofty Ranges water allocation plan (WAP) and the River Murray WAP 	2,920,909	2,964,501	3,007,750

- Deliver the requirements under the Basin Plan and National Water Initiative to all water allocation plans, intermediate focus will be on issues related to the Eastern Mount Lofty Ranges water resource plan (WRP) and the River Murray WRP
- Engage the indigenous community in water planning and identification of their interests in water planning (focusing on current WAP engagement)
- Promote sustainable use of water resources in urban and high growth areas of Eastern Mount Lofty Ranges and Southern Fleurieu
- Integrated water management to improve aquatic and terrestrial health of catchments in the Eastern Mount Lofty Ranges and Southern Fleurieu

Working with landholders towards sustainable production systems

- Work with industry and farming groups to demonstrate and promote best practice management of emerging threats (seepage below the root zone, herbicide resistance, nitrogen leaching, soil acidification, reduced soil health) in broad acre farming districts.
- Work with industry and farming groups to demonstrate and promote best practice management of soil acidity in areas identified in the RAP.
- Promote and support sustainable grazing of native pastures for production and biodiversity outcomes, predominately in the Central, Northern Ranges and Pastoral zone.
- Continue to optimise irrigation in key irrigation districts to provide water for the environment and improve productivity, focused on the Upper Murray and river corridor 2,056,973 2,178,904 2,203,692
- Demonstrate and promote best management practices to reduce soil erosion risks in dryland farming systems, focusing in the Southern and Northern Murray Mallee
- Maintain landholder awareness and encourage management of emerging weeds across the region
- Facilitate landholder networks and collaboration for improved vertebrate pest management in the Southern and Northern Murray Mallee

More people doing more NRM better – through behavioural and generational change

- Build and maintain partnerships with key stakeholders including different sectors of government, non-government organisations, community, farming and industry groups. 6,590,936 6,249,160 6,518,225

- Engage and strengthen the capacity of Aboriginal communities and groups to manage natural resources, and support their leadership in the protection of cultural values and assets.
- Create positive behaviour change and build leadership capacity through increased knowledge, skills and participation in NRM (including young people).
- Facilitate and support landholder and community networks to collaborate and share knowledge that empowers them to effectively manage the region's natural resources.
- Encourage and support the community's contribution in NRM decision making, including their provision of data and evidence.
- Provide opportunities for the broader community (including young people) to connect with nature.

Building increased understanding of the adaptive capacity of the region

- | | | | |
|---|--------|--------|--------|
| • Improve the capacity of land managers to adapt to change. | | | |
| • Incorporate climate adaptation into NRM planning to ensure actions are climate-ready. | 73,903 | 78,477 | 79,790 |





Leadership, best practice and continuous improvement

- | | | | |
|--|-----------|-----------|-----------|
| • Statutory planning including the Strategic NRM Plan, Board's Business Plan, and water allocation plans. | | | |
| • An effective monitoring, evaluation and reporting framework to assess the impact of the Strategic NRM Plan. | | | |
| • Monitoring, evaluation, reporting and improvement delivered at the program and project scale. | | | |
| • Contractual obligations that come with external funding are delivered | | | |
| • Continuously improve the information management systems that support evidence based decision making | 2,120,514 | 2,245,334 | 2,271,229 |
| • Regular communication of Board business through all types of media (including social media) | | | |
| • Management of the Board's brand through the maintenance of communications platforms and compliance with communications-related protocols and obligations (including those associated with external funding). | | | |
| • Support for the region's volunteers including core training, volunteer recognition and small grants. | | | |

TOTAL	15,734,516	15,547,631	15,941,867
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Under the Landscape South Australia reforms, the Government has indicated that new Boards will have the following investment priorities:

Landscape SA Boards

-  Soil quality
-  Water management
-  Pest plant and animal control
-  Land stewardship

The table below highlights how the Board's investment proposal aligns with the Government's priorities.

Government's Priorities	The Board's Focus Areas
Soil quality	<ul style="list-style-type: none"> • Work with industry and farming groups to demonstrate and promote best practice management of soil acidity • Demonstrate and promote best management practices to reduce soil erosion risks in dryland farming systems • Improve the capacity of land managers to adapt to change
Water management	<ul style="list-style-type: none"> • Improving the ecological function of wetlands along the River Murray corridor through the management of environmental water • Continue to optimise irrigation in key irrigation districts to provide water for the environment and improve productivity • Ensure the use of water resources in prescribed areas is managed within sustainable limits. • Deliver the requirements under the Basin Plan and National Water Initiative to all water allocation plans. • Engage the indigenous community in water planning and identification of their interests in water planning • Promote sustainable use of water resources in urban and high growth areas • Integrated water management to improve aquatic and terrestrial health of catchments
Pest plant and animal control	<ul style="list-style-type: none"> • Work with industry and farming groups to demonstrate and promote best practice management of emerging threats • Educate landholders to maintain awareness and encourage management of emerging weeds across the region • Facilitate landholder networks and collaboration for improved vertebrate pest management
Land stewardship	<ul style="list-style-type: none"> • Promote and support sustainable grazing of native pastures for production and biodiversity outcomes • Restore and improve ecological functions at a landscape-scale • Maintain condition of key regional assets (such as Billiat Conservation Park , Ngarkat Conservation Park and their surrounds) including reducing risks to threatened species from inappropriate fire regime through active fire management, addressing total grazing pressure and site-scale restoration • Maintain condition and improve the level of protection of biodiversity hotspots (prevent loss). • Build and maintain partnerships with key stakeholders • Facilitate and support landholder and community networks to collaborate and share knowledge that empowers them to effectively manage the region's natural resources.

	<ul style="list-style-type: none"> Encourage and support the community's contribution in NRM decision making, including their provision of data and evidence.
--	--

The Business and Operational Plan provides a three year outlook, hence is indicative only. The final expenditure is subject to the development of annual implementation plans and funding agreements negotiated annually with Local Governments, State Government agencies and other organisations.

Quantum of the Division 1 Regional NRM Levy

The NRM levy is the primary source of funding for the management of the region's natural resources.

The levy proposal, outlined in the table below, is a continuation of the levy collected in the region during 2018-19 and has been adjusted to reflect the increase in consumer price index (CPI).

	2019-20	2020-21	2021-22
Division 1 regional NRM Levy	5,920,700	6,080,000	6,244,000
Division 2 regional NRM Levy	8,508,470	8,738,198	8,974,130
TOTAL	14,429,170	14,818,198	15,218,130

The estimated share of the levy for The Barossa Council for 2019-20 is \$65,750. The average levy per property is \$87.43.

Quantum of the Division 2 NRM Water Levy

The proposed rate for the Division 2 Water Levy for all prescribed areas is shown below.

Prescribed Resource	2019-20	2020-21	2021-22
River Murray Metropolitan Consumptive Pool (Class 6)	2.059 cents per unit share	2.115 cents per unit share	2.172 cents per unit share
All Purposes Consumptive Pool (Class 2) water access entitlements	2.059 cents per unit share	2.115 cents per unit share	2.172 cents per unit share
River Murray All Purposes Consumptive Pool (Class 3 and Class 5) water access entitlements	0.662 cents per unit share	0.680 cents per unit share	0.698 cents per unit share
River Murray All Purposes Consumptive Pool (Class 3 (Qualco Sunlands)) water access entitlements	0.630 cents per unit share	0.647 cents per unit share	0.665 cents per unit share
Angas Bremer	0.662 cents per kilolitre	0.680 cents per kilolitre	0.698 cents per kilolitre
Mallee – reticulated	2.059 cents per kilolitre	2.115 cents per kilolitre	2.172 cents per kilolitre
Mallee	0.662 cents per kilolitre	0.680 cents per kilolitre	0.698 cents per kilolitre
Mineral Sands Mining	0.662 cents per kilolitre	0.680 cents per kilolitre	0.698 cents per kilolitre
Peake, Sherlock & Roby	0.662 cents per kilolitre	0.680 cents per kilolitre	0.698 cents per kilolitre
Marne Saunders	0.662 cents per kilolitre	0.680 cents per kilolitre	0.698 cents per kilolitre
Eastern Mount Lofty Ranges	0.662 cents per kilolitre	0.680 cents per kilolitre	0.698 cents per kilolitre
Taking LABA (Flood)	0.158 cents per kilolitre	0.162 cents per kilolitre	0.166 cents per kilolitre

COUNCIL SUBMISSION

The draft Submission (*Attachment 3*) is a condensed version of the Submission made to the Adelaide and Mount Lofty Ranges NRM Board.

Summary and Conclusion

The SA Murray-Darling Natural Resources Management Board has sought comment on the Business and Operational Plan 2016/2019-20 to 2021-22 by 25 January 2019.

A draft Submission is presented to Council for endorsement.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 - Letter from SA Murray-Darling NRM Board
Attachment 2 - Business and Operational Plan 2019-20 to 2021-22
Attachment 3 - Draft Submission

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Natural Environment and Built Heritage

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.

Legislative Requirements

Natural Resources Management Act 2004

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial Management

Council currently hosts a number of NRM programs that are fully or part funded by the Adelaide and Mount Lofty Ranges NRM Board, namely Land Management program, Natural Resource Centre and NRM Education.

Council does not receive any direct funding from the SA Murray-Darling NRM Board, however there are community groups within the Barossa region that do receive funding (i.e. Mount Pleasant Natural Resource Centre Inc).

Risk Management

Nil

COMMUNITY CONSULTATION

Nil

7.5.3. HEALTH SERVICES - DEBATE

7.5.3.1

REVIEW OF THE PUBLIC HEALTH ACT

B7635

Author: Director Development and Environmental Services

MOVED Cr Johnstone that Council:

- (1) Endorse the Submission provided to the Social Development Committee of Parliament on the review of the *South Australian Public Health Act 2011*, and
- (2) Authorise the Chief Executive Officer, or his delegate, to advise the Social Development Committee of Parliament of Council's resolution.

Seconded Cr Wiese-Smith

CARRIED 2018-22/103

PURPOSE

To seek Council's endorsement of the submission presented to the Social Development Committee of Parliament on the review of the *South Australian Public Health Act 2011*.

REPORT

Background

The *South Australian Public Health Act 2011* (the Act) is required to be reviewed after the expiry of 5 years from its commencement.

Under section 110 of the Act, the Social Development Committee of Parliament, as the designated committee, is required to undertake the Review.

Introduction

The Social Development Committee commenced the review of the Act in October 2017, seeking comment by Monday, 14 January 2019.

The terms of the Review are provided in Attachment 1.

Discussion

Due to timing of the Review, Council Administration had prepared and submitted a draft Submission by the closing date. A copy of the Submission is provided in Attachment 2.

The Submission focussed primarily on Part 3, Division 4 and Part 4, Division 2 of the Act, and its intent to deliver on the Objects of the Act.

The intent of this Report is to seek Council's endorsement of the Submission or make any amendments. The Social Development Committee will be subsequently advised of Council's resolution.

In addition to the written Submission, Council officers also participated in forums conducted by both SA Health and the Local Government Association to provide input to the Review.

Summary and Conclusion

The Social Development Committee is undertaking a review of the operation of the South Australian Public Health Act 2011 Act, with Submissions closing on 14 January 2019.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 – S110 Review of the Act
Attachment 2 – Council Draft Submission

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Health and Wellbeing

Corporate Plan

4.1 Deliver and promote health and wellbeing initiatives in line with the Public Health Plan.

Legislative Requirements

South Australian Public Health Act 2011

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial Management

Nil

Risk Management

Nil

COMMUNITY CONSULTATION

Nil

8. CONFIDENTIAL MATTER

Nil

9. URGENT OTHER BUSINESS

Pursuant to S73 of the Local Government Act 1999 Cr Johnstone disclosed a material conflict of interest in the matter 9.1 – *Leave of Absence Request – Cr Johnstone* as he will receive a personal benefit from taking leave from his duties as a Councillor.

Cr Johnstone advised the Council of his conflict of interest and left the meeting at 9.19am

Pursuant to S73 of the Local Government Act 1999 Cr de Vries disclosed a material conflict of interest in the matter 9.2 – *Leave of Absence Request – Cr de Vries* as he will receive a personal benefit from taking leave from his duties as a Councillor.

Cr de Vries advised the Council of his conflict of interest and left the meeting at 9.19am.

9.1 LEAVE OF ABSENCE REQUEST – CR JOHNSTONE

MOVED Cr Wiese-Smith that Cr Johnstone be granted Leave of Absence from Thursday 24 January to Sunday 10 February 2019.

Seconded Cr Hurn

CARRIED 2018-22/104

9.2 LEAVE OF ABSENCE REQUEST – CR de VRIES

MOVED Cr Troup that Cr de Vries be granted Leave of Absence from Tuesday 29 January to Thursday 21 February 2019.

Seconded Cr Miller

CARRIED 2018-22/105

Crs Johnstone and de Vries returned to the meeting at 9.20am.

10. NEXT MEETING

Tuesday 19 February 2019 at 9.00am.

11. CLOSURE OF MEETING

Mayor Lange declared the meeting closed at 9.20am.

Confirmed at Council Meeting on 19 February 2019

Date:.....

Mayor:.....