NOTICE OF MEETING

Notice is hereby given that the next ordinary meeting of Council will be held on Tuesday 17 September 2019 in the Council Chambers, 43 – 51 Tanunda Road, Nuriootpa, commencing at 9.00am.

Martin McCarthy
CHIEF EXECUTIVE OFFICER
THE BAROSSA COUNCIL

AGENDA

1. THE BAROSSA COUNCIL

1.1 Welcome by Mayor Lange - meeting declared open
1.2 Present
1.3 Leave of Absence
Cr Leonie Boothby
1.4 Apologies for Absence
Minutes of previous meetings – for confirmation:
1.5 Council meeting held on Tuesday 20 August 2019 at 9.00am
Confidential Council meeting held on Tuesday 20 August 2019 at 11.08am
Confidential Council meeting held on Tuesday 20 August 2019 at 11.19am
1.6 Matters arising from previous minutes
Nil
1.7 Petitions
Nil
1.8 Deputations
Nil
1.9 Notice of Motion
Cr Troup – copy attached

5
2. MAYOR
   2.1 Mayor’s report - attached

3. COUNCILLORS’ REPORTS
   3.1 Nil

4. CONSENSUS AGENDA
   4.1 MAYOR
      Nil

4.2 EXECUTIVE SERVICES
   4.2.1 CHIEF EXECUTIVE OFFICER
      4.2.1.1 The Big Project – Correspondence
      4.2.1.2 Legatus Minutes and Annual General Meeting

   4.2.2 COMMUNICATION AND ENGAGEMENT OFFICERS
      4.2.2.1 Communication and Engagement – Quarterly Report

4.3 CORPORATE & COMMUNITY SERVICES
   4.3.1 DIRECTOR CORPORATE AND COMMUNITY SERVICES
      4.3.1.1 Replica Memorial Plaque – Keil Garden Tanunda

   4.3.2 MANAGER COMMUNITY PROJECTS
      Nil

4.4 WORKS AND ENGINEERING
   4.4.1 DIRECTOR’S REPORT
      Nil

4.5 DEVELOPMENT & ENVIRONMENTAL SERVICES
   4.5.1 DEVELOPMENT SERVICES
      Nil

   4.5.2 ENVIRONMENTAL SERVICES
      4.5.2.1 Williamstown, Lyndoch Landcare Group Inc.
      4.5.2.2 Gawler River Floodplain Management Authority
      4.5.2.3 Gawler River Floodplain Management Authority Annual Report
      4.5.2.4 Trees for Life
      4.5.2.5 Request for Support – Adelaide and Hills Koala Rescue

   4.5.3 HEALTH SERVICES
      4.5.3.1 Food Recalls
      4.5.3.2 Food Premises Inspections

   4.5.4 REGULATORY SERVICES
      Nil
4.5.5 WASTE SERVICES

Nil

5. CONSENSUS AGENDA ADOPTION

5.1 ITEMS FOR EXCLUSION FROM CONSENSUS AGENDA
5.2 RECEIPT OF CONSENSUS AGENDA
5.3 DEBATE OF ITEMS EXCLUDED FROM CONSENSUS AGENDA

6. VISITORS TO THE MEETING/ADJOURNMENT OF MEETING

6.1 VISITORS TO THE MEETING

Nil

6.2 ADJOURNMENT OF COUNCIL MEETING

7. DEBATE AGENDA

7.1 MAYOR

Nil

7.2 EXECUTIVE SERVICES

7.2.1 CHIEF EXECUTIVE OFFICER

7.2.1.1 Register of Interests Policy 131
7.2.1.2 Quarterly Update to Delegations Register 151
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7.2.1.4 Expression of Interest Barossa Railway Corridor 177
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7.2.2 FINANCE

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7.2.2.2 2018/2019 Draft Annual Financial Statements – Council Certificate 250
7.2.2.3 Nuriootpa Centennial Park Authority – Audit Committee Appointments 252

7.3 CORPORATE AND COMMUNITY SERVICES

7.3.1 DIRECTOR CORPORATE AND COMMUNITY SERVICES

Nil

7.3.2 MANAGER COMMUNITY PROJECTS

7.3.2.1 Draft Memorials on Community Land Policy 256
7.3.2.2 Nuriootpa War Memorial Swimming Pool Pre-Season Assessment 2019/2020 267

7.4 WORKS AND ENGINEERING

7.4.1 DIRECTOR’S REPORTS
| 7.4.1.1 | Barossa Trail – Proposed Amendment to Scope of Works and Budget Funding |
| 7.4.1.2 | Mount Pleasant Main Street Upgrade – Staged Work Priority |
| 7.4.1.3 | Native Vegetation Council – Regulation Advice Notification – 85 Williamstown Road – Sandy Creek |
| 7.4.1.4 | Proposed Event Support – 2019 Gone Fishing Day |
| 7.4.1.5 | Proposed Road Closures – 2019 Angaston Christmas Party |
| 7.4.1.6 | Proposed Road Closures – 2019 Australian Masters Games (Road Cycling) |
| 7.4.1.7 | Yetti Road Williamstown Kerb and Gutter Upgrade and Road Reseal – Budget Adjustment |

### 7.5 DEVELOPMENT AND ENVIRONMENTAL SERVICES

#### 7.5.1 DEVELOPMENT SERVICES

| 7.5.1.1 | Appointment – Building Fire Safety Committee |

#### 7.5.2 ENVIRONMENTAL SERVICES

| 7.5.2.1 | Consideration and Adoption of Committee Resolutions |

#### 7.5.3 HEALTH SERVICES

Nil

#### 7.5.4 REGULATORY SERVICES

| 7.5.4.1 | Implementation of Timed Parking Spaces |
| 7.5.4.2 | Review of the Local Nuisance and Litter Control Act 2016 |

#### 7.5.5 WASTE SERVICES

Nil

### 8. CONFIDENTIAL AGENDA

Nil

### 9. URGENT OTHER BUSINESS

Nil

### 10. NEXT MEETING

Tuesday 15 October 2019 at 9.00am

### 11. CLOSURE
Mr Martin McCarthy  
Chief Executive Officer  
43-1 Tanunda Road  
Nuriootpa SA 5355

By Hand

Dear Martin

I hereby provide a notice of motion pursuant to Section 12 of the Local Government (Procedures at Meetings) Regulations 2013, seeking to amend the following resolution of Council made at its meeting of 20 August 2019.

**MOVED Cr Schilling that Council:**

(1) Endorse the Draft Event Management Policy as presented for public consultation under section 202(2) of the Local Government Act 1999 and in accordance with Council’s Public Consultation Policy;

(2) Approve the Draft Community Consultation and Communications Plan for consultation to take place between 21 August 2019 and 13 September 2019.

(3) Require officers to submit a further report to Council at the conclusion of the consultation period outlining all submissions received.

**Seconded Cr Miller**  
CARRIED 2018-22/287

I seek to extend the timeframe for submission on the draft policy as it has fallen in a busy period for show societies and they have requested additional time.

I propose to amend part 2 of the resolution to allow for a further three weeks for submissions due to the above matter and to allow sufficient time to advertise the extension; noting the period for submissions has already closed and that staff advertise this extension as soon as possible.

I therefore will propose that part 2 of the resolution be amended to:

(2) Approve the Draft Community Consultation and Communications Plan for consultation to take place between 21 August 2019 and 4 October 2019.

As prescribed by the regulations and having provided at least 5 clear days notice as required please place this notice of motion on the agenda for the upcoming meeting of 17 September 2019.

Yours sincerely

Cathy Troup  
Councillor
AUGUST
14-16/08/2019 LGA Roads & Works Conference Renmark
19/08/2019 Meeting representatives Regional Wine Trail Meeting Citizenship Ceremony – Council Office
20/08/2019 Good Shepherd Lutheran School presentation also attending CEO. Martin McCarthy
22/08/2019 Faith Junior Campus Presentation – Mayor and Council’s role Barossa Rail Corridor - interested parties meeting conveyed by CEO Martin McCarthy Meeting with Robert Homburg and CEO Martin McCarthy – Land Transfer Federal Minister Birmingham – Barossa Visitor Centre
24/08/2019 Media Promotion Lyndoch Road Gomersal with road residents, Federal Member for Barker, Tony Pasin and Stephan Knoll Member for Schubert
28/08/2019 Special Preview – The Barossa Cellar Meeting with Waste Company Representative & Gary Mavrinac
29/08/2019 Garage Sale Photo Site Meeting Angas Park Oval Cr Johnstone and Oval representative Barossa Rams Rugby representative meeting with Martin McCarthy and Jo Thomas Lyndoch Road construction residents meeting – Gomersal Wines
30/08/2019 Presentation from Tea Tree Gully Council presentation - Youth Leadership Program

SEPTEMBER
2/09/2019 ABC Radio interview – Garage Sale promotion Barossa Light & Gawler AFL Schluter Medal Count
3/09/2019 State Liberal Team visit – Chocolate Factory
4/09/2019 Meeting Representatives Tanunda Business Group – Hosting Tour Down Under
5/09/2019 Meeting Seppeltsfield Wines Cooperage
6/09/2019 Site Meeting Corner Murray Street/Kalimna Road
8/09/2019 Funday Sunday – Tanunda Oval
10/09/2019 Meeting Mount Pleasant Resident Cromer Tennis Clubroom site Meeting
13/09/2019 Barossa Calendar Launch – Barossa Regional Gallery
4.2.1 CONSENSUS AGENDA – CHIEF EXECUTIVE OFFICER

4.2.1.1 THE BIG PROJECT CORRESPONDENCE

B6397
Correspondence has been received from two interested parties in the Regional Culture Hub and have asked it be tabled.

The correspondence is attached.

RECOMMENDATION
That the correspondence and the report item 4.2.1.1 be received and noted.
25.8.19

To Elected Members of The Barossa Council.

I write to you as President of The Barossa Arts Council Inc. with an expectation that the Barossa Culture Hub may never again be considered a low priority for our region and it never be proposed to be put on hold as we note was proposed and thankfully voted down in the Barossa Council August minutes.

The genre of Arts is broad and naturally incorporates Culture and Heritage factors. Together they impact hugely on our regional Economic, Social and Tourism activities. The current momentum for resource advancement follows many years of investment from our Elected Members and community citizens. We need to see our Council members actively, if not aggressively, representing our regional needs by voicing their ongoing support for advancement.

Recent grant applications for The Culture Hub have received feedback of strong encouragement from State and Commonwealth representatives to continue to build on what has been achieved. As an Arts Council we are really excited to have it inferred that the next round of grant funding is likely to be successful given the back history of years of action taking us to the position of being ‘shovel-ready’ to begin the physical development of this resource to our community.

Community citizens and visitors alike will benefit. Our social, cultural, heritage and business sectors will benefit. The Barossa will have yet another jewel to show the world. The wellbeing of our community depends on this arts enhancement.

Please continue to support The Culture Hub project in its entirety and feel the urgency of maintaining the momentum for it now. Our community suffers if growth and development freeze. We speak on behalf of the thousands of people over the past decade who have spoken up for just this very thing.

The Barossa Council have been so proactive in the past through developing a regional gallery, by assisting to find the grand pipe organ a new home, by placing Arts & Culture positions within Council. We have all enjoyed the expansion of arts activities and business developments as a result.

On behalf of our Barossa Arts Council members.

Felicity Hage, President.
From: Sally Fox  
Date: 26 August 2019 at 3:40:52 pm ACST  
To: <jangas@barossa.sa.gov.au>, <ddevries@barossa.sa.gov.au>, <carla@barossa.sa.gov.au>, <dhaebich@barossa.sa.gov.au>, <thurn@barossa.sa.gov.au>, <kschilling@barossa.sa.gov.au>, <lboothby@barossa.sa.gov.au>, <rjohnstone@barossa.sa.gov.au>  
Cc: 'Kirsty Hage' <khage@barossa.sa.gov.au>  
Subject: Barossa Culture Hub

Dear elected members,

I am a long-time volunteer with the Barossa Regional Gallery. I’m also enrolled in an MA in Curatorial and Museum Studies at the University of Adelaide in conjunction with the Art Gallery of SA. Part of that course involves an internship which I am currently undertaking with the Barossa Regional Gallery. My project is to formulate a proposal for a Barossa Heritage Arts and Crafts Trail which would ultimately be presented to Council. I have been out in the community talking with people about this idea and how it might relate to the arts picture overall in the Barossa.

I am writing to express my deep concern at hearing of some ambivalence about the Barossa Culture Hub Project among the elected members.

The plan for the Culture Hub is to have the hub generate and inform events and programs out in the community, while also allowing the world-class element which is the Hill and Son organ to be showcased. Workshops, concerts, exhibitions, artists in residence (and I could go on) will have a much needed home, while concerts of international calibre will be possible. The Barossa desperately needs to lift its game in the area of the arts or it risks falling far behind other tourist destinations. I do understand that some people are concerned that the Culture Hub appears to be Tanunda-centric. But when I explain to them the outreach possibilities that the Culture Hub creates, they are very much on board.

In fact, my proposal for the Heritage Arts and Crafts Trail is modelled on the hub and spoke concept which informs the Culture Hub project. It involves highlighting this very important craft movement, which became known as Barossa Biedermeier, and the places in which it emerged. The Art Gallery of SA has a large collection of these works but only a few are ever on display. While this story and these works are highly valued by people working in the field, they are sadly not known to the vast majority of locals. And it is a story which is basically invisible to tourists. This is a story which needs to be told, and the Barossa is the logical place to tell it.

There are many other stories of the Barossa which, if told, can only enrich the cultural experience of both residents and visitors. The Barossa Culture Hub will be an essential repository of such stories, cultures, activities, learning, exchange and creativity. Please ensure that it comes into existence.

Best regards,

Sally Goers Fox  
Exhibition Coordinator  
Barossa Regional Gallery
4.2.1 CONSENSUS AGENDA – CHIEF EXECUTIVE OFFICER

4.2.1.2 LEGATUS MINUTES AND ANNUAL GENERAL MEETING

B9103

Relevant documents have been received from Legatus, providing:

1. Minutes of the ordinary meeting of 30 August 2019;
2. Minutes of the annual general meeting of 30 August 2019; and

They are attached for members’ information and review.

The annual subscriptions for Legatus has also been received and paid, Council’s membership is $11,135.

RECOMMENDATION

That the relevant minutes and annual report from Legatus and the report item 4.2.1.2 be received and noted.
Minutes of the Legatus Group Ordinary Meeting
30 August 2019
Port Pirie Sports Precinct, Memorial Drive, Port Pirie

I Meeting Preliminaries

Present

Board members: Mayor Peter Mattey OAM – Chairman (Goyder), Mayor Leonie Kerley (Barunga West), Mayor Roslyn Talbot (Copper Coast), Deputy Mayor Elizabeth Calvert (Clare and Gilbert Valleys), Mayor Bill O’Brien (Light from 10.15am), Mayor Mark Wasley (Adelaide Plains), Mayor Phillip Heaslip (Mount Remarkable), Mayor Denis Clark (Northern Areas), Mayor Kathie Bowman (Orroroo Carrieton), Mayor Rodney Reid (Wakefield), Mayor Ruth Whittle OAM (Peterborough), Mayor Leon Stephens (Port Pirie) and Mayor Darren Braund (Yorke Peninsula).

In Attendance

Cr Greg Flint (Flinders Ranges), Deputy Mayor Cr John Neal (Goyder), Dr Helen Macdonald, (CEO Clare & Gilbert Valleys), Mr Muller Mentz (Director Copper Coast), Mr David Stevenson (CEO Goyder), Mr Wayne Hart (CEO Mount Remarkable), Mr Colin Byles (CEO Northern Areas), Mr Dylan Strong (CEO Orroroo Carrieton), Mr Andrew MacDonald (CEO Wakefield), Mr James Miller (CEO Adelaide Plains), Mr Peter Ackland (CEO Port Pirie), Mr Darryl Whicker (Acting CEO Flinders Ranges), Mr Stephen Smith (Director) LGA) and Mr Simon Millcock (CEO Legatus Group).

State MP’s: Hon Geoff Brock MP Frome

Apologies

Mayor Wayne Thomas (Clare and Gilbert Valleys), Mayor Bim Lange (The Barossa) and Mayor Peter Slattery (The Flinders Ranges). Council CEO’s Mr Andrew Cole (Barunga West), Mr Martin McCarthy (Barossa), Mr Brian Carr (Light), Mr Peter McGuiness (Peterborough), Mr Russell Peate (Copper Coast) and Mr Andrew Cameron (Yorke Peninsula). MP’s Minister’s Hon Stephan Knoll Member for Schubert and Hon Dan van Holst Pellekaan Member for Stuart, Mr Fraser Ellis Member for Narrunga, Hon Tony Piccolo Member for Light. and Mr John Gee Member for Taylor. RDA CEOs Ms Claire Wiseman, Ms Anne Moroney.

The Chairman declared the meeting open at 10.45am and welcomed State Member of Parliament for the seat of Frome Hon Geoff Brock MP.

The meeting was advised that the Legatus Group CEO has received written correspondence from the Clare and Gilbert Valleys Council to advise that Mayor Wayne Thomas is on leave from the Council and Cr Elizabeth Calvert is Acting Mayor.

Motion: That Cr Elizabeth Calvert is the current principal member of the Clare and Gilbert Valleys Council for the Legatus Group meeting on 30 August 2019.

Moved: Mayor Denis Clark Seconded: Mayor Rodney Reid  
CARRIED
Welcome to Port Pirie Regional Council

Mayor Leon Stephens welcomed everyone to the Port Pirie Sports Precinct on behalf of the Port Pirie Regional Council and acknowledged CEO Peter Ackland. Mayor Stephens outlined a list of activities including:

- Progress of the Port Pirie Sports Precinct which was opened in March 2019 and is a great asset for the region, with 2 major events to date and working with the local sporting clubs for progressing further.
- Outlining some of the major economic development projects worth over $1 billion and the potential for 700+ jobs including in the energy and meat processing industries.
- Noting that Nystar have made efforts to ensure there is local procurement and a focus on supporting local jobs.

Confirmation of Previous Minutes

Minutes of the Legatus Group Meeting held on 31 May 2019 at Balaklava.

Motion: That the minutes of the Legatus Group Meeting held on the 31 May 2019 at Ralli Park Balaklava be taken as read and confirmed.

Moved: Mayor Leonie Kerley Seconded: Mayor Leon Stephens

CARRIED

Minutes of the Legatus Group Meeting held on 5 July 2019 via teleconference.

Motion: That the minutes of the Legatus Group Meeting held on the 5 July 2019 via teleconference be taken as read and confirmed.

Moved: Mayor Leonie Kerley Seconded: Mayor Leon Stephens

CARRIED

Presentations

4.1 Native Title – Tim Mellor

Tim Mellor from Mellor Olsson Lawyers provided the meeting with an update on the progress of Native Title within the Legatus Group region along with a map outlining the regions and discussed the implications of a recent case titled Timber Creek.

4.2 Port Wakefield Overpass – Harold Carn DPTI

Harold Carn the Project Lead Dept of Planning, Transport and Infrastructure attended the meeting with colleagues, and they provided an update on the progress of the Port Wakefield Overpass.

4.3 Regional Development YMN

CEO Kelly-Anne Saffin RDA Yorke and Mid North attended the meeting at around 12.45pm and whilst she did not present, she provided a report which was circulated.

Business arising not otherwise on the agenda

5.1 Drought

The Legatus Group CEO provided a report with the agenda outlining a report is being developed for the South Australian Regional Organisation of Councils (SAROC) and Stephen Smith LGA provided an update on recent discussions by ALGA. The meeting resolved that councils would send updates to the Legatus Group CEO of the current status for the report to SAROC and that this should also be reviewed in 6 weeks’ time.
5.2 Small Business Support

The Legatus Group CEO provided a report with the agenda and Mayor Leon Stephens thanked the CEO for his progress on this matter.

Motion:

1. The Legatus Group notes the report and supports the Legatus Group CEO in progressing the development of a page that could be included on Council websites that provides information on areas of support for business.
2. That the Legatus Group notes the support offered to all councils by the Legatus Group CEO to help Councils with the Small Business Friendly Program.

Moved: Mayor Leon Stephens  Seconded: Mayor Bill O'Brien  CARRIED

6 Chairman’s Report

Chair Mayor Peter Mattey advised that he had attended all the required SAROC and LGA meetings on behalf of Legatus Group. He noted the need for a whole of State Local Roads Program as discussed at the Legatus Group Roads Forum in Clare.

11.50am Mayor Stephens leaves the meeting.

7 Items referred by Councils

7.1 Northern Areas Council – Pit and Quarry Management

Mayor Denis Clark spoke to the report included with the agenda and discussion occurred.

Motion: That the issue of Chapter 10 requirements of the WHS Act 2012 relating to council’s role as pit and quarry managers be referred to SAROC as the implications of this requirement has state-wide ramifications.

Moved: Mayor Denis Clark  Seconded: Mayor Leonie Kerley  CARRIED

7.2 Copper Coast Council – State Planning Reform

Mayor Roslyn Talbot spoke to the report included in the agenda. Stephen Smith LGA provided an update from LGA and the regular discussions held with Council Planning staff. Stephen outlined and noted the concerns raised by the meeting with the consultation period. Stephen outlined the LGA are working with a legal firm and that there will be information sessions for CEOs. The Legatus Group CEO advised that he had reached out to Michael Lennon and Anita Allen from DPTI to attend the meeting. Alex Hart Director Office of Local Government Planning and Land Use Services DPTI addressed the meeting and placed an apology for Michael Lennon outlining that he would like to meet with the Legatus Group and that the issues raised at the meeting would be relayed to Michael.

Motion:

1. That a working party be formed with representatives from the State Department for Planning, Transport and Infrastructure and the Local Government Association of SA, (Including rural and regional council representatives), to discuss, and where necessary, amend the new Planning and Design Code and all Practice Guidelines that are relevant for all Regional and Rural Councils.
2. The new Planning and Design Code and all Practice Guidelines must be released in its final draft form with a sixteen-week timeframe provided for comment to Councils, prior to formalising the implementation.

Moved: Mayor Roslyn Talbot  Seconded: Mayor Leonie Kerley  CARRIED

7.3 Clare and Gilbert Valleys Council – Solid Waste Levy

Deputy Mayor Elizabeth Calvert spoke to the report included in the agenda with general discussion held that this was a state-wide issue.

Motion: That the issue of the solid waste levy be referred to SAROC as the implications to local government is state-wide.

Moved: Mayor Roslyn Talbot  Seconded: Deputy Mayor Elizabeth Calvert  CARRIED

7.4 Goyder Regional Council – North South Transport Corridor

Mayor Peter Mattey spoke to the report and meeting agreed this matter be set aside waiting on response from Mid-Murray Council and also agenda item 12.

8  Business Plan

8.1 2019/2020 Project updates.

The Legatus Group CEO’s report was provided with the agenda and the Chair invited questions.

Motion:

i. That the Legatus Group notes the progress of the projects.

ii. That the Legatus Group approves contracting the Adelaide University to undertake through the Yorke Mid North Regional Alliance a research paper for progressing Regional Reconciliation Action Planning.

iii. That the Legatus Group is supportive of the theme Resilient Towns Resilient Lives for the 2020 Yorke Mid North Regional Forum.

Moved: Mayor Denis Clark  Seconded: Mayor Kathie Bowman  CARRIED

8.2 Volunteering

The request from SAFECOM was provided with the agenda.

Motion: That the Legatus Group collaborate with SAFECOM to deliver a series of forums (information sessions) across the Legatus Group region.

Moved: Mayor Rodney Reid  Seconded: Mayor Darren Braund  CARRIED

8.3.1 Waste SA Regional Waste Strategy

The Legatus Group CEO’s report was provided with the agenda.

Motion:

i. That the Legatus Group submit an expression of interest to SAROC to manage the delivery of a draft SA Regional Waste Management Strategy subject to securing the required funds.
ii. That the Legatus Group CEO provides a report for consideration by the Legatus Group to develop a Legatus regional waste action plan.

Moved: Mayor Denis Clark    Seconded: Mayor Mark Wasley   CARRIED

8.3.2 R&D application for RV Dump Point project

The Legatus Group CEO’s report was provided with the agenda and general discussion undertaken.

Motion: That the Legatus Group accepts being the substitute applicant for the LGA R&D grant subject to a request and that the LGA providing assurance that the Legatus Group in being the applicant could contact the agreed business cluster and that it would not have to go through a procurement process.

Moved: Deputy Mayor Elizabeth Calvert Seconded: Mayor Rodney Reid   CARRIED

8.4.1 Visitor Information Services

The Visitor Information Services report was distributed with the agenda along the situation analysis and two-page synopsis.

Motion:

i. That the Legatus Group receives this report and it is published on the Legatus Group website.

ii. That the Legatus Group CEO establishes an economic / tourism working group from constituent councils and other regional and tourism bodies to consider the recommendations and provide a response to the Legatus Group for further consideration.

Moved: Mayor Ruth Whittle   Seconded: Mayor Darren Braund   CARRIED

8.4.2 Creative Industries / Innovation Study

The Legatus Group CEO’s report was provided with the agenda and general discussion undertaken.

Motion: That the Legatus Group approves an allocation of $15,000 towards securing research for a creative industries/innovation study in partnership with Flinders University.

Moved: Mayor Darren Braund   Seconded: Mayor Mark Wasley   CARRIED

9  Audit and Risk Management Committee

Mayor Kathie Bowman provided a report with the agenda which contained the minutes of the Audit and Risk Management Committee meeting 22 August 2019.

Motion:

i. That the Legatus Group approve the purchase of the MY18 Holden ZB Commodore Calais Liftback via the quote received from Mid North Motor Company Pty Ltd dated 5 August 2019 and the trade in the current CEOs vehicle in conjunction with the purchase from the Mid North Motor Company Pty Ltd.

ii. That the Legatus Group establish a motor vehicle change over policy.

iii. That the Legatus Group supports a revised budget being prepared in consultation with the assessment of the long-term financial coverage of Legatus Group.

iv. That the Legatus Group notes the work plan is up to date.
10 Financial Report

The Legatus Group CEO provided a report with the agenda containing the: (1) Profit and Loss (2) Balance Sheet (3) Movements in Equity (4) Statement of Cash Flow and (5) Budget Variance for the period 1 July 2019 till 31 July 2019.

Motion: That Legatus Group notes the Legatus Group CEO’s reimbursement and credit card purchases.

Moved: Mayor Darren Braund Seconded: Mayor Rodney Reid CARRIED

11 Legatus Group Regional Management Group

Dr Helen Macdonald the Acting Chair of the committee provided a report with the agenda which contained the notes of the Legatus Group Regional Management Group meeting held Friday 9 August 2019 at the Clare and Gilbert Valleys Council Chambers. The meeting noted the report.

12 Legatus Road and Transport Infrastructure Advisory Committee

Dr Helen Macdonald the Chair of the committee provided a report with the agenda which contained the notes of the Legatus Group Regional Management Group meeting held Wednesday 21 August 2019 at the Clare and Gilbert Valleys Council Chambers.

Motion:

i. That the Legatus Group notes the actions being undertaken from the Legatus Group 2019 Road and Transport Forum and supports holding a similar forum in 2020.

ii. That the Legatus Group approach the SA Regional Local Government Associations to develop a State-wide Regional Local Government Roads Priority List.

iii. That ARRB be contracted to deliver Stage 2 of the Restricted Access Vehicle Route Assessment Tool for unsealed roads.

iv. That HDS be contracted to deliver the updates to the Legatus Group 2030 Regional Transport Plan 2019-2020.

v. That the Legatus Group notes that the Road and Transport Infrastructure Advisory Committee will undertake a performance review of HDS in 2019/2020 regarding the regional road plan.

Moved: Mayor Denis Clark Seconded: Mayor Rodney Reid CARRIED

13 Legatus Group CWMS Advisory Committee

CEO Andrew Cole Chair of the committee provided a report with the agenda which included the minutes of their meeting held on 19 July 2019, program for the 2019 Regional SA Conference and the report by Harsha Sapdhare on sludge processing plant viability.

Motion:

i. That the Legatus Group receive the Legatus Group Regional Community Wastewater Management Scheme Survey and Sludge Processing Plant Viability Investigation report by Harsha Sapdhare and that it is published on the Legatus Group website.

ii. That the Legatus Group continues to support councils to improve their understanding of current sludge management.
14 LGA and SAROC

The SAROC Strategic Plan and Business Plan along with the Regional LGA Executive Officers communiqué were distributed with the agenda and were noted. Andrew Lamb LGA Local Government Reform Partner and Alex Hart DPTI attended the meeting for a workshop on Local Government Reform. This matter was held over until after the meeting for general workshop discussions.

15 Other Business

15.1 Murray Darling Association

Mayor Denis Clark provided a report that included a letter from the MDA seeking secretarial support from the Legatus Group for Region 8 of the MDA.

Motion: That the Legatus Group provide secretarial support for Region 8 Murray Darling Association.

Moved: Mayor Denis Clark  Seconded: Mayor Kathie Bowman  CARRIED

15.2 Relocation of Legatus Group Office

The Legatus Group CEO provided a report with the agenda.

Motion: That the Legatus Group notes the report and is supportive of the Legatus Group CEO investigating options to allow him to work from home and to provide a report for the Legatus Group consideration.

Moved: Mayor Mark Wasley  Seconded: Deputy Mayor Elizabeth Calvert  CARRIED

15.3 Memorandums of Understanding with Universities

The Legatus Group CEO provided a report with the agenda.

Motion: That the Legatus Audit and Risk Management Group recommends that the Legatus Group approves the Legatus Group CEO finalising Memorandums of Understanding with Adelaide University, Flinders University and University SA.

Moved: Mayor Kathie Bowman  Seconded: Mayor Rodney Reid  CARRIED

15.4 Legatus Group CEO’s annual leave and disclosed outside interest.

The meeting noted the Legatus Group CEO’s report.

16 Close of Meeting

The dates for the next meeting is Friday 29 November 2019 at Barunga West Port Broughton Bowling Club.

Meeting closed by the Chair at 1.15pm

Signed as a true and correct record by:

Chairman Mayor Peter Mattey  Date
Unconfirmed Minutes of the Legatus Group Annual General Meeting

30 August 2019

Port Pirie Sports Precinct, Memorial Drive, Port Pirie

1.0 Meeting Preliminaries

Present

Board members: Mayor Peter Mattey OAM – Chairman (Goyder), Mayor Leonie Kerley (Barunga West), Mayor Roslyn Talbot (Copper Coast), Deputy Mayor Elizabeth Calvert (Clare and Gilbert Valleys), Mayor Bill O’Brien (Light from 10.15am), Mayor Mark Wasley (Adelaide Plains), Mayor Phillip Heaslip (Mount Remarkable), Mayor Denis Clark (Northern Areas), Mayor Kathie Bowman (Orroroo Carrieton), Mayor Rodney Reid (Wakefield), Mayor Ruth Whittle OAM (Peterborough), Mayor Leon Stephens (Port Pirie) and Mayor Darren Braund (Yorke Peninsula).

In Attendance

Cr Greg Flint (Flinders Ranges), Deputy Mayor Cr John Neal (Goyder), Dr Helen Macdonald, (CEO Clare & Gilbert Valleys), Mr Muller Mentz (Director Copper Coast), Mr David Stevenson (CEO Goyder), Mr Wayne Hart (CEO Mount Remarkable), Mr Colin Byles (CEO Northern Areas), Mr Dylan Strong (CEO Orroroo Carrieton), Mr Andrew MacDonald (CEO Wakefield), Mr James Miller (CEO Adelaide Plains), Mr Peter Ackland (CEO Port Pirie), Mr Darryl Whicker (Acting CEO Flinders Ranges), Mr Stephen Smith (Director) LGA) and Mr Simon Millcock (CEO Legatus Group).

State MP’s: Hon Geoff Brock MP Frome

Apologies

Mayor Wayne Thomas (Clare and Gilbert Valleys), Mayor Bim Lange (The Barossa) and Mayor Peter Slattery (The Flinders Ranges). Council CEO’s Mr Andrew Cole (CEO Barunga West), Mr Martin McCarthy (Barossa), Mr Brian Carr (Light), Mr Peter McGuiness (Peterborough), Mr Russell Peate (Copper Coast) and Mr Andrew Cameron (Yorke Peninsula). MP’s Minister’s Hon Stephan Knoll Member for Schubert and Hon Dan van Holst Pellekaan Member for Stuart, Mr Fraser Ellis Member for Narrunga, Hon Tony Piccolo Member for Light. and Mr John Gee Member for Taylor. RDA CEOs Ms Claire Wiseman, Ms Anne Moroney and Ms Kelly-Anne Saffin.

1.1 Opening

The Chairman declared the meeting open at 10.05am

1.2 Welcome to Port Pirie Regional Council

Held over till ordinary meeting.

1.3 Authorisation of Voting Delegates
The meeting was advised that the Legatus Group CEO has received written correspondence from the Clare and Gilbert Valleys Council to advise that Mayor Wayne Thomas is on leave from the Council and Cr Elizabeth Calvert is Acting Mayor.

Motion: That Cr Elizabeth Calvert is the current principal member of the Clare and Gilbert Valleys Council for the Legatus Group meeting on 30 August 2019.

Moved: Mayor Denis Clark Seconded: Mayor Rodney Reid CARRIED

1.4 Confirmation of Previous Minutes

Minutes of the Legatus Group Annual General Meeting held on 17 August 2018 at the Sir Hubert Wilkins Building OD5 Road Jamestown were tabled.

Motion: That the minutes of the Legatus Group Annual General Meeting held on the 17 August 2018 at the Sir Hubert Wilkins Building OD5 Road Jamestown be taken as read and confirmed.

Moved: Mayor Denis Clark Seconded: Mayor Rodney Reid CARRIED

1.5 Business arising not otherwise on the agenda

Nil

2 Annual General Meeting Requirements

2.1 Annual Reports

Motion: That the annual reports presented by Chairman Mayor Peter Mattey, CEO Simon Millcock and Mayor Kathie Bowman as Chair of the Audit and Risk Management Committee which had been distributed with the agenda be received and adopted as the Legatus Group Annual Reports for 2018/2019.

Moved: Mayor Leon Stephens Seconded: Mayor Mark Wasley CARRIED

2.2 Annual Financial Report

Motions:

1. That the Legatus Group annual financial statement for the year ending 30 June 2019 presents a fair view of the state of the financial affairs of the Legatus Group and that the board adopt the annual financial report.

2. That the Legatus Group writes to the Auditors Dean Newberry and Partners advising that the board discussed the requirements of the Related Party Disclosures and confirms that there are no transactions that are required to be disclosed.

3. That the Legatus Group write to thank the Flinders Ranges Council for the services provided to Legatus Group for their financial management.

4. The Legatus Group retain Dean Newberry and Partners as Auditor for the year ending 30 June 2020.

5. That the Chair, Legatus Group CEO certify via their signature acceptance of the 2018/2019 Legatus Group audited annual financial statement.

Moved: Mayor Ruth Whittle Seconded: Mayor Rodney Reid CARRIED
3.3 Election of Office Bearers

The Chairman declared all offices vacant and passed the Chairing of the meeting to the Legatus Group CEO. The CEO confirmed as per the agenda that at the close of business on Friday 23 August 2019 the following nominations had been received for the officer bearer positions:

Chair: Mayor S.P. (Peter) Mattey by the Regional Council of Goyder and Wakefield Regional Council
Deputy Chair: Mayor Kathie Bowman by District Council of Orroroo Carrieton

Motion: That Mayor Peter Mattey is elected to the position of Chair for the Legatus Group.

Moved: Mayor Darren Braund   Seconded: Mayor Rodney Reid  

CARRIED

Motion: That Mayor Kathie Bowman is elected to the position of Deputy Chair for the Legatus Group.

Moved: Mayor Leonie Kerley   Seconded: Mayor Ruth Whittle  

CARRIED

Nominations were called for the vacant Deputy Chairman position.

Motion: That Mayor Bill O’Brien be elected to the position of Deputy Chair of the Legatus Group.

Moved: Mayor Ruth Whittle Seconded: Mayor Leon Stephens  

CARRIED

Chairman Peter Mattey resumed chairing the meeting.

Mayor Bill O’Brien joined the meeting at 10.15am

3.4 Appointment of representatives to other organisations

The meeting noted that Mayor Peter Mattey and CEO Simon Millcock are members of the Yorke Mid North Alliance and that Mayor Peter Mattey and Mayor Bill O’Brien are members of the South Australian Regional Organisation of Councils.

3.5 Delegations

Motion: That the following delegations be approved for 2019/2020

<table>
<thead>
<tr>
<th>Delegation</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bank account signatories</td>
<td>Legatus Group Chief Executive Officer (CEO), The Flinders Ranges Council CEO, Manager of Finance and Administration and Rates and Payroll Officer.</td>
</tr>
<tr>
<td>Approving expenditure of budgeted items</td>
<td>Legatus Group CEO</td>
</tr>
<tr>
<td>Approving project briefs</td>
<td>Legatus Group CEO</td>
</tr>
<tr>
<td>Approving contracts within budget up to $5,000</td>
<td>Legatus Group CEO</td>
</tr>
<tr>
<td>Calling for tenders, contracts and consultancies</td>
<td>Legatus Group CEO after consultation with Chair and Deputy Chairs</td>
</tr>
<tr>
<td>Appointing tenders, contracts and consultancies</td>
<td>Legatus Group CEO after assessment panel and with approval from Chair and Deputy Chairs</td>
</tr>
</tbody>
</table>
Recruitment of staff other than CEO | Legatus Group CEO  
---|---  
Performance management of CEO | Chairman and Deputy Chairs  
Performance management of staff and contractors | Legatus Group CEO  

Moved: Mayor Kathie Bowman  Seconded: Mayor Phillip Heaslip  

3.6 Determination of Council subscriptions 2018/2019

Motion: That the 2019/2020 Legatus Group Constituent Council subscriptions are set as $11,135.  
Moved Mayor Leon Stephens  Seconded: Mayor Darren Braund  

3.7 Delegates Allowances

Chairman Mayor Peter Mattey left the room and Deputy Chair Mayor Kathie Bowman chaired the meeting.  

Motion: That the 2019/2020 delegates allowance is set at $4,300 for the Chair and $1,700 to be spread across the Legatus Group zone delegates for SAROC and the Local Government Association Board.  
Moved: Mayor Denis Clark  Seconded: Mayor Rodney Reid  

Chairman Mayor Peter Mattey returned and resumed chairing the meeting.

4 OTHER BUSINESS

4.1 Legatus Group Committees

The meeting noted the Legatus Group CEO’s report and the currency of the Audit and Risk Management, Community Wastewater Management and Road and Transport Infrastructure Advisory Committees appointments.  

Motion: That Mayor Kathie Bowman is reappointed as a member and as Chair of the Legatus Group Audit and Risk Management Committee.  
Moved: Mayor Denis Clark  Seconded: Mayor Leon Stephens  

4.2 The 2019/2020 Legatus Group meetings

Motion: That the Legatus Group meetings for 2019/2020 are:  
- Friday 29 November 2019 – Barunga West Council  
- Friday 28 February 2020 – Clare and Gilbert Valleys Council  
- Friday 5 June 2020 – The Flinders Ranges Council  
- Friday 28 August and AGM – Yorke Peninsula Council  

Moved: Mayor Leonie Kerley  Seconded: Mayor Mark Wasley  

16 Close of Meeting

Meeting closed by the Chair at 10.30am. Signed as a true and correct record:  
Chairman ___________________________ Dated __________________
The Legatus Group Charter requires that the AGM receive the Legatus Group’s Annual Report which may incorporate reports from committees and any representatives reports from other organisations.

The Legatus Group AGM was held on Friday 30 August 2019 and adopted the report.

**2018/2019 ANNUAL REPORT**

The Legatus Group Charter clause 6.3 Annual Report

6.3.1 The Legatus Group must each year, produce an Annual Report summarising the activities, achievements and financial performance of the Legatus Group for the preceding Financial Year.

6.3.2 The Annual Report must incorporate the audited financial statements of the Legatus Group for the relevant Financial Year.

6.3.3 The Annual Report must be provided to the Constituent Councils by 30 September each year.

**The Legatus Group is a regional subsidiary of:**

- Adelaide Plains Council
- Barunga West Council
- Clare & Gilbert Valleys Council
- Copper Coast Council
- District Council of Mount Remarkable
- District Council of Orroroo/Carrieton
- District Council of Peterborough
- Light Regional Council
- Northern Areas Council
- Port Pirie Regional Council
- Regional Council of Goyder
- The Barossa Council
- The Flinders Ranges Council
- Wakefield Regional Council
- Yorke Peninsula Council

The Central Local Government Region was established in 1998 under Section 200 of the Local Government Act 1934 as a controlling authority. It now continues in existence as a regional subsidiary of its member Councils under Part 2 of Schedule 2 of the Local Government Act 1999 by the provisions of Section 25 of the Local Government (Implementation) Act 1999. In 2016 the Central Local Government Region of South Australia adopted the trading name of Legatus Group to which it is referred. The Legatus Group is established to:

- undertake co-ordinating, advocacy and representational roles on behalf of its Constituent Councils at a regional level
- facilitate and co-ordinate activities of local government at a regional level related to community and economic development with the object of achieving improvement for the benefit of the communities of its Constituent Councils
• develop, encourage, promote, foster and maintain consultation and co-operation and to strengthen the representation and status of local government when dealing with other governments, private enterprise and the community
• develop further co-operation between its Constituent Councils for the benefit of the communities of the region
• develop and manage policies which guide the conduct of programs and projects in the region with the objective of securing the best outcomes for the communities of the region
• undertake projects and activities that benefit the region and its communities
• associate collaborate and work in conjunction with other regional local government bodies for the advancement of matters of common interest.

The Legatus Group is a body corporate and is governed by a Board of Management which has the responsibility to manage all activities of the group and ensure that they act in accordance with its Charter.

Contact Details: Address: 155 Main North Road CLARE SA 5453 PO Box 419 CLARE SA 5453 Telephone: 08 88421385 Email: ceo@legatus.sa.gov.au Website: www.legatus.sa.gov.au

Legatus Group Board of Management: The Board consists of all principal members (Mayor / Chairman) of the Constituent Councils which for 2018/2019 were:

<table>
<thead>
<tr>
<th>Council</th>
<th>Delegate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adelaide Plains Council</td>
<td>Mayor Tony Flaherty until 9 November 2018</td>
</tr>
<tr>
<td></td>
<td>Mayor Mark Wasley from 9 November 2018</td>
</tr>
<tr>
<td>Barunga West Council</td>
<td>Mayor Cynthia Axford until 9 November 2018</td>
</tr>
<tr>
<td></td>
<td>Mayor Leonie Kerley from 9 November 2018</td>
</tr>
<tr>
<td>Clare &amp; Gilbert Valleys Council</td>
<td>Mayor Allan Aughey OAM until 9 November 2018</td>
</tr>
<tr>
<td></td>
<td>Mayor Wayne Thomas from November 2018</td>
</tr>
<tr>
<td>Copper Coast Council</td>
<td>Mayor Paul Thomas AM until 9 November 2018</td>
</tr>
<tr>
<td></td>
<td>Mayor Roslyn Talbot from 9 November 2018</td>
</tr>
<tr>
<td>District Council of Mount Remarkable</td>
<td>Mayor Colin Nottle until 9 November 2018</td>
</tr>
<tr>
<td></td>
<td>Mayor Phillip Heaslip from 9 November 2018</td>
</tr>
<tr>
<td>District Council of Orroroo Carrieton</td>
<td>Chairman Kathie Bowman</td>
</tr>
<tr>
<td>District Council of Peterborough</td>
<td>Mayor Ruth Whittle OAM</td>
</tr>
<tr>
<td>Light Regional Council</td>
<td>Mayor Bill O’Brien</td>
</tr>
<tr>
<td>Northern Areas Council</td>
<td>Mayor Denis Clark</td>
</tr>
<tr>
<td>Port Pirie Regional Council</td>
<td>Mayor John Rohde until 9 November 2018</td>
</tr>
<tr>
<td></td>
<td>Mayor Leon Stephens from 9 November 2018</td>
</tr>
<tr>
<td>Regional Council of Goyder</td>
<td>Mayor Peter Mattey OAM</td>
</tr>
<tr>
<td>The Barossa Council</td>
<td>Mayor Bob Sloane until 9 November 2018</td>
</tr>
<tr>
<td></td>
<td>Mayor Bim Lange from 9 November 2018</td>
</tr>
<tr>
<td>The Flinders Ranges Council</td>
<td>Mayor Peter Slattery</td>
</tr>
</tbody>
</table>
Office Bearers for 2017/18

<table>
<thead>
<tr>
<th>Position</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chairman:</td>
<td>Mayor Peter Mattey OAM</td>
</tr>
<tr>
<td>Deputy Chairs:</td>
<td>Chairman Kathie Bowman</td>
</tr>
<tr>
<td></td>
<td>Mayor Bob Sloane until 9 November 2018</td>
</tr>
<tr>
<td></td>
<td>Mayor Bill O’Brien from 9 November 2018</td>
</tr>
<tr>
<td>South Australian Regional Organisation of Councils</td>
<td>Mayor Peter Mattey</td>
</tr>
<tr>
<td></td>
<td>Mayor Bill O’Brien</td>
</tr>
<tr>
<td>Chief Executive Officer:</td>
<td>Mr Simon Millcock</td>
</tr>
<tr>
<td>Auditor:</td>
<td>Dean Newberry and Associates</td>
</tr>
</tbody>
</table>

Meetings of the Legatus Group

The following meetings of the Board of Management were held during the 2018/19 year:

- Annual General Meeting 17 August 2018
- Ordinary Meeting 17 August 2018
- Ordinary Meeting 12 December 2018
- Ordinary Meeting 15 February 2019
- Ordinary Meeting 31 May 2019

There were four committees in 2018/2019 and all agendas and minutes are published on the Legatus Group Website and minutes were provided to the Legatus Group meetings.
<table>
<thead>
<tr>
<th>Committee</th>
<th>Members</th>
<th>Meeting Dates</th>
</tr>
</thead>
</table>
| **Audit Committee**                           | • Mayor Ray Agnew (Chair) until 9/11/18  
• Chair Kathie Bowman  
• Mayor Colin Nottle until 9/11/18  
• Mr Colin Davies until 1/12/18  
• Mr Peter Ackland  
• Mayor Denis Clark from 30/1/19  
• Mr Ian McDonald from 30/4/19 | 3 August 2018  
30 November 2018  
30 January 2019  
30 April 2019 |
| **Management Group (Council CEOs)**           | • Mr Colin Byles (Northern Areas) (Chair)  
• Mr James Miller (Adelaide Plains)  
• Mr Martin McCarthy (Barossa)  
• Mr Andrew Cole (Barunga West)  
• Dr Helen Macdonald (Clare & Gilbert Valleys)  
• Mr Peter Harder (Copper Coast) replaced by Mr Russell Peate  
• Mr Colin Davies (Flinders Ranges)  
• Mr David Stevenson (Goyder)  
• Mr Brian Carr (Light)  
• Mr Wayne Hart (Mt Remarkable)  
• Mr Kristen Clark (Orroroo/Carrieton) replaced by Mr Dylan Strong  
• Mr Peter McGuiness (Peterborough)  
• Mr Peter Ackland (Pirie Regional)  
• Mr Jason Kuchel (Wakefield) replaced by Mark McShane and Andrew MacDonald  
• Mr Andrew Cameron (Yorke Peninsula) | 3 August 2018  
30 November 2018  
1 February 2019  
10 May 2019 |
| **Road & Transport Infrastructure Advisory Committee** | • Lee Walls (Goyder)  
• Peter Porch (Northern Areas)  
• Colin Davies (CEO Flinders Ranges) until 30/11/18  
• Jo-Anne Buchanan (RDA Yorke Mid North)  
• Steve Kaesler (Barossa)  
• Trevor Graham (Yorke Peninsula)  
• Martin Waddington replaced by Tom Jones (Adelaide Plains)  
• Steve Watson (Clare & Gilbert Valleys)  
• Mike Wilde (Department of Planning, Transport and Infrastructure)  
• Dr Helen Macdonald (CEO Clare & Gilbert Valleys Council) from 10/4/19  
• Wayne Hart (CEO Mt Remarkable) from 10/4/19 | 2 August 2018  
30 November 2018  
5 February 2019  
10 April 2019 |
| **Community Wastewater Management Advisory Committee** | • Wayne Hart (CEO Mt Remarkable)  
• Andrew Cole (CEO Barunga West)  
• Lee Walls (Goyder)  
• Gary Easthope (Clare and Gilbert Valleys)  
• Chris Parish (Wakefield)  
• Adam Broadbent (Light) | 17 October 2018  
15 March 2019  
23 May 2019 |
Chairman’s Report

I would like to firstly acknowledge both the outgoing and incoming Mayors following the November 2018 Local Government elections and this has seen eight new Mayors join the Legatus Group Board. In particular I take the opportunity to thank those long serving Mayors who provided a valuable service to their communities and the region.

It has been my pleasure to serve as Chairman in 2018/19 and I would like to take this opportunity to report on some of the highlights of the year.

Following on from the key regional state-wide issues that the Legatus Group undertook reports for in the previous year we were extremely pleased to see that the State Government removed the impost to councils for rubble royalties. The formation of the SA Coastal Council Alliance was an outcome of the previous year’s work.

The Legatus Group continues to play the lead role on issues around rating equity and impacts of the NDIS on local government. Whilst this year we have also taken a lead role in state-wide approaches to Community Wastewater Management and the Drought. These have all been progressed to the South Australian Regional Organisation of Councils (SAROC) and we continue to provide a strong partnership approach with our other regional local government associations.

We delivered a significant report on the Digital Maturity of Local Government and whilst the report sought to have a whole of SA approach the Legatus Group constituent councils took a led and I will be interested to see how these findings progress.

This year has seen us actively involved in the issues around the new LGA constitutional changes and the formation of the new look LGA Board along with the new SAROC business plan and budget. It should be noted that Legatus has been active in representing members; as we raised ours concerns to both SAROC and to the LGA Board. Given the amount of time and expense for regional councils to attend meetings in Adelaide; I was satisfied with the outcome in relation to the constitutional changes and gratified to see increased levels of consultation afforded to the regions.

The drought has seen a significant impact to regional SA and whilst it was pleasing to see support from the Australian Government through the Drought Communities Program there were levels of inconsistencies which the Legatus Group raised with the Prime Minister. I note our region gained extra support with a further 6 of our councils being added onto the program following the initial 7. This program is providing up to $13 million to our region for local infrastructure and other projects for communities and businesses who have been impacted by drought. Whilst we need to show that local government is able to deliver stimulus packages such as these in a timely manner and I note the role of the Legatus Group CEO who is currently working on a report for the Legatus Group and SAROC which will include issues of equity and clarity on the decision-making process.

The Legatus Group was active in its lobbying for road funding for a number of our major highways and I wrote to the State Minister on these matters. I was pleased to see the announcements by the Australian and South Australian Governments of funding for both the Horrocks and Barrier Highways. The Road and Transport Infrastructure Advisory Committee have been active this year in overseeing the delivery of stage 2 of the Legatus Group Regional Transport Plan which resulted in the Deficiency Action Plan and a robust assessment of this year’s Special Local Roads Program funding applications. The Legatus Group 2019 Road and Transport Forum held on 12 July 2019 was a further successful outcome by the committee.

The region has been proactive in supporting the challenges and changing environment though the management of the Sector Agreement for the Climate Change Adaptation Plan and the subsequent release of the report on a Regional Sustainability Hub. This resulted in the Legatus Group being successful in their bid to project manage the Yorke Mid North Coastal Management Action Plan which is due for release later in 2019.

Our effort to encourage and foster closer working relationships with the three Regional Development Australia (RDA) organisations and Natural Resource Management Boards in our region; resulted in the successful Yorke Regional Planning Forum, workshops on the Creative Industries and the role of local
government in supporting businesses and the South Australian Regional Development Conference. The Legatus Group Visitor Information Services report was undertaken and will soon be presented to the board for consideration.

The Audit and Risk Management Group Committee have ensured that the work plan has assisted us in improving our governance. There has been valuable feedback gained from the Legatus Group Management Group meetings that have included a series of workshops and information sharing opportunities by and for the CEOs and I note with interest their discussions on Local Government Risk.

This year saw the formation of the Legatus Group Community Wastewater Management Advisory Committee who have been overseeing the 2-year Joint CWMS program, staging of a successful SA conference and overseeing the development of a regional sludge viability report which will soon be presented to the board for consideration.

It has been pleasing to see the continued dialogue with the six State Government Members of Parliament, and many of them making time to attend our board meetings. During the year the Legatus Group commenced greater interaction with Universities on research projects and this opportunity provided tangible project work for Interns whilst delivering cost effective research for the region.

In closing I would like to thank everyone who has taken a proactive role in progressing the region and thank both Mayor Bill O’Brien and Chairman Kathie Bowman for your roles as Deputy Chairs.

Mayor Peter Mattey
Chairman Legatus Group

CEO Report

In 2018-2019 the Legatus Group consolidated the sub-regional approach to operations and support across the constituent councils whilst strengthening the partnerships with other regional bodies by expanding this to include research projects with Universities.

Following the November 2018 Local Government elections, a series of meetings were arranged with each constituent council and these took the form of either presentations at council meetings or workshops with councils.

Along with over 30 Legatus Group Board and committee, Yorke Mid North Alliance and SAROC meetings the Legatus Group CEO was actively involved in partnering with fellow regional local government association executive officers. This has seen the Legatus Group CEO take a leadership role and manage several state-wide and regional topics which include:

1. Regional LGAs:
   a. SA Coastal Council Alliance – committee member
   b. Rating Equity for Commercial and/or Industrial Land Uses Outside Towns in South Australia – LGA R&D grant
   c. Socio-Economic impacts from the NDIS on regional local governments – LGA R&D grant
   d. Community Wastewater Management – State Conference and the regional Sludge Viability report (to be released following August 2018 Legatus Group meeting) – APRIntern grant
   e. Digital Maturity – funding LGA R&D grant
   f. Regional representative on the working party for the LGA’s Council Ready program
2. Regional Development South Australia
   a. RDSA Conference – Tailem Bend

3. Yorke Mid North Alliance:
   a. Yorke Mid North Regional Forum – Kadina
   b. Climate Change – Sector Agreement and Sustainability Hub report – APRIntern grant

Other regional projects that the Legatus Group CEO has been managing / supporting are:

- 2030 Legatus Group Regional Transport Plan Deficiency Action Plan 1 completed
- Visitor Information Services review, which was completed, and this will be presented to the Legatus Group meeting on 30 August 2019 and published following their approval.
- Hummocks/Barunga Ranges Brighter Futures project commenced – funding from SA Government
- Yorke Mid North Coastal Management Action Plan commenced – funding NY NRM and APRIntern grants
- Youth into Volunteering – Building Better Futures grant
- Regional and sub/regional forums on the Music and Creative Industries
- Workshop on the role of local government in supporting local businesses

Support has been provided to constituent councils for the delivery of a regional / sub-regional approach for the Councils Disability Access Inclusion Action Plans which are due in 2020. There was an expression of interest submitted to the LGA for funding a regional wellbeing officer for the Legatus Group constituent councils which was not successful.

There continues to be work regarding the drought which includes collating the responses from all regional councils for a report to be developed for SAROC.

Support has been provided to the Legatus Management Group in their efforts to progress issues raised around Local Government Risk Management.

Through coordination by the Legatus Group, training was delivered by TafeSA for Certificate III in Water Industry Treatment (Wastewater) through the Small Regional Community funding with significant training costs being reduced and uptake by a total of 19 participants registering.

The Legatus Group continues to be in a healthy financial position with the balance from the year being $166,358 and with an accumulated surplus and reserves at 30 June 2019 of $1,000,821. There will be an assessment of the long-term financial coverage of the Legatus Group undertaken in the coming year and noting that the Rubble Royalties Funding ceases from 30 June 2020.

All grants were acquitted and reporting requirements for ongoing grants.

**Benefits to constituent councils:**
- Identify training needs for the Legatus Region Constituent Councils.
- Regional collaboration and priority setting and sharing of knowledge and resources in the areas outlined above.
- Delivery of regional strategic and business plans and annual work plans.
- Operate Legatus Group in accordance with legislative requirements and board policies and procedures.
- Well regarded by members and stakeholders as valid and relevant through regional collaboration and undertaking or supporting actions on identified priorities.
- Identify regional priorities through collaboration with members and stakeholders and develop agreed actions and/or support.
- Advocate with a single and united voice and in partnership with other Regional LGA’s.
• Fostering of economic, environmental and social sustainability through pro-active, innovative, efficient and collaborative approaches to priority issues.

**Benefits across the local government sector:**
- Assistance with coordinating workshops and consultation sessions and improved regional delivery of LGA services.
- Identified and aided with regional and longer-term outcomes for Constituent Councils.
- Facilitates stronger regional collaboration on projects and areas for sharing of knowledge and services.
- Being able to undertake research projects on the needs specific to regional councils.

**Observation:**
Due to the November 2018 Local Government elections there was a slight slowdown in progressing regional projects and awareness of the Legatus Group given that there were 8 new board members. Since the election there has been stronger interest by constituent councils to bring issues forward and the formation of the committees has resulted in a more active interaction to address issues.

A focus has been on securing data to assist in decision making and to assist with raising policy issues through the board and SAROC. This year has seen the constructive dialogue with Constituent Councils, Members of Parliament, Ministers, the Local Government Association SA, public servants and other regional stakeholders. This is a result of the Legatus Group CEO position having been settled and by gaining greater clarity on the actions and projects.

Simon Millcock
CEO Legatus Group

**The Legatus Group Audit and Risk Committee** summary of activities undertaken, and recommendations made during 2018-2019. The committee met on 4 occasions during 2018-2019 with the following attendance:

<table>
<thead>
<tr>
<th>Date</th>
<th>No of Members Attending</th>
</tr>
</thead>
<tbody>
<tr>
<td>3Aug 2018</td>
<td>4</td>
</tr>
<tr>
<td>30 Nov 2018</td>
<td>3</td>
</tr>
<tr>
<td>30 Jan 2019</td>
<td>3</td>
</tr>
<tr>
<td>30 Apr 2019</td>
<td>4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Committee Member</th>
<th>No of Meetings Attended</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor Ray Agnew</td>
<td>1</td>
</tr>
<tr>
<td>Chairman Kathie Bowman</td>
<td>4</td>
</tr>
<tr>
<td>Mayor Colin Nottle</td>
<td>1</td>
</tr>
<tr>
<td>Mayor Denis Clark</td>
<td>2</td>
</tr>
<tr>
<td>Colin Davies</td>
<td>2</td>
</tr>
<tr>
<td>Ian McDonald</td>
<td>1</td>
</tr>
</tbody>
</table>
The following table sets out the principal issues addressed by the Committee for 2018-19 year:

<table>
<thead>
<tr>
<th>Principal Issues Examined</th>
<th>Recommendations to Board</th>
</tr>
</thead>
<tbody>
<tr>
<td>Review of budget against actuals</td>
<td>Noted the need for Legatus Group to endorse 2017-2018 adopted budget against actuals for annual financial report</td>
</tr>
<tr>
<td>Review of work plan, internal controls</td>
<td>Work planned developed</td>
</tr>
<tr>
<td>Charter</td>
<td>Variations to charter noted and recommended and adopted including the need for new auditor and Dean Newberry appointed</td>
</tr>
<tr>
<td>Business, Budget and Strategic Plan</td>
<td>Noted the development of the 2018-2019 business plan and budget</td>
</tr>
<tr>
<td>Membership</td>
<td>Recommendations to Board re membership</td>
</tr>
<tr>
<td>Equity / reserves</td>
<td>Recommendations to Board on levels to be held</td>
</tr>
<tr>
<td>Exemption for having committee</td>
<td>Supported the approach for exemption of committee</td>
</tr>
</tbody>
</table>

Chairman Kathy Bowman  
Chairman Legatus Group Audit and Risk Management Committee

Financial Statement year ending 30 June 2019 which was adopted at the 30 August 2019 legatus Group AGM. The Legatus Group Charter requires that the AGM receive the audited financial statement for the preceding financial year.

The 2018/2019 Legatus Group audited annual financial report was undertaken by Dean Newberry and Partners. This report was prepared by Mr Sean Cheriton The Flinders Ranges Council Acting Finance and Administration Manager and was an agenda item at the Legatus Group Audit and Risk Committee meeting held on 22 August 2019. This meeting endorsed the Legatus Group annual financial statement for the year ending 30 June 2018 as presenting a fair view of the state of the financial affairs of the Legatus Group and that the board adopt the annual financial statement. The meeting also recommended that the Legatus Group retain Dean Newberry and Partners as Auditors for the year end 30 June 2020.

The reports and statements form part of the Legatus Group Annual Report which will be distributed to Constituent Councils for inclusion with their own annual reporting requirements.

The regulations also require that on an annual basis, the Chief Executive Officer of each Constituent Council, the Legatus Group Chair and the Chair of the Audit Committee provide a statement of certification that the auditor is independent of the subsidiary. This has been completed.
Audit Completion Report
Financial Year Ended 30 June 2019
21 August 2019

Mayor Peter Mattey
Chairperson
LEGATUS Group
PO Box 419
CLARE SA 5453

Dear Mayor Mattey

RE:  External Audit Completion Report
Financial Year Ended 30 June 2019

Our audit team has completed the field work of the external audit of LEGATUS Group (the Group). The purpose of this report is to provide the Group's Board, Audit Committee and Administration a summary of the significant matters that have arisen from our audit of the Group for the financial year ended 30 June 2019.

We are pleased to advise that subject to finalisation of the outstanding matters outlined in Section 1 of this report, our 2019 Audit Report will be an unmodified opinion.

This report has been prepared to comply with Australian Auditing Standard (ASA) 260 Communication with Those Charged with Governance and ASA 265 Communicating Deficiencies in Internal Controls to Those Charged with Governance and Management.

I would like to thank the Administration for the support provided throughout the year.

If you require further information on any of the information above, please feel free to contact me on 8267 4777 or jimkoegh@deannewbery.com.au.

Yours sincerely

DEAN NEWBERY & PARTNERS

Jim Keogh
Partner

C. Chief Executive Officer
C. Chairperson, Audit Committee
Contents

1. Scope and Status of the Audit ................................................................. 4
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3. Matters to be Addressed in Future Financial Years ............................ 6
4. Draft Independent Auditor’s Report ...................................................... 7
1. Scope and Status of the Audit

All audit procedures have been designed and carried out by our audit staff to provide us with reasonable assurance that the financial report, as a whole, is free from material misstatement.

Responsibilities and Objectives
The responsibility for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations) and the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011, rests with Management. This responsibility includes designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the financial report that is free from material misstatement. The responsibility of the Management is also extended to include; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Our audit testing is not undertaken with the express purpose to disclose weaknesses in internal controls. Our testing of internal controls is undertaken to a sufficient level to enable us to rely on information obtained in the course of our audit relevant to the preparation of the financial report.

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor’s report that includes an opinion that the financial report is presented fairly and in accordance with the standards referred to in paragraph 1.1.3. This involves obtaining reasonable assurance about whether the financial report is free from material misstatement, whether due to fraud or error, and whether the financial report is presented fairly and in accordance with the accounting framework.

Fraud and Litigation
As part of our audit we have discussed with the Administration’s management staff;

- The safeguards in place in relation to the prevention and detection of fraud
- The existence of any fraud
- The existence of any litigation and claims.

We have not become aware of any matter which should be brought to the Board or Audit Committee’s attention.

Outstanding Matters
Our audit field work component of external audit of the Group for the financial year ended 30 June 2019 has now been completed. Before our 2019 Auditor Report is issued, the following outstanding matters require to be addressed:

- Completion of audit procedures relating to ASA 560 Subsequent Events to be performed up to the date of signing the Audit Report.
- Receipt of the Annual Financial Statements, certified by the Board and Administration, as required.
- Receipt of the certified Management Representation Letter

Independence
In accordance with our professional ethical requirements, we confirm that, for the audit of the Group for the financial year ended 30 June 2019, all members of our audit team have maintained their independence in accordance with the requirements of APES 110 – Code of Ethics for Professional Accountants, Section 290, published by the Accounting Professional and Ethical Standards Board and in accordance with Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011.

Audit Status
All requested audit adjustments have been processed and disclosures within the financial report appropriately modified based on audit testing completed.

All requested information has been provided by the Administration during the course of the audit.

Subject to the finalisation of the matters outlined above, we expect to issue an unmodified audit report for the 2018/19 financial year.
2. Summary of Misstatements

There remain no misstatements that have not been adjusted by the Administration that have been identified during the course of our audit or that in our assessment, require to be reported to the Group's Audit Committee.

Any misstatements, either individually or in aggregate, that are considered to be immaterial, have not been reported and regarded as being minor in the context of the financial report as a whole.

All requested audit adjustment have been processed within the financial report appropriately modified based on audit testing completed.

Subject to all matters being appropriately completed as outlined in Section 1 of this report, we anticipate to be issuing an unqualified audit opinion on the financial statements (Section 129(1)(a) audit opinion).

Materiality
An item is considered material to the financial statements if, through its omission or non-disclosure, the financial statements would no longer show a true and fair view. Materiality is set at the outset of planning to ensure that an appropriate level of audit work is planned. It is then used throughout the audit process in order to assess the impact of any item on the financial statements. Any identified errors or differences greater than 5% of materiality will be recorded on a schedule of potential misstatements. These are assessed individually and in aggregate, discussed with you and, if you do not adjust, as signed off by you in your letter of representation to us, confirming your view that they are immaterial to the financial statements an item of low value may be judged material by its nature. An item of higher value may be judged not material if it does not distort the truth and fairness of the financial statements.
3. Matters to be Addressed in Future Financial Years

As a result of the audit work recently completed, the following audit matters are recommended to be addressed by the Administration:

<table>
<thead>
<tr>
<th>No.</th>
<th>Audit Matter</th>
<th>Comment</th>
</tr>
</thead>
</table>
| 1   | Changes to Accounting Standards      | We recommend that the Group consults with its Audit Committee to undertake an assessment as to whether any of the new accounting standards will have an impact on existing accounting policies. New accounting standards have come into effect as from 1 July 2019 that may result in amendments to existing accounting policies of the Group that may have an impact on the future reported financial performance and position.  
   |                                       | In particular, the following accounting standards should be considered by the Group:                                                    |
|     |                                       | • AASB 15 Revenue from Contracts with Customers  
   |                                       | • AASB 16 Leases  
   |                                       | • AASB 1058 Income of Not-for-Profit Entities |
| 2   | Internal Controls                    | As is our standard practice for all audit clients, we recommend the Administration regularly undertakes a review and update of the effectiveness of internal controls operating throughout the Group.  
   |                                       | From our experience, particular focus should be placed on the internal control framework surrounding the banking security procedures, level of insurance cover of assets and procurement practices. We recommend that any review of controls be conducted in consultation with the Group’s Audit Committee. |
4. Draft Independent Auditor’s Report

INDEPENDENT AUDITOR’S REPORT

To the members of the LEGATUS Group


Opinion
We have audited the accompanying financial report, being a general purpose financial report, of the LEGATUS Group (the Group), which comprises the Statement of Financial Position as at 30 June 2019, the Statement of Comprehensive Income, the Statements of Changes in Equity, the Statement of Cash Flows for the year then ended, notes to the financial statements including a summary of significant accounting policies and the Certification of the Financial Statements.

In our opinion, the financial report gives a true and fair view of the financial position of the Group as at 30 June 2019, and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards and the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011.

Basis for Opinion
We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described as in the Auditor’s Responsibilities for the Audit of the Financial Report section of our report. We are independent of the Group in accordance with the auditor independence requirements of the ethical requirements of the Accounting Professional and Ethical Standards Board’s APES 110 Code of Ethics for Professional Accountants (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management for the Financial Report
Management is responsible for the preparation and fair presentation of the financial report, which gives a true and fair view in accordance with Australian Accounting Standards and the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011, and for such internal controls as the board and management determines is necessary to enable the preparation of a financial report that gives a true and fair view and is free from material misstatement whether due to fraud or error.

In preparing the financial report, management is responsible for assessing the Group’s ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless management either intends to liquidate the Group or to cease operations, or has no realistic alternative but to do so.

The management of the Group is responsible for overseeing the financial reporting process.
4. Draft Independent Auditor’s Report (Cont.)

Auditor’s Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor’s report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that the audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of financial report.

As part of an audit in accordance with the Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Group’s internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of the management’s use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Group’s ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor’s report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor’s report. However, future events or conditions may cause the Group to cease to continue as a going concern.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

DEAN NEWBERY & PARTNERS
CHARTERED ACCOUNTANTS

JIM KEOGH
PARTNER
Certification of Auditor’s Independence

I confirm that, for the audit of the financial statements of the LEGATUS Group for the year ended 30 June 2019, I have maintained my independence in accordance with the requirements of APES 110 – Code of Ethics for Professional Accountants, Section 290, published by the Accounting Professional and Ethical Standards Board, in accordance with the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22 (5) Local Government (Financial Management) Regulations 2011.

Jim Keogh
Partner

DEAN NEWBERY & PARTNERS
CHARTERED ACCOUNTANTS

Dated the 21st day of August 2019
LEGATUS GROUP

ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 June 2019

CERTIFICATION OF AUDITOR INDEPENDENCE

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of the Legatus Group for the year ended 30 June 2019, the Council's Auditor, Dean Newbery & Partners, has maintained its independence in accordance with the requirements of the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) Local Government (Financial Management) Regulations 2011.

CHIEF EXECUTIVE OFFICER
The Barossa Council

CHIEF EXECUTIVE OFFICER
District Council of Barunga West

CHIEF EXECUTIVE OFFICER
Clare & Gilbert Valleys Council

CHIEF EXECUTIVE OFFICER
District Council of the Copper Coast

CHIEF EXECUTIVE OFFICER
The Flinders Ranges Council

CHIEF EXECUTIVE OFFICER
Regional Council of Goyder

CHIEF EXECUTIVE OFFICER
Light Regional Council

CHIEF EXECUTIVE OFFICER
Adelaide Plains Council

CHIEF EXECUTIVE OFFICER
District Council of Mount Remarkable

CHIEF EXECUTIVE OFFICER
Northern Areas Council

CHIEF EXECUTIVE OFFICER
Fleurieu Regional Council

CHIEF EXECUTIVE OFFICER
District Council of Orroroo Carrieton

CHIEF EXECUTIVE OFFICER
Yorke Peninsula Council

CHIEF EXECUTIVE OFFICER
District Council of Peterborough

Date:

CHAIRMAN
Legatus Group
Board of Management
CENTRAL LOCAL GOVERNMENT
REGION of SA
trading as

Annual Financial Statements

For the financial year

1 July 2018 – 30 June 2019
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## Principal Financial Statements

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<td>Statement of Cash Flows</td>
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## Notes to, and forming part of, the Principal Financial Statements

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<td>Note 7 - Plant &amp; Equipment</td>
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<td>Note 12 - Financial Instruments</td>
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<td>Note 17 - Events Ocurring After Reporting Date</td>
<td>21</td>
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</tbody>
</table>

## Audit Report - Financial Statements

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<tr>
<th>Audit Report</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Audit Report - Internal Controls</td>
<td></td>
</tr>
<tr>
<td>Group Certificate of Audit Independence</td>
<td></td>
</tr>
<tr>
<td>Audit Certificate of Audit Independence</td>
<td></td>
</tr>
</tbody>
</table>
CERTIFICATION OF FINANCIAL STATEMENTS

We have been authorised by the Group to certify the financial statements in their final form. In our opinion:

➢ the accompanying financial statements comply with the Local Government Act 1999, Local Government (Financial Management) Regulations 2011 and Australian Accounting Standards.

➢ the financial statements present a true and fair view of the Group’s financial position at 30 June 2019 and the results of its operations and cash flows for the financial year.

➢ internal controls implemented by the Group provide a reasonable assurance that the Group’s financial records are complete, accurate and reliable and were effective throughout the financial year.

➢ the financial statements accurately reflect the Group’s accounting and other records.

Simon Francis MILLCOCK
CHIEF EXECUTIVE OFFICER

Mayor Samuel Peter MATTEY
PRESIDENT

Date:
### LEGATUS GROUP

**STATEMENT OF COMPREHENSIVE INCOME**

for the year ended 30 June 2019

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Notes</strong></td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td><strong>INCOME</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grants, subsidies and contributions</td>
<td>509,232</td>
<td>345,527</td>
</tr>
<tr>
<td>Investment income</td>
<td>16,573</td>
<td>13,817</td>
</tr>
<tr>
<td>Reimbursements</td>
<td>37,664</td>
<td>4,545</td>
</tr>
<tr>
<td>Other income</td>
<td>169,431</td>
<td>196,398</td>
</tr>
<tr>
<td><strong>Total Income</strong></td>
<td>732,899</td>
<td>560,287</td>
</tr>
<tr>
<td><strong>EXPENSES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee costs</td>
<td>191,317</td>
<td>218,452</td>
</tr>
<tr>
<td>Materials, contracts &amp; other expenses</td>
<td>355,899</td>
<td>230,102</td>
</tr>
<tr>
<td>Depreciation, amortisation &amp; impairment</td>
<td>6,311</td>
<td>6,311</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>553,527</td>
<td>454,865</td>
</tr>
<tr>
<td><strong>OPERATING SURPLUS / (DEFICIT)</strong></td>
<td>179,372</td>
<td>105,422</td>
</tr>
<tr>
<td><strong>NET SURPLUS / (DEFICIT)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>transferred to Equity Statement</td>
<td>179,372</td>
<td>105,422</td>
</tr>
<tr>
<td><strong>Total Other Comprehensive Income</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL COMPREHENSIVE INCOME</strong></td>
<td>179,372</td>
<td>105,422</td>
</tr>
</tbody>
</table>

This Statement is to be read in conjunction with the attached Notes.
## Statement of Financial Position

### As at 30 June 2019

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ASSETS</strong></td>
<td>Notes $</td>
<td>$</td>
</tr>
<tr>
<td><strong>Current Assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash and cash equivalents</td>
<td>5</td>
<td>972,087</td>
</tr>
<tr>
<td>Trade &amp; other receivables</td>
<td>5</td>
<td>69,801</td>
</tr>
<tr>
<td><strong>Total Current Assets</strong></td>
<td></td>
<td>1,041,888</td>
</tr>
<tr>
<td><strong>Non-current Assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Infrastructure, property, plant &amp; equipment</td>
<td>7</td>
<td>11,177</td>
</tr>
<tr>
<td><strong>Total Non-current Assets</strong></td>
<td>11,177</td>
<td>17,488</td>
</tr>
<tr>
<td><strong>Total Assets</strong></td>
<td>1,053,065</td>
<td>835,123</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>LIABILITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Current Liabilities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trade &amp; other payables</td>
<td>8</td>
<td>46,729</td>
</tr>
<tr>
<td>Provisions</td>
<td>8</td>
<td>2,568</td>
</tr>
<tr>
<td><strong>Total Current Liabilities</strong></td>
<td>49,297</td>
<td>13,314</td>
</tr>
<tr>
<td><strong>Non-current Liabilities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Provisions</td>
<td>8</td>
<td>2,947</td>
</tr>
<tr>
<td><strong>Total Non-current Liabilities</strong></td>
<td>2,947</td>
<td>360</td>
</tr>
<tr>
<td><strong>Total Liabilities</strong></td>
<td></td>
<td>52,244</td>
</tr>
<tr>
<td><strong>NET ASSETS</strong></td>
<td></td>
<td>1,000,821</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EQUITY</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accumulated Surplus</td>
<td>166,358</td>
<td>55,336</td>
</tr>
<tr>
<td>Other Reserves</td>
<td>9</td>
<td>834,463</td>
</tr>
<tr>
<td><strong>TOTAL EQUITY</strong></td>
<td>1,000,821</td>
<td>821,449</td>
</tr>
</tbody>
</table>

This Statement is to be read in conjunction with the attached Notes.
# STATEMENT OF CHANGES IN EQUITY
for the year ended 30 June 2019

<table>
<thead>
<tr>
<th></th>
<th>Accumulated Surplus</th>
<th>Other Reserves</th>
<th>TOTAL EQUITY</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2019</strong> Notes</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Balance at end of previous reporting period</td>
<td>55,336</td>
<td>766,113</td>
<td>821,449</td>
</tr>
<tr>
<td><strong>Net Surplus / (Deficit) for Year</strong></td>
<td>179,372</td>
<td>-</td>
<td>179,372</td>
</tr>
<tr>
<td><strong>Other Comprehensive Income</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfers between reserves</td>
<td>9 (68,350)</td>
<td>68,350</td>
<td>-</td>
</tr>
<tr>
<td><strong>Balance at end of period</strong></td>
<td>166,358</td>
<td>834,463</td>
<td>1,000,821</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Accumulated Surplus</th>
<th>Other Reserves</th>
<th>TOTAL EQUITY</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2018</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Balance at end of previous reporting period</td>
<td>121,695</td>
<td>594,332</td>
<td>716,027</td>
</tr>
<tr>
<td><strong>Net Surplus / (Deficit) for Year</strong></td>
<td>105,422</td>
<td>-</td>
<td>105,422</td>
</tr>
<tr>
<td><strong>Other Comprehensive Income</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfers between reserves</td>
<td>9 (171,781)</td>
<td>171,781</td>
<td>-</td>
</tr>
<tr>
<td><strong>Balance at end of period</strong></td>
<td>55,336</td>
<td>766,113</td>
<td>821,449</td>
</tr>
</tbody>
</table>

This Statement is to be read in conjunction with the attached Notes.
## LEGATUS GROUP

**STATEMENT OF CASH FLOWS**

*for the year ended 30 June 2019*

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CASH FLOWS FROM OPERATING ACTIVITIES</strong></td>
<td>Notes</td>
<td>$</td>
</tr>
<tr>
<td><strong>Receipts</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Investment receipts</td>
<td></td>
<td>18,714</td>
</tr>
<tr>
<td>Grants utilised for operating purposes</td>
<td></td>
<td>454,232</td>
</tr>
<tr>
<td>Reimbursements</td>
<td></td>
<td>37,664</td>
</tr>
<tr>
<td>Other revenues</td>
<td></td>
<td>161,248</td>
</tr>
<tr>
<td><strong>Payments</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee costs</td>
<td></td>
<td>(186,662)</td>
</tr>
<tr>
<td>Materials, contracts &amp; other expenses</td>
<td></td>
<td>(322,084)</td>
</tr>
<tr>
<td><strong>Net Cash provided by (or used in) Operating Activities</strong></td>
<td></td>
<td>163,211</td>
</tr>
</tbody>
</table>

| **CASH FLOWS FROM INVESTING ACTIVITIES** |        |        |
| **Receipts**                           |        |        |
| **Payments**                           |        |        |
| **Net Cash provided by (or used in) Investing Activities** | | - | - |

| **CASH FLOWS FROM FINANCING ACTIVITIES** |        |        |
| **Receipts**                            |        |        |
| **Payments**                            |        |        |
| **Net Cash provided by (or used in) Financing Activities** | | - | - |

| **Net Increase (Decrease) in cash held** |      |        |
| **Cash & cash equivalents at beginning of period** | 11 | 808,876 | 719,859 |
| **Cash & cash equivalents at end of period** | 11 | 972,087 | 808,876 |

This Statement is to be read in conjunction with the attached Notes
Note 1 - SIGNIFICANT ACCOUNTING POLICIES

The principal accounting policies adopted in the preparation of the financial report are set out below. These policies have been consistently applied to all the years presented, unless otherwise stated.

1. Basis of Preparation
This general purpose financial report has been prepared in accordance with Australian Accounting Standards as they apply to not-for-profit entities, other authoritative pronouncements of the Australian Accounting Standards Board, Interpretations and relevant South Australian legislation.

The financial report was authorised for issue by certificate under regulation 14 of the Local Government (Financial Management) Regulations 2011.

The preparation of financial statements in conformity with Australian Accounting Standards requires the use of certain critical accounting estimates, and requires management to exercise its judgement in applying the Group’s accounting policies. The areas involving a higher degree of judgement or complexity, or areas where assumptions and estimates are significant to the financial statements are specifically referred to in the relevant sections of this Note.

All amounts in the financial statements have been rounded to the nearest dollar ($).

1.1 Historical Cost Convention
Except as stated below, these financial statements have been prepared in accordance with the historical cost convention.

1.2 The Local Government Reporting Entity
The Legatus Group ("the Group") is a regional subsidiary under Section 43 and Schedule 2 of the Local Government Act 1999.

The Constituent Councils are:
1. The Barossa Council
2. District Council of Mount Remarkable
3. District Council of Barunga West
4. Northern Areas Council
5. Clare and Gilbert Valleys Council
6. District Council of Orroroo/Carrieton
7. District Council of the Copper Coast
8. District Council of Peterborough
9. The Flinders Ranges Council
10. Port Pirie Regional Council
11. Regional Council of Goyder
12. Wakefield Regional Council
13. Light Regional Council
14. Yorke Peninsula Council, and

All funds received and expended by the Group have been included in the Financial Statements forming part of this Financial Report.

1.3 Income recognition
Income is measured at the fair value of the consideration received or receivable. Income is recognised when the Group obtains control over the assets comprising the income, or when the amount due constitutes an enforceable debt, whichever first occurs.

Where grants, contributions and donations recognised as incomes during the reporting period were obtained on the condition that they be expended in a particular manner or used over a particular period, and those conditions were undischarged as at the reporting date, the amounts subject to those undischarged conditions are disclosed in these notes. Also disclosed is the amount of grants, contributions and receivables recognised as incomes in a previous reporting period which were obtained in respect of the Group’s operations for the current reporting period.
Note 1 - SIGNIFICANT ACCOUNTING POLICIES (Continued)

1.4 Cash, Cash Equivalents and other Financial Instruments
Cash Assets include all amounts readily convertible to cash on hand at the Group’s option with an insignificant risk of changes in value with a maturity of three months or less from the date of acquisition.

Receivables for generally unsecured and do not bear interest. All receivables are reviewed as at the reporting date and adequate allowance made for amounts the receipt of which is considered doubtful.

All financial instruments are recognised at fair value at the date of recognition. A detailed statement of the accounting policies applied to financial instruments forms part of Note 12.

1.5 Property, Plant & Equipment
All non-current assets purchased are capitalised as the expenditure is incurred and depreciated as soon as the asset is held “ready for use”. All assets are recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition.

Assets with an economic life in excess of one year are only capitalised where the cost of acquisition exceeds materiality thresholds established by the Group for each type of asset. In determining (and in annually reviewing) such thresholds, regard is had to the nature of the asset and its estimated service life. Examples of capitalisation thresholds applied during the year are as follows:

- Office Furniture & Equipment $5,000
- Motor Vehicles, Other Plant & Equipment $5,000

All material asset classes are revalued on a regular basis such that the carrying values are not materially different from fair value. Plant and equipment assets recognised are systematically depreciated over their useful lives on a straight-line basis which, in the opinion of the Group, best reflects the consumption of the service potential embodied in those assets.

Depreciation methods, useful lives and residual values of classes of assets are reviewed annually. Major depreciation periods for each class of asset are shown below.

- Office Furniture & Equipment 5 to 10 years
- Motor Vehicles, Other Plant & Equipment 3 to 5 years

1.6 Payables
Creditors are amounts due to external parties for the supply of goods and services and are recognised as liabilities when the goods and services are received. Creditors are normally paid 30 days after the month of invoice. No interest is payable on these amounts.

Amounts received from external parties in advance of service delivery are recognised as liabilities until the service is delivered or damage reinstated, or the amount is refunded as the case may be.

1.7 Employee Benefits

Salaries, Wages & Compensated Absences
The Group has two employees as at the 30th June 2019, a Chief Executive Officer and a Project Officer. Liabilities for employees’ entitlements to salaries, wages and compensated absences expected to be paid or settled within 12 months of reporting date are accrued at nominal amounts (including payroll based oncosts) measured in accordance with AASB 119.

Liabilities for employee benefits not expected to be paid or settled within 12 months are measured as the present value of the estimated future cash outflows (including payroll based oncosts) to be made in respect of services provided by employees up to the reporting date. Present values are calculated using government guaranteed securities rates with similar maturity terms.
Note 1 - SIGNIFICANT ACCOUNTING POLICIES (Continued)

No accrual is made for sick leave as the Group’s experience indicates that, on average, sick leave taken in each reporting period is less than the entitlement accruing in that period, and this experience is expected to recur in future reporting periods. The Group does not make payment for untaken sick leave.

1.8 Superannuation
The Group contributes the statutory 9.5% SGC superannuation to the nominated superannuation funds for the Chief Executive Officer and Project Officer.

1.9 GST Implications
In accordance with UIG Abstract 1031 “Accounting for the Goods & Services Tax”
- Receivables and Creditors include GST receivable and payable.
- Except in relation to input taxed activities, revenues and operating expenditures exclude GST receivable and payable.
- Non-current assets and capital expenditures include GST net of any recoupment.
- Amounts included in the Statement of Cash Flows are disclosed on a gross basis.

1.10 New Accounting Standards
Certain new accounting standards and UIG interpretations have been published that are not mandatory for the 30 June 2019 reporting period and have not been used in preparing these reports.
- AASB15 Revenue from Contracts with Customers
- AASB16 Leases
- AASB1058 Income of Not-for-Profit Entities

The Group is of the view that none of the above new standards or interpretations will affect any of the amounts recognised in the financial statements, but that they may impact certain information otherwise disclosed.
## Note 2 - INCOME

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>INVESTMENT INCOME</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest on investments</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local Government Finance Authority</td>
<td>16,507</td>
<td>13,741</td>
</tr>
<tr>
<td>Banks</td>
<td>65</td>
<td>76</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>16,573</td>
<td>13,817</td>
</tr>
<tr>
<td><strong>REIMBURSEMENTS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- for Legal, Climate Change, USGRPG</td>
<td>37,664</td>
<td>4,545</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>37,664</td>
<td>4,545</td>
</tr>
<tr>
<td><strong>OTHER INCOME</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Council Contributions</td>
<td>165,225</td>
<td>162,750</td>
</tr>
<tr>
<td>Sundry</td>
<td>4,206</td>
<td>33,648</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>169,431</td>
<td>196,398</td>
</tr>
<tr>
<td><strong>GRANTS, SUBSIDIES, CONTRIBUTIONS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sundry</td>
<td>509,232</td>
<td>345,527</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>509,232</td>
<td>345,527</td>
</tr>
</tbody>
</table>

The functions to which these grants relate are shown in Note 12.

### Sources of grants

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>State government</td>
<td>115,000</td>
<td>345,527</td>
</tr>
<tr>
<td>LGA</td>
<td>394,232</td>
<td>-</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>509,232</td>
<td>345,527</td>
</tr>
</tbody>
</table>

### Conditions over grants & contributions

Grants and contributions which were obtained on the condition that they be expended for specified purposes or in a future period, but which are not yet expended in accordance with those conditions, are as follows:

Unexpended at the close of the previous reporting period 537,786 366,006

Less: expended during the current period from revenues recognised in previous reporting periods

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>A009 - Special Projects</td>
<td>(6,650)</td>
<td>-</td>
</tr>
<tr>
<td>P022 - Roads &amp; Transport</td>
<td>-</td>
<td>(1,805)</td>
</tr>
<tr>
<td>P024 - Climate Change Co-ordinator 2015-17</td>
<td>-</td>
<td>(51,779)</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>(6,650)</td>
<td>(53,584)</td>
</tr>
</tbody>
</table>

Plus: amounts recognised as revenues in this reporting period but not yet expended in accordance with the conditions

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>P022 - Roads &amp; Transport</td>
<td>10,000</td>
<td>-</td>
</tr>
<tr>
<td>P025 - Outreach Stage 2</td>
<td>49,687</td>
<td></td>
</tr>
<tr>
<td>P028 - Regional Capacity Building</td>
<td>30,000</td>
<td>174,543</td>
</tr>
<tr>
<td>A009 - Special Projects</td>
<td>1,134</td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>40,000</td>
<td>225,364</td>
</tr>
</tbody>
</table>

Unexpended at the close of this reporting period 571,136 537,786

Net increase (decrease) in assets subject to conditions in the current reporting period 33,350 171,780
### LEGATUS GROUP

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
for the year ended 30 June 2019

Note 3 - EXPENSES

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EMPLOYEE COSTS</strong></td>
<td>191,317</td>
<td>218,452</td>
</tr>
<tr>
<td>Salaries and Wages</td>
<td>141,645</td>
<td>162,958</td>
</tr>
<tr>
<td>Employee leave expense</td>
<td>23,815</td>
<td>16,780</td>
</tr>
<tr>
<td>Redundancy</td>
<td>-</td>
<td>5,385</td>
</tr>
<tr>
<td>Pay in Lieu of Notice</td>
<td>-</td>
<td>5,385</td>
</tr>
<tr>
<td>Superannuation</td>
<td>15,217</td>
<td>16,330</td>
</tr>
<tr>
<td>Workers’ Compensation Insurance</td>
<td>1,333</td>
<td>2,262</td>
</tr>
<tr>
<td>CEO Relocation</td>
<td>664</td>
<td>649</td>
</tr>
<tr>
<td>Pay in Lieu of Notice</td>
<td>-</td>
<td>1,239</td>
</tr>
<tr>
<td>Professional Development</td>
<td>664</td>
<td>649</td>
</tr>
<tr>
<td>FBT</td>
<td>8,644</td>
<td>7,464</td>
</tr>
<tr>
<td><strong>Total Operating Employee Costs</strong></td>
<td><strong>191,317</strong></td>
<td><strong>218,452</strong></td>
</tr>
</tbody>
</table>

| **Total Number of Employees** | 1.3 | 1.0 |
| (Full time equivalent at end of reporting period) |  |  |

### MATERIALS, CONTRACTS & OTHER EXPENSES

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Prescribed Expenses</strong></td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Auditor’s Remuneration</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td><strong>Subtotal - Prescribed Expenses</strong></td>
<td><strong>2,000</strong></td>
<td><strong>2,000</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Other Materials, Contracts &amp; Expenses</strong></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractors &amp; Consultants</td>
<td>303,167</td>
<td>162,372</td>
</tr>
<tr>
<td>Unleaded Fuel</td>
<td>4,734</td>
<td>5,576</td>
</tr>
<tr>
<td>Other Motor Vehicle Costs</td>
<td>3,540</td>
<td>-</td>
</tr>
<tr>
<td>Members Allowances &amp; Support</td>
<td>4,600</td>
<td>4,270</td>
</tr>
<tr>
<td>Meetings &amp; Conferences</td>
<td>6,937</td>
<td>5,318</td>
</tr>
<tr>
<td>Insurance</td>
<td>7,735</td>
<td>7,750</td>
</tr>
<tr>
<td>Rental - Premises</td>
<td>9,009</td>
<td>16,477</td>
</tr>
<tr>
<td>Advertising</td>
<td>1,650</td>
<td>316</td>
</tr>
<tr>
<td>Accommodation</td>
<td>768</td>
<td>3,994</td>
</tr>
<tr>
<td>Airfares</td>
<td>-</td>
<td>499</td>
</tr>
<tr>
<td>Travel - Reimbursement</td>
<td>425</td>
<td>2,445</td>
</tr>
<tr>
<td>Catering &amp; Meals</td>
<td>1,040</td>
<td>6,340</td>
</tr>
<tr>
<td>Telephone &amp; Internet</td>
<td>4,894</td>
<td>6,870</td>
</tr>
<tr>
<td>Postage/Stationery/IT</td>
<td>3,575</td>
<td>3,875</td>
</tr>
<tr>
<td>Sundry</td>
<td>1,826</td>
<td>2,000</td>
</tr>
<tr>
<td><strong>Subtotal - Other Materials, Contracts &amp; Expenses</strong></td>
<td><strong>353,899</strong></td>
<td><strong>228,102</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>DEPRECIATION, AMORTISATION &amp; IMPAIRMENT</strong></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Depreciation</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Motor Vehicle</td>
<td>6,311</td>
<td>6,311</td>
</tr>
<tr>
<td><strong>Total Depreciation</strong></td>
<td>6,311</td>
<td>6,311</td>
</tr>
</tbody>
</table>
Note 4 - ASSET DISPOSAL & FAIR VALUE ADJUSTMENTS

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

Note 5 - CURRENT ASSETS

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash &amp; Equivalent Assets</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash at Bank</td>
<td>78,151</td>
<td>3,590</td>
</tr>
<tr>
<td>Deposits at Call</td>
<td>893,936</td>
<td>805,286</td>
</tr>
<tr>
<td></td>
<td>972,087</td>
<td>808,876</td>
</tr>
<tr>
<td>Trade &amp; Other Receivables</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accrued Revenues</td>
<td>944</td>
<td>3,085</td>
</tr>
<tr>
<td>Debtors - General</td>
<td>55,000</td>
<td>237</td>
</tr>
<tr>
<td>GST Recoupment</td>
<td>13,857</td>
<td>5,437</td>
</tr>
<tr>
<td></td>
<td>69,801</td>
<td>8,759</td>
</tr>
</tbody>
</table>

Note 6 - NON-CURRENT ASSETS

|                      |       |       |
| Financial Assets     | Nil   | Nil   |
### Note 7 - Plant & Equipment

#### CARRYING AMOUNT MOVEMENTS DURING YEAR

<table>
<thead>
<tr>
<th></th>
<th>2018 $</th>
<th>CARRYING AMOUNT</th>
<th>Additions</th>
<th>Disposals</th>
<th>Depreciation</th>
<th>Impairment</th>
<th>Transfers</th>
<th>Net Revaluation</th>
<th>2019 $</th>
<th>CARRYING AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>New/Upgrade</td>
<td>Renewals</td>
<td></td>
<td></td>
<td>In</td>
<td>Out</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Motor Vehicle</td>
<td>17,488</td>
<td>17,488</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>17,488</td>
<td>11,177</td>
</tr>
<tr>
<td>Computers &amp; Software</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL PLANT &amp; EQUIPMENT</strong></td>
<td>17,488</td>
<td>17,488</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>11,177</td>
<td>11,177</td>
</tr>
<tr>
<td>Comparatives</td>
<td>23,799</td>
<td>23,799</td>
<td>-</td>
<td>-</td>
<td>(6,311)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>23,799</td>
<td>17,488</td>
</tr>
</tbody>
</table>

Note 7 - PLANT & EQUIPMENT
**LEGATUS GROUP**

**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

for the year ended 30 June 2019

**Note 8 - LIABILITIES**

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th></th>
<th>2018</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Current</td>
<td>Non-current</td>
<td>Current</td>
<td>Non-current</td>
</tr>
<tr>
<td><strong>TRADE &amp; OTHER PAYABLES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Goods &amp; Services</td>
<td>24,196</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Accrued expenses - employee entitlements</td>
<td>6,637</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>GST &amp; PAYG</td>
<td>15,896</td>
<td>-</td>
<td>6,277</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>46,729</td>
<td></td>
<td>6,277</td>
<td>-</td>
</tr>
</tbody>
</table>

**PROVISIONS**

Employee entitlements (including oncosts) | 2,568  | 2,947 | 7,037  | 360  |

**Note 9 - RESERVES**

**OTHER RESERVES**

<table>
<thead>
<tr>
<th></th>
<th>1/7/2018</th>
<th>Transfers to Reserve</th>
<th>Transfers from Reserve</th>
<th>30/6/2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Reserve</td>
<td>31,093</td>
<td>35,000</td>
<td>-</td>
<td>66,093</td>
</tr>
<tr>
<td>1 A009-Special Projects</td>
<td>16,475</td>
<td>-</td>
<td>(6,650)</td>
<td>9,825</td>
</tr>
<tr>
<td>2 P003-Waste Management</td>
<td>16,273</td>
<td>-</td>
<td>-</td>
<td>16,273</td>
</tr>
<tr>
<td>3 P022-Roads &amp; Transport</td>
<td>36,087</td>
<td>10,000</td>
<td>-</td>
<td>46,087</td>
</tr>
<tr>
<td>4 P024-Climate Change Co-Ordinator 2015-17</td>
<td>11,694</td>
<td>-</td>
<td>-</td>
<td>11,694</td>
</tr>
<tr>
<td>5 P025-LG Outreach Phase 2</td>
<td>132,922</td>
<td>-</td>
<td>-</td>
<td>132,922</td>
</tr>
<tr>
<td>6 P027-LG Reform - Incentive Risk</td>
<td>144,000</td>
<td>-</td>
<td>-</td>
<td>144,000</td>
</tr>
<tr>
<td>7 P028-Regional Capacity Building</td>
<td>377,569</td>
<td>30,000</td>
<td>-</td>
<td>407,569</td>
</tr>
<tr>
<td><strong>Total Other Reserves</strong></td>
<td>766,113</td>
<td>75,000</td>
<td>(6,650)</td>
<td>834,463</td>
</tr>
</tbody>
</table>

Comparatives | 594,332  | 225,364 | (53,583) | 766,113 |

**PURPOSES OF RESERVES**

(Other Reserves)

1 A007-Special Projects
LGA funded support programme

2 P003-Waste Management
State Government funded technical support programme

3 P022-Roads & Transport
Legatus funded programme - Regional Development Australia Freight Strategy

4 P024-Climate Change Co-ordinator 2015-17
Regional Partners and State Government funded programme

5 P025-LG Outreach Phase 2
LGA funded programme

6 P027-LG Reform - Incentive Risk
CEO Performance fund

7 P028-Regional Capacity Building
Region rubble royalty % returned for project allocation 2017/18 on
LEGATUS GROUP

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
for the year ended 30 June 2019

Note 10 - RECONCILIATION TO CASH FLOW STATEMENT

(a) Reconciliation of Cash
Cash Assets comprise highly liquid investments with short periods to maturity subject to insignificant risk of changes of value. Cash at the end of the reporting period as shown in the Cash Flow Statement is reconciled to the related items in the Balance Sheet as follows:

<table>
<thead>
<tr>
<th>Notes</th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Total cash &amp; equivalent assets</td>
<td>972,087</td>
<td>808,876</td>
</tr>
<tr>
<td>Balances per Cash Flow Statement</td>
<td>972,087</td>
<td>808,876</td>
</tr>
</tbody>
</table>

(b) Reconciliation of Change in Net Assets to Cash from Operating Activities

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net Surplus (Deficit)</td>
<td>179,372</td>
<td>105,422</td>
</tr>
<tr>
<td>Non-cash items in Income Statement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Depreciation, amortisation &amp; impairment</td>
<td>6,311</td>
<td>6,311</td>
</tr>
<tr>
<td>Net increase (decrease) in unpaid employee benefits</td>
<td>4,755</td>
<td>915</td>
</tr>
<tr>
<td></td>
<td>190,438</td>
<td>112,648</td>
</tr>
<tr>
<td>Add (Less): Changes in Net Current Assets</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net (increase) decrease in receivables</td>
<td>33,815</td>
<td>16,645</td>
</tr>
<tr>
<td>Net increase (decrease) in trade &amp; other payables</td>
<td>(61,042)</td>
<td>(40,276)</td>
</tr>
<tr>
<td><strong>Net Cash provided by (or used in) operations</strong></td>
<td><strong>163,211</strong></td>
<td><strong>89,017</strong></td>
</tr>
</tbody>
</table>

(c) Non-Cash Financing and Investing Activities

(d) Financing Arrangements

Unrestricted access was available at balance date to the following lines of credit:

Corporate Credit Cards | 1,000 | - |

Note 11 - FUNCTIONS

The activities of the Region are categorised into the following programmes

1. A009-Special Projects
2. P015-Local Government Reform
3. P022-Roads & Transport
4. P024-Climate Change Co-Ordinator 2015-17
5. P025-LG Outreach Phase 2
6. P027-LG Reform - Incentive Risk
7. P028-Regional Capacity Building

Income and expenses have been attributed to the functions/activities throughout the financial year.
Accounting Policies - Recognised Financial Instruments

Bank, Deposits at Call, Short Term Deposits

<table>
<thead>
<tr>
<th>Financial Assets</th>
<th>Due &lt; 1 year</th>
<th>Due &gt; 1 year; ≤ 5 years</th>
<th>Due &gt; 5 years</th>
<th>Total Contractual Cash Flows</th>
<th>Carrying Values</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash &amp; Equivalents</td>
<td>972,087</td>
<td>-</td>
<td>-</td>
<td>972,087</td>
<td>972,087</td>
</tr>
<tr>
<td>Receivables</td>
<td>69,801</td>
<td>-</td>
<td>-</td>
<td>69,801</td>
<td>69,801</td>
</tr>
<tr>
<td>Total</td>
<td>1,041,888</td>
<td>-</td>
<td>-</td>
<td>1,041,888</td>
<td>1,041,888</td>
</tr>
</tbody>
</table>

Receivables - Trade & other debtors

<table>
<thead>
<tr>
<th>Financial Assets</th>
<th>Due &lt; 1 year</th>
<th>Due &gt; 1 year; ≤ 5 years</th>
<th>Due &gt; 5 years</th>
<th>Total Contractual Cash Flows</th>
<th>Carrying Values</th>
</tr>
</thead>
<tbody>
<tr>
<td>Receivables</td>
<td>8,759</td>
<td>-</td>
<td>-</td>
<td>8,759</td>
<td>8,759</td>
</tr>
</tbody>
</table>

Payables

<table>
<thead>
<tr>
<th>Financial Assets</th>
<th>Due &lt; 1 year</th>
<th>Due &gt; 1 year; ≤ 5 years</th>
<th>Due &gt; 5 years</th>
<th>Total Contractual Cash Flows</th>
<th>Carrying Values</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payables</td>
<td>24,196</td>
<td>-</td>
<td>-</td>
<td>24,196</td>
<td>24,196</td>
</tr>
<tr>
<td>Total</td>
<td>24,196</td>
<td>-</td>
<td>-</td>
<td>24,196</td>
<td>24,196</td>
</tr>
</tbody>
</table>

Liquidity Analysis

2019

<table>
<thead>
<tr>
<th>Due &lt; 1 year</th>
<th>Due &gt; 1 year; ≤ 5 years</th>
<th>Due &gt; 5 years</th>
<th>Total Contractual Cash Flows</th>
<th>Carrying Values</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial Assets</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Cash &amp; Equivalents</td>
<td>972,087</td>
<td>-</td>
<td>-</td>
<td>972,087</td>
</tr>
<tr>
<td>Receivables</td>
<td>69,801</td>
<td>-</td>
<td>-</td>
<td>69,801</td>
</tr>
<tr>
<td>Total</td>
<td>1,041,888</td>
<td>-</td>
<td>-</td>
<td>1,041,888</td>
</tr>
<tr>
<td>Financial Liabilities</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

2018

<table>
<thead>
<tr>
<th>Due &lt; 1 year</th>
<th>Due &gt; 1 year; ≤ 5 years</th>
<th>Due &gt; 5 years</th>
<th>Total Contractual Cash Flows</th>
<th>Carrying Values</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial Assets</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Cash &amp; Equivalents</td>
<td>808,876</td>
<td>-</td>
<td>-</td>
<td>808,876</td>
</tr>
<tr>
<td>Receivables</td>
<td>8,759</td>
<td>-</td>
<td>-</td>
<td>8,759</td>
</tr>
<tr>
<td>Total</td>
<td>817,635</td>
<td>-</td>
<td>-</td>
<td>817,635</td>
</tr>
<tr>
<td>Financial Liabilities</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Net Fair Value

All carrying values approximate fair value for all recognised financial instruments. There is no recognised market for the financial assets of the Group.

Risk Exposures

Credit Risk represents the loss that would be recognised if counterparties fail to perform as contracted. The maximum credit risk on financial assets of the Group is the carrying amount, net of any allowance for doubtful debts. All Group investments are made with the SA Local Government Finance Authority and are guaranteed by the SA Government. Except as detailed in Notes 5 & 6 in relation to individual classes of receivables, exposure is concentrated within the Group's boundaries, and there is no material exposure to any individual debtor.

Market Risk is the risk that fair values of financial assets will fluctuate as a result of changes in market prices. All of the Group's financial assets are denominated in Australian dollars and are not traded on any market, and hence neither market risk nor currency risk apply.

Liquidity Risk is the risk that the Group will encounter difficulty in meeting obligations with financial liabilities. In accordance with the model Treasury Management Policy (LGA Information Paper 15), liabilities have a range of maturity dates.

Interest Rate Risk is the risk that future cash flows will fluctuate because of changes in market interest rates. Cash flow fluctuations are managed holistically in seeking to minimise interest costs over the longer term in a risk averse manner.
### Note 13 - FINANCIAL INDICATORS

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Operating Surplus Ratio</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating Surplus</td>
<td>24.5%</td>
<td>18.8%</td>
<td>5.2%</td>
</tr>
<tr>
<td>Total Operating Income</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*This ratio expresses the operating surplus as a percentage of total operating revenue.*

| **Net Financial Liabilities Ratio** |          |          |          |
| Net Financial Liabilities          | (135%)   | (143%)   | (119%)   |
| Total Operating Income             |          |          |          |

*Net Financial Liabilities are defined as total liabilities less financial assets. These are expressed as a percentage of total operating revenue.*

| **Asset Renewal Funding Ratio** |          |          |          |
| Net Asset Renewals               | 0%       | 0%       | 0%       |
| Depreciation expenditure         |          |          |          |

*Net asset renewals expenditure is defined as net capital expenditure on the renewal and replacement of existing assets, and excludes new capital expenditure on the acquisition of additional assets.*
Note 14 - UNIFORM PRESENTATION OF FINANCES

The following is a high level summary of both operating and capital investment activities of the Group prepared on a simplified Uniform Presentation Framework basis.

All Councils in South Australia have agreed to summarise annual budgets and long-term financial plans on the same basis.

The arrangements ensure that all Councils provide a common 'core' of financial information, which enables meaningful comparisons of each Council's finances

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Income</strong></td>
<td>$732,899</td>
<td>$560,287</td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td>$(553,527)</td>
<td>$(454,865)</td>
</tr>
<tr>
<td><strong>Operating Surplus / (Deficit)</strong></td>
<td>$179,372</td>
<td>$105,422</td>
</tr>
</tbody>
</table>

**Net Outlays on Existing Assets**

<table>
<thead>
<tr>
<th>Description</th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Expenditure on renewal and replacement of Existing Assets</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Add back Depreciation, Amortisation and Impairment</td>
<td>$6,311</td>
<td>$6,311</td>
</tr>
</tbody>
</table>

**Net Outlays on New and Upgraded Assets**

<table>
<thead>
<tr>
<th>Description</th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amounts received specifically for New and Upgraded Assets</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

**Net Lending / (Borrowing) for Financial Year**

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Net Lending / (Borrowing) for Financial Year</strong></td>
<td>$185,683</td>
<td>$111,733</td>
</tr>
</tbody>
</table>
KEY MANAGEMENT PERSONNEL
The Key Management Personnel of the Group include the 15 Mayors/Chairpersons of the constituent Councils and the CEO. In all, 2 persons were paid the following total compensation:

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries, allowances &amp; other short term benefits</td>
<td>165,460</td>
<td>149,999</td>
</tr>
<tr>
<td>Member Allowance</td>
<td>4,600</td>
<td>4,270</td>
</tr>
<tr>
<td>Post-employment benefits</td>
<td>15,217</td>
<td>14,250</td>
</tr>
<tr>
<td>FBT</td>
<td>8,644</td>
<td>15,235</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>193,921</strong></td>
<td><strong>183,754</strong></td>
</tr>
</tbody>
</table>

The Group received the following amounts in total:

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contributions for fringe benefits tax purposes</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>-</strong></td>
<td><strong>-</strong></td>
</tr>
</tbody>
</table>

PARTIES RELATED TO KEY MANAGEMENT PERSONNEL
During the reporting period, no Key Management Personnel or parties related to them had any transactions on more favourable terms than those available to the general public.
Note 16 - CONTINGENCIES & ASSETS & LIABILITIES NOT RECOGNISED IN THE STATEMENT OF FINANCIAL POSITION

There are no contingencies, assets or liabilities not recognised in the financial statements for the year ended 30 June 2019.

Note 17 - EVENTS OCCURRING AFTER REPORTING DATE

There were no events subsequent to 30 June 2019 that need to be disclosed in the financial statements.
To the best of our knowledge and belief, we confirm that, for the purpose of the audit of the Legatus Group for the year ended 30 June 2019, the Council’s Auditor, Dean Newbery & Partners, has maintained its independence in accordance with the requirements of the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) Local Government (Financial Management) Regulations 2011.
I confirm that, for the audit of the financial statements of the Legatus Group for the year ended 30 June 2019, I have maintained my independence in accordance with the requirements of APES 110 – Code of Ethics for Professional Accountants, Section 290, published by the Accounting Professional and Ethical Standards Board, in accordance with the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22 (5) Local Government (Financial Management) Regulations 2011.

John Jovicevic
Partner
Dean Newbery & Partners

Dated this day of 2019
4.2.2 CONSENSUS AGENDA – COMMUNICATIONS AND ENGAGEMENT OFFICERS

4.2.2.1 COMMUNICATION AND ENGAGEMENT – QUARTERLY REPORT

This report provides a quarterly snapshot of C&EO activity for Elected Member information:

- Annual Budget and Business Plan
- Garage Sale Trail
- Barossa Trail rebranding and map
- The Big Project prioritization – external promotion and support
- Barossa Visitor Centre/Tanunda Library relocation
- 2020 Santos Tour Down Under
- Community engagement:
  - Memorials on Community Land Policy
  - Event Management Policy
- Community awareness:
  - Waste education series
  - Road safety
- Internal Customer Service Reboot and Change Program roll-out
- Internal Culture mapping support

RECOMMENDATION
That Report 4.2.2.1 be received
4.3.1 CONSENSUS AGENDA - DIRECTOR

4.3.1.1 REPLICA MEMORIAL PLAQUE - KEIL GARDEN TANUNDA

A New Initiative (NI) proposal was submitted by Cr Wiese-Smith in February 2019, for installation of appropriate signage at Keil Garden, Tanunda (the Garden) to recognise “Land bequeathed to council by Alma [sic] Keil”. Officers subsequently proposed to undertake this work outside of the NI process.

Historical records confirm that the land was actually purchased by the District Council of Tanunda in 1973 from Wallent & Sons, for use as a public park.

An article in the Barossa and Light Herald newspaper of 14 April 1977 (refer Attachment 1), states that “The Benno Keil Memorial Garden at the corner of Murray St., and Bilyara Road Tanunda was officially opened at 2 p.m. on Monday afternoon…..A memorial plaque to the late Mr. Keil was unveiled by his wife...” (Mrs Elma Keil).

Mr Robert Homburg, a trustee of the Keil Family Estate, was consulted regarding a replica plaque being reinstated in the Garden and preferred wording. He approves a replica plaque in the same design as the original (which is partially shown in the newspaper article in Attachment 1). A draft design is shown below:

![BENNO KEIL MEMORIAL GARDEN 11TH APRIL, 1977](image)

As the original wall is no longer at the site, Mr Homburg suggested installation on the back wall of the rotunda in the vicinity of the ‘Liedertafel’ plaque (refer Attachment 2), unless Council considers that another location is more appropriate.

Officers are proceeding with procurement of a plaque and installation in due course.

RECOMMENDATION:
That report 4.3.1.1 be received and noted.
BENNO KEIL MEMORIAL GARDEN OPENED

The Benno Keil Memorial Garden at the corner of Murray St. and Bilyarra Road Tanunda was officially opened at 2 p.m. on Monday afternoon by architect John Chappel, R.A.I.A.

Cllr. R. Homburg introduced the chairman of the District Council of Tanunda, Cllr. H. G. Gilding, who spoke on events leading up to the purchase of the property from F. C. G. Wallent & Sons, and the drawing up of plans for the garden by Mr. Robin Hill.

A memorial plaque to the late Mr. Keil was unveiled by his wife, who was introduced by Cllr. Gilding. A resume of the late Mr. Keil’s outstanding service to the town in many ways, including 16 years as a Councillor, was given by Mr. Gilding.

SCULPTURE IS FOCAL POINT

Focal point of the garden setting is a sculpture in stone by local sculptor, Mr. Paul Trappe. A brief outline of Mr. Trappe’s record as a sculptor, and of visual arts generally, was given by Mr. Chappel.

Initially Mr. Trappe agreed to do the work for whatever grant was available from the Visual Arts Board. Following the change in Federal Government in 1975 it is understood that no grant was available. However, Mr. Trappe still carried out the work, and it is understood that the cost to Council was only approximately $500.

Mrs Elma Keil is shown unveiling the plaque to honour her late husband (Cllr. B. H. Keil), at the opening of the Tanunda Civic Gardens. —Televin Photo
4.5.2 CONSENSUS AGENDA – ENVIRONMENTAL SERVICES REPORT

4.5.2.1 WILLIAMSTOWN, LYNDONCH LANDCARE GROUP INC.
B2791, 19/46427
Minutes of the Williamstown, Lyndoch Landcare Group Inc. meeting held 27 July 2019, and Annual General Meeting held 28 August 2019, are attached for information:

RECOMMENDATION:
That report items 4.5.2.1 be received.
### Purpose
**General Meeting**

### Prepared by
Tina Woods

### Phone No.
0421 616 444

### Location
Council Rooms, 29 Barossa Valley Way, Lyndoch, SA 5351

### Date/Time
27 July 2019, 19.35 – 20.30

### Attendees
- Angus Atkinson (Chair)
- Tracy Sinclair
- Tina Woods
- Michael (Mick) Kobryn
- Don Wegener
- Shirley Wegener
- Brian Green
- Elke & Joerg Wiese
- Brian & Margaret Teskey
- Eric & Noreen Walton
- Carol Green
- Diana Dancer
- Rod & Di Baker

### Distribution
All current & life members and Chris Kruger, Executive Assistant, Development and Environmental Services, The Barossa Council

### File
20190727_GeneralMeetingMinutes.docx

<table>
<thead>
<tr>
<th>Item</th>
<th>Action by</th>
<th>Date Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Meeting Opened</td>
<td>7.35pm</td>
<td></td>
</tr>
<tr>
<td>3 Minutes of previous Meeting</td>
<td>held 26 June 2019 – Accepted with following correction: Item 7. Treasurers Report, $38 donation received in the month – Shirley Wegener advised that $38 was collected from the Container Donation Box for the last 12 months not as stated in the month. Moved by Don Wegener, seconded by Angus Atkinson – Carried.</td>
<td></td>
</tr>
<tr>
<td>4 Business Arising last meeting: Actions now closed:</td>
<td>- None</td>
<td></td>
</tr>
<tr>
<td>Actions still open:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ACTION:</td>
<td>Follow up with Friends of Para Wirra Conservation Park for possible joint Working Bee. Tracy Sinclair and Angus Atkinson to visit Friends of Para Wirra Conservation Park.</td>
<td>A Atkinson/T Sinclair</td>
</tr>
<tr>
<td>ACTION:</td>
<td>Seed Collection List- Brian Green to prepare a list of target plants for seed collection and the appropriate time of year for collection so this can be incorporated into the relevant working bees.</td>
<td>B Green</td>
</tr>
<tr>
<td>ACTION:</td>
<td>Mistletoe – Mistletoe Action Plan completed and submitted to Council for approval Chris Kruger. Follow up approval.</td>
<td>A Atkinson</td>
</tr>
<tr>
<td>ACTION:</td>
<td>Seed Collection Sample Plan – Pam Payne (Barossa Bush gardens) is drafting a sampling plan for seed collection from the Reserve, which will require approval by The Barossa Council and the Williamstown &amp; Lyndoch Landcare Group Inc. prior to collection.</td>
<td>Pam Payne</td>
</tr>
</tbody>
</table>
ACTION: Stall at the Lyndoch Community Markets – Date to be finalised and logistics to be organised. Once date decided post to Facebook page. Target 10 August. Tracy to contact Market Organiser. Consider borrowing a gazebo for bad weather as area allocated will be outside.

New Actions from Business Arising this meeting:
ACTION: Advise Regina Warne (Student at UniSA (Roseworthy Campus)) the date of the Open day (15 September).
ACTION: Contact John Seymour to get an updated bird sighted list as he visits the Reserve every Wednesday to go bird watching.
ACTION: Don Wegener to advise Amanda the size of the top-up drums so she can pre-weigh Brushoff Broadleaf poison.
ACTION: Request Barossa Bush Gardens to donate three (3) Hardenbergia to be planted in the Reserve.
ACTION: Circulate information regarding Friends of Parks with meeting minutes for consideration/vote next meeting.

5 Correspondence:
In:
- Nothing to report
Out:
- Nothing to report

6 Chair Report:
- Nothing to report

7 Treasurers Report:
- Nothing to report as Joerg Wiese, treasurer is on leave.

8 Publicity:
- No new activity
<table>
<thead>
<tr>
<th></th>
<th>General Business:</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td><strong>Open Day</strong> – 15 September 2019 agreed as the date for the Open day.</td>
</tr>
<tr>
<td></td>
<td><strong>Ute</strong> – Don Wegener and Mick working on vehicle carrying out service and general repairs – work still pending.</td>
</tr>
<tr>
<td></td>
<td><strong>AGM</strong> – deferred until 28 August 2019. Agenda to be sent out.</td>
</tr>
<tr>
<td></td>
<td><strong>Dogs</strong> – 3 dogs have been seen in the Reserve. Tracy Sinclair had contacted the owner, who has advised they are working to improve their fencing to prevent dogs entering the Reserve.</td>
</tr>
<tr>
<td></td>
<td><strong>Friends of Park</strong> – Tracy Sinclair presented information regarding Friends of Parks a member group membership only costs $10 a year. <a href="http://www.friendsofparkssa.org.au/home">http://www.friendsofparkssa.org.au/home</a></td>
</tr>
<tr>
<td>10</td>
<td><strong>Next Meeting</strong> – Wednesday 28 August 2019, 7.30pm Council Rooms, Lyndoch.</td>
</tr>
<tr>
<td>11</td>
<td><strong>Meeting Closed</strong> 8.30pm.</td>
</tr>
</tbody>
</table>
## Meeting Minutes

### 2019 Annual General Meeting

#### Purpose

**Meeting Minutes**

PO Box 694
Lyndoch, SA 5351

**Purpose**

2019 Annual General Meeting

**Prepared by**

Tina Woods

**Phone No.**

0421 616 444

**Location**

Council Rooms,
29 Barossa Valley Way, Lyndoch, SA 5351

**Date/Time**

28 August 2019, 19.30 – 19.50

**Attendees**

- Angus Atkinson (Chair)
- Tracy Sinclair
- Tina Woods
- Rod Baker
- Mick Kobryn
- Diana Dancer
- Elke Wiese
- Joerg Wiese
- Don Wegener
- Shirley Wegener
- Brian Green
- Noreen Walton
- Eric Walton
- Margaret Teskey
- Brian Teskey

**Distribution**

All current & life members and Chris Kruger, Executive Assistant, Development and Environmental Services, The Barossa Council

**File**

20190828_2019 AGM_Minutes.docx

<table>
<thead>
<tr>
<th>Item</th>
<th>Action by</th>
<th>Date Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Meeting Opened</td>
<td>7.30pm</td>
</tr>
<tr>
<td>2</td>
<td>Apologies</td>
<td>– Pam Cross, Carol Green and Di Baker.</td>
</tr>
<tr>
<td>3</td>
<td>Minutes of 2018 AGM Meeting</td>
<td>held 27 June 2018 – Accepted</td>
</tr>
<tr>
<td></td>
<td>Moved by Brian Teskey, seconded by Elke Wiese– Carried.</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Business Arising last meeting:</td>
<td>No business arising.</td>
</tr>
<tr>
<td>5</td>
<td>Chair Report:</td>
<td>– as presented by Angus Atkinson:</td>
</tr>
</tbody>
</table>

The 2018/19 season was a mix of challenges:

- Significant weed controls were required for (among others) Boneseed, Olives, Scabiosa, Watsonia and Cape Tulip. Both by the Volunteers and our Weed Contractor Amanda Pearce.
- The environment over the last summer season was severe. Very hot and dry. Many plants and trees within the reserve are still showing stress due to the low rainfall.

However, we did have some significant gains.

- Our first joint working Bee with the Barossa Bushgardens. 12 local Barossa volunteers from the Bushgardens attended for a morning of Boneseed control followed by coffee and cake with 9 of our group.
• Our full Open Day in September which saw over 70 people visit the Reserve on one day for guided walks, native fauna displays and a sausage sizzle. Culminating in the Gawler NRM presenting a certificate of appreciation to all the Volunteers, and especially Joerg and Elke Wiese.
• Major signage updates for our Entry gate, the Orlando lookout and a new information sign and map on the main Container shelter wall.
• A new watering point for native animals and birds has been located at the rear of the Container shelter.

Finally, and best of all, four new members: Tracy Sinclair, Tina Woods, Lyn Knowles and Pam Cross.

Angus thanked all and looks forward to another fun and productive year at the Altona CSR landcare Reserve.

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Admin Duties (Committee members)</td>
<td>34</td>
</tr>
<tr>
<td>2</td>
<td>Meetings, Home &amp; Away</td>
<td>27</td>
</tr>
<tr>
<td>3</td>
<td>Promotions (Tours, Demos, etc.)</td>
<td>127</td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Weed &amp; Pest Control</td>
<td>599</td>
</tr>
<tr>
<td>6</td>
<td>Construction &amp; Maintenance (Equip't, fencing, trails, buildings etc.)</td>
<td>11</td>
</tr>
<tr>
<td>7</td>
<td>Equipment Design &amp; manufacture (Seed boxes, displays, jigs, tools etc.)</td>
<td>10</td>
</tr>
<tr>
<td>8</td>
<td>Monitoring</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>770</td>
</tr>
</tbody>
</table>

Moved by Elke Wiese, seconded by Tina Woods – Carried.
6 Treasurers Report – as presented by Joerg Wiese:
Williamstown, Lyndoch Landcare Group Inc Financial Statements July 2018 to June 2019:

Yearly Income & Expenditure

<table>
<thead>
<tr>
<th></th>
<th>JUN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance Brought Forward July 2018</td>
<td>2,956.90</td>
</tr>
<tr>
<td>Income</td>
<td>10,598.16</td>
</tr>
<tr>
<td>- Membership Subscriptions</td>
<td>105.00</td>
</tr>
<tr>
<td>- Donations</td>
<td>160.00</td>
</tr>
<tr>
<td>- Interest</td>
<td>23.06</td>
</tr>
<tr>
<td>- Council Contribution</td>
<td>10,000.00</td>
</tr>
<tr>
<td>- Open Day Income</td>
<td>310.10</td>
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<tr>
<td>Expenses</td>
<td>9,802.35</td>
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<tr>
<td>- Secretary Expenses</td>
<td>34.80</td>
</tr>
<tr>
<td>- Petty Cash (Tools, Fuel etc)</td>
<td>300.00</td>
</tr>
<tr>
<td>- Annual Dinner</td>
<td>257.00</td>
</tr>
<tr>
<td>- PO Box Rental</td>
<td>35.00</td>
</tr>
<tr>
<td>- Environmental Weed Control &amp; Revegetation (Amanda Pearce)</td>
<td>7,700.00</td>
</tr>
<tr>
<td>- Purchase of Spray Unit pump</td>
<td>155.00</td>
</tr>
<tr>
<td>- Signage</td>
<td>1,320.55</td>
</tr>
<tr>
<td>End Year Balance</td>
<td>3,752.71</td>
</tr>
</tbody>
</table>

Account Balances:

<table>
<thead>
<tr>
<th></th>
<th>JUN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>1,059.01</td>
</tr>
<tr>
<td>Credit Union Share</td>
<td>2.00</td>
</tr>
<tr>
<td>Project No.2 (Altona)</td>
<td>2,691.70</td>
</tr>
<tr>
<td>Total End Year Balance</td>
<td>3,752.71</td>
</tr>
</tbody>
</table>
• Don Wegener advised correction to report, $155 for Purchase of Spray Unit was only for the replacement pump not for the whole unit (report duly amended).

• Rod Baker asked if Amanda Pearce had provided a close out report for her weed control work. Response from Joerg was yes, and then a copy was circulated (which had previously presented at earlier General Meeting). Joerg also confirmed that all works under her contract had now been completed.

Amended Report to be accepted was moved by Angus Atkinson, seconded by Eric Walton – Carried.

7 Committee Positions:
Angus Atkinson declared all positions vacant.

<table>
<thead>
<tr>
<th>Position</th>
<th>Nominations</th>
<th>Persons elected for 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair</td>
<td>Angus Atkinson</td>
<td>Angus Atkinson</td>
</tr>
<tr>
<td>Vice Chair</td>
<td>Elke Wiese</td>
<td>Elke Wiese</td>
</tr>
<tr>
<td>Treasurer</td>
<td>Joerg Wiese</td>
<td>Joerg Wiese</td>
</tr>
<tr>
<td>Secretary</td>
<td>Tina Woods</td>
<td>Tina Woods</td>
</tr>
<tr>
<td>Assistant Secretary/Committee Member</td>
<td>Tracy Sinclair</td>
<td>Tracy Sinclair</td>
</tr>
<tr>
<td>Committee Members</td>
<td>Shirley Wegener</td>
<td>Shirley Wegener</td>
</tr>
<tr>
<td>Container Director</td>
<td>Don Wegener</td>
<td>Don Wegener</td>
</tr>
</tbody>
</table>

All nominations be accepted was moved by Angus Atkinson, seconded by Tracy Sinclair – Carried

8 Fees:
Joerg proposed that fees remain as is i.e. $10/single and $15/family.
Moved by Joerg Wiese, seconded by Tracy Sinclair – Carried.

9 Next Meeting – Wednesday 22 July 2020, 7.30pm Council Rooms, Lyndoch.

10 Meeting Closed 7.50pm.
## Meeting Minutes

### Purpose
General Meeting

### Prepared by
Tina Woods

### Phone No.
0421 616 444

### Location
Council Rooms,
29 Barossa Valley Way, Lyndoch,
SA 5351

### Date/Time
28 August 2019, 19.50 – 21.05

### Attendees
- Angus Atkinson (Chair)
- Tracy Sinclair
- Tina Woods
- Rod Baker
- Mick Kobryn
- Diana Dancer
- Elke Wiese
- Joerg Wiese
- Don Wegener
- Shirley Wegener
- Brian Green
- Noreen Walton
- Eric Walton
- Margaret Teskey
- Brian Teskey

### Distribution
All current & life members and Chris Kruger, Executive Assistant, Development and Environmental Services, The Barossa Council

### File
20190828_GeneralMeetingMinutes.docx

<table>
<thead>
<tr>
<th>Item</th>
<th>Action by</th>
<th>Date Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Meeting Opened</td>
<td>7.50pm (following the AGM)</td>
<td></td>
</tr>
<tr>
<td>2 Apologies</td>
<td>– Pam Cross, Carol Green and Di Baker.</td>
<td></td>
</tr>
<tr>
<td>3 Minutes of previous Meeting</td>
<td>held 27 July 2019 – Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Moved by Don Wegener, seconded by Rod Baker – Carried.</td>
<td></td>
</tr>
<tr>
<td>4 Business Arising last meeting:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Actions now closed:</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>ACTION:</strong> Stall at the Lyndoch Community Markets – Date to be finalised and logistics to be organised. Once date decided post to Facebook page. Target 10 August. Tracy to contact Market Organiser. Consider borrowing a gazebo for bad weather as area allocated will be outside.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Stall organised for Saturday 14 September. Insurance needs to be shown on day. Angus, Don, Tina and Tracy volunteered to host the stall.</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>ACTION:</strong> Request Barossa Bush Gardens to donate three (3) Hardenbergia to be planted in the Reserve.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Tracy Sinclair organised 2 x plants to be donated from the Barossa Bush Gardens, these have now been planted.</td>
<td></td>
</tr>
</tbody>
</table>
**ACTION:** Contact John Seymour to get an updated bird sighted list as he visits the Reserve every Wednesday to go bird watching.

**Update:** • Done. Response 13/08/2019: Overseas currently, will respond when back.

**ACTION:** Circulate information regarding Friends of Parks with meeting minutes for consideration/vote next meeting.

**Actions still open:**

**ACTION:** Follow up with Friends of Para Wirra Conservation Park for possible joint Working Bee. Tracy Sinclair and Angus Atkinson to visit Friends of Para Wirra Conservation Park.

**ACTION:** Seed Collection List- Brian Green to prepare a list of target plants for seed collection and the appropriate time of year for collection so this can be incorporated into the relevant working bees.

**ACTION:** Mistletoe – Mistletoe Action Plan completed and submitted to Council for approval Chris Kruger. Follow up approval.

**Update:** Draft Management Plan complete, sent to The Barossa Council. Chris Kruger has reviewed and sent Landholder approval. Approval for NVC submission sent to Karina Mercer 24/08/2019. 1 - 2 weeks.

**ACTION:** Seed Collection Sample Plan – Pam Payne (Barossa Bush gardens) is drafting a sampling plan for seed collection from the Reserve, which will require approval by The Barossa Council and the Williamstown & Lyndoch Landcare Group Inc. prior to collection.

**Update:** No feedback received.

**ACTION:** Advise Regina Warne (Student at UniSA (Roseworthy Campus)) the date of the Open day (15 September).

**Update:** • Will follow Poster approval

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Atkinson</td>
<td>26/Sept/19</td>
</tr>
<tr>
<td>B Green</td>
<td>21/Sept/19</td>
</tr>
<tr>
<td>Pam Payne</td>
<td>When ready</td>
</tr>
<tr>
<td>A Atkinson</td>
<td>30/08/19</td>
</tr>
</tbody>
</table>
New Actions from Business Arising this meeting:

**ACTION:** Inspect and repair if needed section of damaged fence as advised by Mr Cricelly (the middle fence).

**ACTION:** Complete CentreLink form to register to record volunteer hours

**ACTION:** Purchase $30 Mitre 10 voucher and send letter of thanks to Trevor Wilksca, local grape grower, assisted Rod in transporting the liner to site and with it’s installation

---

5 Correspondence:

**In:**
- 30/07 - Liz Ninnes. Grow Your Group workshop. Declined
- 9/08 Callie Cockshell TBC. Lyndoch meeting room license, draft sent. Only issue was insurance required. Pending response.
- 13/08 Chris Kruger TBC. Letter required for Mistletoe Project. Sent to NVC
- 14/08 Liz Ninnes. 2018/19 Volunteers data requested (hours, number)
- 23/08 Kim Thompson TBC. Response on Council resource for fox eradication.

**Out:**
- Nothing to report

6 Chair Report:
- Nothing to report further from AGM

7 Treasurers Report – as presented by Joerg Wiese:
Moved by Margaret Teskey, seconded by Diana Dancer – Carried.

- **Monthly Income & Expenditure** – for months since last General Meeting

<table>
<thead>
<tr>
<th></th>
<th>JUN</th>
<th>JUL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance Brought Forward</td>
<td>3,752.68</td>
<td>3,752.71</td>
</tr>
<tr>
<td>Income</td>
<td>0.03</td>
<td>10,000.57</td>
</tr>
<tr>
<td>Expenses</td>
<td>nil</td>
<td>nil</td>
</tr>
<tr>
<td><strong>End Month Balance</strong></td>
<td><strong>3,752.71</strong></td>
<td><strong>13,753.28</strong></td>
</tr>
</tbody>
</table>
Meeting Minutes

- **Account Balances** – for months since last General Meeting

<table>
<thead>
<tr>
<th></th>
<th>JUN</th>
<th>JUL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>1,059.01</td>
<td>1,059.58</td>
</tr>
<tr>
<td>Credit Union Share</td>
<td>2.00</td>
<td>2.00</td>
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<tr>
<td>Project No.2 (Altona)</td>
<td>2,691.70</td>
<td>12,691.70</td>
</tr>
<tr>
<td><strong>Total End Month Balance</strong></td>
<td><strong>3,752.71</strong></td>
<td><strong>13,753.28</strong></td>
</tr>
</tbody>
</table>

- Motion to provide Don Wegener with $150 petty cash for the purchase of 4 ltr paint, fuel for the ute and sausages, bread etc for the Open Day.
  Moved by Tina Woods, seconded by Rod Baker – Carried.

- **Weed Control for FY20** - Joerg put forward a motion to negotiate a contract with Amanda Pearce to continue weed control to the value of $8,000.
  Moved by Joerg Wiese, seconded by Tina Woods – Carried.

8 **Publicity:**
- Not discussed

9 **General Business:**
- **Open Day** – Sunday 15 September 2019, 11am – 3pm
  - Decided to keep low key this year
  - Poster - Angus to finalise the information poster using different photos than last year. Once finished will be posted to Facebook, displayed at Library, Council etc
  - Information display -Angus/Rod
  - Sausage Sizzle – Rod/Don to cook, Tracy/Tina to bring Onions, Elke to bring supplies from last year. Agreed to continue to charge $2/sausage
  - Coffee & Cakes – Elke (Rod to bring water) Agreed to charge $3 for coffee and cake
  - Toilet – agreed needed – Angus to organise
  - All Volunteers to arrive on the day by 9.30am
Meeting Minutes

- **Ute** – Mick undertaken a full service for the ute, will be available for use 29/08. When pause for Summer break Mike will undertake further maintenance.

- **Container** – Don was thanked for his work in painting the Container.

- **Display Board in Carpark** - Don advised that this was needing to be painted and Angus to look at updating the posters on display.

- **Directional Signage** - Proposal from Rod Baker. Walking track markers require a refresh and location reviews. Will require funding for new posts and arrows (minor). Estimate of cost will be presented at next meeting.

- **Pond by container** - Rod Baker advised that the construction of the pond by the Container is almost complete. The new pond liner was kindly donated by Don Helbig, a local grape grower and native plant enthusiast, (Rod provided him a couple of bottles of wine as appreciation). Trevor Wilksca, local grape grower, assisted Rod in transporting the liner to site and with it’s installation. Rod put forward a motion to give a $30 Mitre 10 gift card to Trevor for his contribution to the pond’s construction. Moved by Rod Baker, seconded by Tracy Sinclair – Carried.

- **Jack Haywood** - Don Wegener advised the group of the sad passing of a life member Jack Haywood.

- **Centrelink** – Tracy proposed that Landcare register with Centre Link to record Volunteer hours (box would be ticked that we don’t want Centrelink to refer volunteers to us) Jorge raised concern re Insurance. Moved by Tracy Sinclair, seconded by Rod Baker – Carried.

- **Damaged Fencing** – Brian Green advised that Mr Cricelly had visited him to report that where an stretch of fence dividing his property and the Reserve had been damaged by Kangaroos, his goats are gaining access to the Reserve.

10 **Next Meeting** – Wednesday 25 September 2019, 7.30pm Council Rooms, Lyndoch.

11 **Meeting Closed** 9.10pm.
4.5.2 CONSENSUS AGENDA – ENVIRONMENTAL SERVICES REPORT

4.5.2.2 GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY
B9072, 19/49765
Minutes and Key Outcomes Summary of the Gawler River Floodplain Management Authority meeting held on 15 August 2019, are attached for information.

RECOMMENDATION:
That Report 4.5.2.2 be received and noted.
MEETING MINUTES

Committee: Gawler River Floodplain Management Authority
Held On: Thursday 15 August 2019 at 9.45 am
Location: Town of Gawler, Gawler

WELCOME

Mr Ian Baldwin formally welcomed Board Members, Deputy Board Members, Observers and the Executive Officer and opened the 113th meeting of the Board.

PRESENT

Mr Ian Baldwin, Independent Board Member, Chair
Mr James Miller, Adelaide Plains Council, Board Member
Cr Terry-Anne Keen, Adelaide Plains Council, Board Member
Cr Pauline Gill, Adelaide Hills Council, Deputy Board Member
Mr Marc Salver, Adelaide Hills Council, Board Member
Mr Gary Mavrinac, The Barossa Council, Board Member
Mr Sam Dilena, Town of Gawler, Board Member
Cr Paul Koch, Town of Gawler, Board Member
Cr William Close, Light Regional Council, Board Member
Mr Greg Pattinson, City of Playford, Deputy Board Member
Mr David Hitchcock, Executive Officer

GRB 19/45 Observers

Moved: Mr. J Miller Seconded: Cr. T Keen

That Cr. John Lush, Adelaide Plains Council, be appointed as Observer.

CARIED

APOLOGIES

Mr Andrew Philpott, Light Regional Council, Deputy Board Member
Cr Malcolm Herrmann, Adelaide Hills Council, Board Member
Mayor Bim Lange, Barossa Council, Board member
Cr Stephen Coppins, City of Playford, Board Member
Mr. Ben DeGilio Town of Gawler, Deputy Board Member

GRB 19/46 Minutes of the 13/06/19 GRFMA meeting

Moved: Cr. T Keen Seconded: Cr. M Herrmann

That the Minutes of the Gawler River Floodplain Management Authority Board meeting held 13/06/19 be confirmed as a true and accurate record of that meeting.
GRB 19/47 Minutes of the 13/06/19 GRFMA Confidential meeting

Moved: Mr. J Miller  Seconded: Cr. T Keen

That the Minutes of the Gawler River Floodplain Management Authority Board confidential meeting held 13/06/19 be confirmed as a true and accurate record of that meeting.

CARRIED

GRB 19/48 Minutes of the 9/8/19 GRFMA Audit Committee Meeting

Moved: Mr. S Dilena  Seconded: Cr. W Close

That the Minutes of the 9/8/19 GRFMA Audit Committee Meeting be confirmed as a true and accurate record of that meeting.

CARRIED

GRB 19/49 Bruce Eastick North Para Flood Mitigation Dam Risks

Moved: Cr. P Koch  Seconded: Mr. J Miller

That the Executive Officer be requested to investigate the matter of liability and risks in relation to the Authority and Board Members should the Bruce Eastick North Para Flood Mitigation Dam breach or fail.

CARRIED

GRB 19/50 Audited Financial Statements for the year 2018 – 2019

Moved: Mr. M Salver  Seconded: Mr. G Pattinson

That the audited Financial Statements for the year 2018 – 2019 be adopted for the purposes of Part 4 Financial Statements of the Local Government (Financial Management) Regulations 2011 and the ‘Certification of Financial Statements’ be signed by the Executive Officer and Board Chair.

CARRIED

GRB 19/51 Schedule of Constituent Council’s Interest in Net Assets 30 June 2019

Moved: Cr. P Gill  Seconded: Cr. W Close

That the Schedule of Constituent Council’s Interest in Net Assets as at the 30 June 2019 be adopted in accordance with Clause 15.5 of the Charter.

CARRIED

For clarification to the document the wording Northern Adelaide Barossa Catchment Water Management Board was amended to - the former Northern Adelaide Barossa Catchment Water Management Board.
GRB 19/52 Annual Report 2018-19

Moved Mr. J Miller  Seconded: Mr. M Salver

That the Annual Report 2018 – 2019 of the Gawler River Floodplain Management Authority, as amended be adopted,

CARRIED

Amendments.

- Page 3. Rewording of information on the Northern Floodway Project to indicate the GRFMA position that capital cost to be met by Federal and State Government.
- Page 4. Add in Mr. M Hemmerling
- Page 8. Further definition required to reflect only the first stage of the Charter Review is expected to be completed by December 2019 with the governance and financial contributions review to then be initiated.
- Clarify the position of the Chairman as Independent Member and Chairperson.
- Clarify no six monthly fact sheets required as there have not been any Dam construction processes.

GRB 19/53 Review of the Confidential Items Register

Moved Mr. M Salver  Seconded: Cr. T Keen

That the GRFMA:

1. Receives the report; and
2. Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA orders that the following aspects of item 10.1 Lower level outlet pipe and stilling basin repairs Bruce Eastick North Para Flood Mitigation Dam remain confidential in accordance with the GRFMA Boards reasons to deal with this item in confidence pursuant to section 90(3) (d) of the Local Government Act 1999:
   - Report for Item 10.1.
   - Attachments for item 10.1.

This order shall operate until reviewed and determined as part of the 2020 annual review by the Authority in accordance with Section 91(9)(a) of the Local Government Act 1999.

CARRIED

GRB 19/54 Northern Floodway Project Advocacy

Moved Mr. J Miller  Seconded: Mr. J Pattinson

That the GRFMA:

1. Endorse implementation of the Northern Floodway Project Advocacy Framework and Action Plan as amended.
2. Support the preparation of an application to the Stormwater Management Authority being developed in consultation with the Advocacy Working Group and any other relevant support agencies and a draft application be brought back to a future meeting of the Authority for consideration.
3. In consideration of item 2, the Executive Officer be instructed to liaise with the RDA Barossa Light Gawler Adelaide Plains seeking its advocacy and support to facilitate the preparation of an application.

4. Allocate $10,000 from existing budgets, to undertake the necessary advocacy by the Chairperson and Executive Officer for the Northern Floodway Project, including travel expenses to Canberra if required.

CARRIED

The meeting adjourned at 11 am for a short break.

The meeting reconvened at 11.18 am.

**GRB 19/55 GRFMA Charter Review**

Moved Mr. S Dilena  
Seconded: Cr. T Keen

That the GRFMA:

1. Note and endorse the GRFMA draft Charter Review responses from Adelaide Plains, Adelaide Hills, The Barossa, Town of Gawler and City of Playford councils;

2. Endorse addition of a new clause 4.3.1.3 to reflect the provision that a Deputy Member in attendance at a meeting, where the designated Board Member is also present, may speak without entitlement to vote.

3. Request the Executive Officer;
   a) Subject to receipt of response from Light Regional Council, to facilitate appropriate amendment and legal review of the final draft GRFMA Charter Review document;
   b) Then provide a copy of the final GRFMA Charter Review document, as amended, to GRFMA Board Members for information and approval; and subsequently
   c) Following majority support indication from Board Members, provide a copy of the final new GRFMA Charter Review Document to constituent councils to accept and adopt as per clause 18.2 of the GRFMA Charter.

CARRIED

**GRB 19/56 Bruce Eastick North Para Flood Mitigation Dam - Dambreak and Consequence Assessment Report**

Moved Mr. S Dilena  
Seconded: Cr. P Koch

That the GRFMA Bruce Eastick North Para Flood Mitigation Dam - Dambreak and Consequence Assessment Report be taken from the table.

CARRIED
GRB 19/57 Bruce Eastick North Para Flood Mitigation Dam - Dambreak and Consequence Assessment Report

Moved Mr. S Dilena  Seconded: Cr. T Keen

That the Executive Officer be requested to provide a report at the October 2019 meeting, outlining actions and next steps that the Board might consider in responding to the GRFMA Bruce Eastick North Para Flood Mitigation Dam - Dambreak and Consequence Assessment Report.

CARRIED

GRB 19/58 Gawler East Link Road

Moved Mr. G Pattinson  Seconded: Cr. W Close

That the report be noted, and a verbal update be received from the Town of Gawler representative.

CARRIED

GRB 19/59 Membership Floodplain Management Australia

Moved Cr. T Keen  Seconded: Mr. M Salver

That the GRFMA apply for Associate Membership to Floodplain Management Australia and attendance at annual conferences be considered at a future time.

CARRIED

Mr. M Salver departed the meeting at 12.03pm

GRB 19/60 Storm Water Management Authority Submission

Moved Mr. G Mavrinac  Seconded: Cr. P Koch

That the GRFMA endorse the submission to the Stormwater Management Authority priorities 2020-2025.

CARRIED

GRB 19/61 Financial report

Moved Mr. G Mavrinac  Seconded: Mr. G Pattinson

That the GRFMA receive the financial report as at 31 July 2019 showing a balance of total funds available $117,676.73.

CARRIED
GRFMA Meeting Minutes 15/08/19

GRB 19/62 Safe Deposit envelope signature

Moved Cr. T Keen    Seconded: Cr. P Gill

That the Executive Officer, Mr. David Hitchcock be authorised as signatory to the safe deposit envelope facility at Bank SA, Norwood Branch.

CARRIED

GRB 19/63 GRFMA records

Moved Mr. G Mavrinac    Seconded: Cr. P Gill

That the Executive Officer be requested to seek quotations for scanning of GRFMA records currently held at the Barossa Council

CARRIED

Mr. Hitchcock vacated the meeting at 12.12 pm.

GRB 19/64 Executive Officer Performance Review

Moved Mr. G Pattinson    Seconded: Mr. G Mavrinac

That:

1. A Review Panel comprising the Chairman, G. Pattinson and G. Mavrinac be requested to undertake a review of the Executive Officer’s performance from commencement to current date, and

2. The Chairman prepare a confidential report to the October 2019 Board meeting on the outcome of the Executive Officer’s review and options for continuing engagement, including the potential for administrative support for the position.

CARRIED

Mr. Hitchcock returned to the meeting at 12.26 pm.

Closure of meeting

The Chairperson thanked the Town of Gawler for its hospitality as host. The next Ordinary Board Meeting will be held 9.45 am, Thursday 17 October 2019 at the Adelaide Plains Council.

Meeting closed 12.27 pm

Confirmed Chairperson ..................................................
Gawler River Floodplain Management Authority

Adelaide Hills Council, Adelaide Plains Council, The Barossa Council,
Town of Gawler, Light Regional Council, City of Playford

KEY OUTCOMES SUMMARY

GRFMA Board Meeting 15/8/19

9/8/19 Audit Committee Meeting
The 9/8/19 Audit Committee Meeting minutes were received and following discussion the Board resolved that the Executive Officer be requested to investigate the matter of liability and risks in relation to the Authority and Board Members should the Bruce Eastick North Para Flood Mitigation Dam breach or fail.

Financial Statements for the year 2018 – 2019
The Authority adopted the audited Financial Statements for the year 2018 – 2019 for the purposes of Part 4 Financial Statements of the Local Government (Financial Management) Regulations 2011 and resolved the ‘Certification of Financial Statements’ be signed by the Executive Officer and Board Chair.

Schedule of Constituent Council’s Interest in Net Assets
The Schedule of Constituent Council’s Interest in Net Assets as at the 30 June 2019 was adopted in accordance with Clause 15.5 of the Charter.

Annual Report 2018 – 2019

Northern Floodway Project Advocacy
The meeting noted the good work of the Northern Floodway Project Advocacy Group and resolved to:

• Endorse implementation of the Northern Floodway Project Advocacy Framework and Action Plan as amended.
• Support the preparation of an application to the Stormwater Management Authority being developed in consultation with the Advocacy Working Group and any other relevant support agencies and requested a draft application be brought back to a future meeting of the Authority for consideration.
• Instruct the Executive Officer to liaise with the RDA Barossa Light Gawler Adelaide Plains seeking its advocacy and support to facilitate the preparation of an application.
• Allocate $10,000 from existing budgets, to undertake the necessary advocacy by the Chairperson and Executive Officer for the Northern Floodway Project, including travel expenses to Canberra if required.

GRFMA Charter
The Board endorsed the GRFMA draft Charter Review responses as received from constituent councils, noting the response from Light Regional Council is pending.

A new additional clause 4.3.1.3 was agreed so as to reflect the provision that a Deputy Member in attendance at a meeting, where the designated Board Member is also present, may speak without entitlement to vote.
It was agreed subject to receipt of response from Light Regional Council, to facilitate appropriate amendment and legal review of the final draft GRFMA Charter Review document and to then seek acceptance and adoption of the document by all constituent councils as per clause 18.2 of the GRFMA Charter.

Bruce Eastick North Para Flood Mitigation Dam - Dambreak and Consequence Assessment Report.

That Executive Officer was requested to provide a report at the October 2019 meeting, outlining actions and next steps that the Board might consider in responding to the GRFMA Bruce Eastick North Para Flood Mitigation Dam - Dambreak and Consequence Assessment Report.

Other items

- The GRFMA will apply for Associate Membership to Floodplain Management Australia.
- The submission to the Stormwater Management Authority priorities 2020-2025 was endorsed.
- A Review Panel was established to undertake a periodic review of the Executive Officer’s performance from commencement to current date.

Financial Report

The Board adopted the financial report as at 31 July 2019 showing a balance of total funds available $117,676.73.

Next GRFMA Ordinary Meeting

The next Ordinary Board Meeting will be held 9.45 am, Thursday 17 October 2019 at the Adelaide Plains Council.
4.5.2 CONSENSUS AGENDA – ENVIRONMENTAL SERVICES REPORT

4.5.2.3 GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY ANNUAL REPORT 2018-2019
B9072, 19/49939
The above mentioned Annual Report is attached for information. The Report has been prepared and circulated to Constituent Councils in accordance with Clause 16.1 of the Authority’s Charter.

RECOMMENDATION:
That report items 4.5.2.3 be received.
Dear Martin,


A copy of the certified 2018-2019 Financial Statements are also included within the report from page 14.

Should any matter require clarification please contact me on 0407717368.

Yours Sincerely

[Signature]

David Hitchcock
Executive Officer

ANNUAL REPORT

2018-2019

Gawler River Floodplain Management Authority

Constituent Councils:
Adelaide Hills Council      Town of Gawler
Adelaide Plains Council    Light Regional Council
The Barossa Council        City of Playford
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Chairman’s Foreword

The Gawler River Floodplain Management Authority is unique in its structure and role in floodplain management in Australia. Representing six councils (i.e., Adelaide Hills, Adelaide Plains, Barossa, Gawler, Light and Playford), the Authority established in 2005 as a Regional Subsidiary pursuant to Section 43 of the Local Government Act, 1999 was primarily purposed with responsibility for flood mitigation protection within the Gawler River catchment.

During 2019 the Authority met on nine occasions (i.e., six Ordinary and three Special meetings) progressing activities outlined within its Business Plan 2018 – 2021 and attending to other matters received by the Board for consideration and appropriate action.

The following provides a brief outline of important actions pursued by the Authority during the report period:

Northern Floodway Project and Associated Public Relations Strategy
The Authority has pursued endeavors to obtain State and Federal government funding for the project having an estimated $27 million cost, on the basis of securing commitment from Federal and State Governments to fund in totality all capital costs, including the further design and development cost associated with the project.

An application submitted to the Federal government seeking $2 million from the Building Better Regions Infrastructure Scheme to undertake the first stage of the project incorporating ground-truthing investigations, preliminary design and documentation, further impacted landowner consultation, environmental and heritage surveys was unsuccessful.

With recent changes to State and Federal Government representation following respective election outcomes, it has been necessary to review strategies to engage with and seek political support for project funding. The Authority has initiated work in developing such advocacy strategies which hopefully will soon prove successful.

A recent alternative approach seeking matched contributions from State and Federal Government for $1.8 million (i.e., $900,000 each) has been supported by Minister David Spiers MP, and Senator Simon Birmingham in his letter to governmental colleague Minister David Littleproud MP.

Charter and Governance Review
A periodic review of the Authority’s Charter and associated governance review was initiated with a Working Group formed to progress in two stages, initially to pursue a short review of the Charter to identify any immediate amendments necessary for continuing operation and immediately following, undertake a further process to scope and consider other contemporary governance arrangements to be undertaken.

The Charter Review has progressed with proposed amendments supported by the Board, referred for legal review and circulated to the constituent councils for support pending adoption and subsequent Gazettal.

The Authority acknowledges the Working Group representation provided by each of the constituent councils and in particular, assistance provided by the Playford Council with legal service review.

Policy Review
A review of the following Authority operating policies was undertaken and subsequently reindorsed:
- Internal Review Decisions
- Procurement and Operations
- Dam Valuation and Treasury Management, and
- Public Consultation
Gawler River Unharmed Mitigation Project (GRUMP)

The Authority has agreed to enter into partnership with Bushfire and Natural Hazards CRC and the University of Adelaide to further develop an existing decision support tool (UNHaRMED) to explore how to manage flood risk into the future applying an integrated and dynamic approach. The project will consider specific pilot studies and develop a methodology for integrated flood mitigation planning by this Authority. The model once developed will also be available to other councils and floodplain managers responsible for flood-associated social, environmental and economic risk modelling and subsequent management.

The project has been supported by $98,980 in funding the National Disaster Resilience Program. A joint University of Adelaide, Government and GRFMA constituent council representative Project Steering Group has been formed to progress the project which is due to be completed in March 2020.

Reforming Natural Resource Management in South Australia

Submission was forwarded to the Hon David Spiers MP, Minister for Environment and Water regarding the State Governments proposal to establish new SA Landscapes Boards. The Authority is seeking clarification on the placement of constituent councils in the proposed regional reform and assurance that strategic flood management objectives and relevant landscape levy funding mechanisms are maintained.

Dam Break and Consequence Assessment Report

Hydrology and Risk Consulting Pty Ltd was engaged to undertake a risk assessment of the Bruce Eastick North Para Flood Mitigation Dam. The report has been received and is currently undergoing review by Board members prior to initiating any actions resulting from the recommendations contained therein.

Dam Deflection Survey

Recommendations contained within a survey report prepared by John Basted & Associates were received and identified for implementation.

Work required for the replacement of a Deep Bench Mark adjacent the dam structure was deferred for consideration within the 20/21 Budget.

Other Dam Maintenance Works Undertaken

The following works were undertaken within budgetary allocations:
- Dewatering of stilling pond and inspection of low-level outlet to remove flow restrictions
- Reinstatement of the down-stream access track (acknowledging services provided by Light Regional Council)
- Earthworks to downstream right abutment scouring

New and Outgoing Board Members

Following the outcome of the Local Government elections held in November 2018 the following constituent council elected member representations were appointed:
- Cr Stephen Coppins (Playford)
- Cr Terry-Anne Keen (Adelaide Plains)
- Cr Paul Koch (Gawler)
- Mayor Bim Lange (Barossa)

Outgoing members were acknowledged for services provided to the Board:
- Cr Denis Davey (Playford)
- Cr Mel Lawrence (Adelaide Plains)
- Cr Adrian Shackley (Gawler)
- Mayor Bob Sloane (Barossa)
- Mr. Mal Hemmerling (Playford)
The Authority maintains a short-term priority for the delivery of the Northern Floodway Project to provide increased flood protection for the lower reaches of the Gawler River.

Ultimately, resources will be aligned in providing 1:100 Average Recurrence Interval flood protection to the Gawler River catchment.

Ian J. Baldwin  
Chairman and Independent Member  
Gawler River Floodplain Management Authority
Gawler River Floodplain Management Authority (GRFMA)

The Gawler River
The Gawler River is formed by the confluence of the North Para and South Para in the town of Gawler and is located in the Adelaide Plains district of South Australia. The district surrounding the river produces cereal crops and sheep for both meat and wool, as well as market gardens, almond orchards and vineyards. The farm gate output of the Gawler River Floodplain horticultural areas is estimated to be at least $225 million.

Purpose of the GRFMA
The Gawler River Floodplain Management Authority (GRFMA) was formed as a Regional Subsidiary under Section 43 and Schedule 2 of the Local Government Act 1999 on 22 August 2002. The Constituent Councils are the Adelaide Hills Council, The Adelaide Plains Council, The Barossa Council, The Town of Gawler, Light Regional Council, and the City of Playford.

The Charter provides for one independent person, who is not an officer, employee or elected member of a Constituent Council, to be appointed as the Chairperson of the Board of Management of the GRFMA for a term of two years.

The Charter sets down the powers, functions, safeguards, accountabilities and an operational framework and the Business Plan sets down the operational plan and financial plan to achieve agreed objectives.
The Authority has been established for the following purposes:

- to co-ordinate the construction, operation and maintenance of flood mitigation infrastructure for the Gawler River. This purpose is the core business of the Authority;
- to raise finance for the purpose of developing, managing and operating and maintaining works approved by the Board;
- to provide a forum for the discussion and consideration of topics relating to the Constituent Council’s obligations and responsibilities in relation to management of flood mitigation for the Gawler River;
- upon application of one or more Constituent Councils pursuant to clause 12.4:
  - to coordinate the construction, maintenance and promotion and enhancement of the Gawler River and areas adjacent to the Gawler River as recreational open space for the adjacent communities; and
  - to enter into agreements with one or more of the Constituent Councils for the purpose of managing and developing the Gawler River.

**The Board**

The Members of the Board are:

<table>
<thead>
<tr>
<th>Council</th>
<th>Board Members</th>
<th>Deputy Board Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chairperson and Independent Member</td>
<td>Mr. Ian Baldwin</td>
<td></td>
</tr>
<tr>
<td>Adelaide Hills Council</td>
<td>Cr Malcolm Herrmann</td>
<td>Cr Pauline Gill</td>
</tr>
<tr>
<td></td>
<td>Mr. Marc Salver</td>
<td></td>
</tr>
<tr>
<td>Adelaide Plains Council</td>
<td>Cr Terry-Anne Keen</td>
<td>Cr John Lush</td>
</tr>
<tr>
<td></td>
<td>Mr. James Miller</td>
<td>Mr Robert Veitch</td>
</tr>
<tr>
<td>The Barossa Council</td>
<td>Mayor Bim Lange</td>
<td>Cr Russell Johnstone</td>
</tr>
<tr>
<td></td>
<td>Mr. Gary Mavrinac</td>
<td></td>
</tr>
<tr>
<td>Town of Gawler</td>
<td>Cr Paul Koch</td>
<td>Cr Kelvin Goldstone</td>
</tr>
<tr>
<td></td>
<td>Mr. Sam Dilena</td>
<td>Mr. Ben DeGilio</td>
</tr>
<tr>
<td>Light Regional Council</td>
<td>Cr William Close</td>
<td>Mr. Andrew Philpott</td>
</tr>
<tr>
<td></td>
<td>Mr. Brian Carr</td>
<td></td>
</tr>
<tr>
<td>City of Playford</td>
<td>Cr Stephen Coppins</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mr. Greg Pattinson</td>
<td></td>
</tr>
</tbody>
</table>

Meetings of the Board are held at such time and such place as the Board decides subject only to the requirement that there will be at least one meeting in every two calendar months. A special meeting of the Board may be held at any time and may be called at the request of the Chairperson or at the written request of six members of the Board representing all of the Constituent Councils.

Ordinary meetings of the Board are generally held bi-monthly on the third Thursday of the even months commencing at 9.45 am: excepting December which is held on the second Thursday,

Meetings are hosted by the Constituent Councils on a rotational roster with six Board meetings and three Special Meetings were held during the year as follows:
- Thursday 5 July 2018 Gawler (Special Meeting)
- Thursday 16 August 2018 Gawler
- Thursday 18 October 2018 Mallala (Adelaide Plains)
- Monday 12 November 2018 Gawler (Special Meeting)
- Thursday 13 December 2018 Playford
- Thursday 7 February 2019 Kapunda (Light)
- Thursday 21 March 2019 Playford (Special meeting)
- Thursday 18 April 2019 Gumeracha (Adelaide Hills)
- Thursday 17 May 2018 Playford (Special Meeting)
- Thursday 13 June 2019 Barossa

Technical Assessment Panel
A Technical Assessment Panel has been appointed to support the decision-making processes of the Board with delegated powers to provide advice and manage the technical aspects of the design, assessment and construction of the various parts of the Scheme.

The Members of the Panel are:
- Mr Ian Baldwin, Independent Chair
- Ms Ingrid Franssen, Manager Flood Management, DEWNR
- Dr Moji Kan, Principal Engineer Dams, SA Water
- Mr Matt Elding, Barossa Council
- Mr Braden Austin, Playford Council
- Mr David Hitchcock Executive Officer
- Mr Dino Musolino, Observer, Lower Gawler River representative

No meetings of the Panel were held during the year, however email out of session consideration was undertaken to consider the Bruce Eastick Dam Break Consequence Report.

Audit Committee
An Audit Committee has been appointed to review:
- the annual financial statements to ensure that they present fairly the state of affairs of the Board, and
- the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the Board on a regular basis.

The Committee held four meetings during the year:
- 13 August 2018
- 10 December 2018
- 15 March 2019
- 3 June 2019

The members of the Committee are:
- Mr Peter Brass, Independent Member
- Mr Greg Pattinson, City of Playford
- Cr Malcolm Herrmann, Adelaide Hills Council

Charter and Governance Review Working Group
A periodic review of the Authority’s Charter and associated governance review was initiated with a Working Group formed to progress in two stages, initially to pursue a short review of the Charter to identify any immediate amendments necessary for continuing operation and immediately following, undertake a further process to scope and consider other contemporary governance arrangements to be undertaken.

The first stage of the Charter Review is expected to be completed by December 2019 with the governance and financial contributions review to be then initiated.
**GRFMA Policies**

The following Policies have been adopted to provide management guidelines for the day-to-day business of the GRFMA:

- Procurement and Operations Policy
- Grant Policy
- Internal Review of Decisions Policy
- Public Consultation Policy
- Access to Meetings and Documents Policy
- Dam Valuation Policy
- Treasury Management Policy

The purpose of policies is to provide prudent management guidelines for the day-to-day management of the affairs of the Authority.

All meetings of the GRFMA and its committees are open to the public, with the exception of those matters to be considered under Section 90 of the Local Government Act 1999.

No Freedom of Information requests were received during the year.

<table>
<thead>
<tr>
<th>Forum</th>
<th>Total Resolutions for the year</th>
<th>Resolutions to exclude the Public - Sec 90(3)</th>
<th>Purpose</th>
<th>Order for docs to remain confidential - Sec 91(7)</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board</td>
<td>99</td>
<td>7</td>
<td>Possible commercial advantage of a person</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Technical Assessment Panel</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Audit Committee</td>
<td>18</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Mr David Hitchcock has been engaged to provide Executive Officer services under a services agreement until 31 December 2019. Mr Hitchcock has extensive experience in the administration of Councils and regional subsidiaries under the Local Government Act 1999.

The GRFMA has no employees and all services are engaged on a contract basis.
Evaluation of Performance against the Business Plan

Part A: Funding

<table>
<thead>
<tr>
<th>Performance Targets:</th>
<th>Timings:</th>
<th>To be measured By:</th>
<th>Actual Achievements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secure Additional Project Funding</td>
<td>June 2016</td>
<td>All Councils, stakeholders and Governments agree to contribute to the project in accordance with the Plan</td>
<td>✔  Scheme total funding achieved to date $21,913,859 and which includes grants of $17,016,420</td>
</tr>
<tr>
<td>Grant Claims</td>
<td>At all times</td>
<td>Lodge claims monthly for the payment of Commonwealth and State Government Grants.</td>
<td>✔  Claims lodged at the end of the month</td>
</tr>
<tr>
<td>Maintain positive Cash Flow</td>
<td>At all times</td>
<td>Positive bank account balances at all times.</td>
<td>✔  Positive cash flow maintained</td>
</tr>
</tbody>
</table>

Part B: Proposed Flood Mitigation Scheme Works

South Para Works

The South Para Reservoir is under the control and management of SA Water Corporation who have agreed to undertake the required modifications to the South Para Reservoir to provide the required level of flood mitigation capacity as a cost to the Scheme.

Dam safety review and design proposal to modify the dam wall and spillway completed September 2005

Detailed hydrology study of the catchment using the very latest methodologies let to Department of Transport, Energy and Infrastructure completed March 2007.

<table>
<thead>
<tr>
<th>Performance Targets:</th>
<th>Timings:</th>
<th>To be measured By:</th>
<th>Actual Achievements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detailed design of works</td>
<td>December 2010</td>
<td>Completion of detailed design and tender documents</td>
<td>✔  July 2011 Final approvals granted</td>
</tr>
<tr>
<td>Construction of the works</td>
<td>June 2012</td>
<td>Completion of construction</td>
<td>✔  Practical completion achieved June 2012</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>One</strong></td>
<td>What will the Mark Two Scheme Include? (Note these steps may occur concurrently and not necessarily in the following order)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| **Two** | Reconfirm with the Constituent Councils that a 1 in 100-year level of protection is the protection standard that is to be pursued in the development of the Gawler River Flood Mitigation Scheme - Mark Two Strategy. N.B. The protection standard does not guarantee full protection for all flood events. **The Findings Report 2016 advises the 1 in 100 ARI event is considered to be the minimum desirable level of flood protection for new development as well as for much of the existing floodplain development.**  
- Determine if a second dam on the North Para River or modification to the Bruce Eastick North Para Flood Mitigation Dam is an option. The GRFMA Board has recently accepted a tender for a Findings Report to undertake an assessment to determine if a second dam is required and feasible. **The Findings Report 2016 advises enlarging the existing Bruce Eastick North Para Flood Mitigation Dam on the North Para offers the greatest level of protection with least impacts and is rated as the most favoured structural mitigation option. This option deferred pending completion of the Northern Floodway Project proposal. Noting feasibility of raising the height of the Bruce Eastick Dam is still a strategic consideration;** |
| **Three** | The Gawler River Floodplain Mapping Model should be maintained as the reference tool to demonstrate the level of flood protection and validity of design of land proposed for development as part of the approval process. To achieve this, the model should be upgraded to include recent works such as the Northern Expressway works and the additional floodplain mapping completed as part of the Light River Templers Creek Salt Creek Mapping Study by the Adelaide Plains Council. **Completed.** |
| **Four** | To further develop the preliminary assessment of possible local area levees prepared in the 2008 Gawler River Floodplain Mapping Study at Gawler, Angle Vale and Two Wells and develop a levee strategy for Virginia to a robust design standard with a staging plan. Undertake a cost benefit study for each stage of the plan. **Currently being considered in association with the Northern Floodway Project proposal.** |
| **Five** | Establish a protocol with the Floodplain Councils that where development of land in areas identified as ‘at risk of flooding’ is planned to proceed by the implementation of a local area levee that mapping of the proposed levees on the Gawler River Floodplain Mapping Study Model will be required. **It is anticipated the Gawler River Unharmed Mitigation Project, currently underway, will contribute to understanding of this issue and relevant strategies.** |
| **Six** | Maintain a working relationship with the Australian Rail Track Corporation to ensure that any changes to Railtrack infrastructure of culverts and rail heights are mapped on the Gawler River Floodplain Mapping Study Model to identify any changes to flooding impacts. **Ongoing** |
| **Seven** | Develop a funding strategy for flood protection that is delivered by local area levees on the questions of who should own and maintain the levees and whether local area levees are regional works that the GRFMA should fund or are they local works that are the responsibility of the local Council. **Currently being considered in association with the Northern Floodway Project proposal.** |
| **Eight** | Investigate opportunities for funding partners and grants to undertake the necessary assessments and designs. **Ongoing.** |
| **Nine** | The Scheme will also seek to clarify, through the Local Government Association, the policy and legal framework around maintenance of rivers and creeks where those rivers and creeks are part of the regional flood management plan. Under current legislation a landowner is responsible for the condition of a creek or waterway on private land. **Currently under review by Department Environment and Water. GRFMA submission provided.** |
### Part B: Maintenance of the Scheme

<table>
<thead>
<tr>
<th>Performance Targets:</th>
<th>Timings:</th>
<th>To be measured By:</th>
<th>Actual Achievements</th>
</tr>
</thead>
</table>
| Six monthly inspection | June and December | Completion of Inspection Report | ✓ Comprehensive Dam inspection (Newman Engineering) carried out Jan 2018  
✓ Dam Break Consequence study due for completion June 2019.  
✓ Road Access Repairs completed February 2019.  
✓ Dam Survey Monument (5 year) Survey completed April 2019.  
✓ Lower Level Outlet Pipe and stilling basin dewatered and inspections undertaken March 2019. |

### Part C: Operation of the Regional Subsidiary

<table>
<thead>
<tr>
<th>Performance Targets:</th>
<th>Timings:</th>
<th>To be measured By:</th>
<th>Actual Achievements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reports to Stakeholders</td>
<td>Twice yearly</td>
<td>The publication and distribution of a Fact Sheet to all stakeholders and affected landowners.</td>
<td>✓ Newsletters were forwarded to all stakeholders following completion of Findings Report. Now not required due to no Dam construction work being undertaken.</td>
</tr>
<tr>
<td>Bi-Monthly</td>
<td>Key Outcomes Summary to be published following each Board Meeting to include a summary of the progress of the development of the Scheme.</td>
<td>✓ Key Outcomes Summary prepared following GRFMA meetings</td>
<td></td>
</tr>
</tbody>
</table>
| Maintain effective Regional Subsidiary | December | The performance of the Executive Officer be reviewed annually Charter Review | ✓ Next review to be conducted in December 2019.  
✓ GRFMA Charter Review (1st stage) completed June 2019 |
| August | The appointment of Auditor, Bank Operators, levels of insurance, appropriate registrations, delegations and policies be reviewed annually. | ✓ Auditor reappointed up to 30 June 2019  
✓ EOI invited in May 2019 for Auditor services 2019-2024  
✓ Appropriate levels of insurance reviewed in July 2018 |
| Review of the Business Plan | By 31st March | Review the Business Plan prior to preparing the Budget Forward to the Councils | ✓ June 2018 – Business Plan 2018-2021 adopted  
✓ June 2019 – Achievements against the Business Plan 2018-2019 presented |
| Annual Budget                      | By 31<sup>st</sup> March, June, October, December | Adopt for consultation forward to Councils - Adopt Budget – copy to Councils in 5 days - Conduct Budget Reviews | ✓ March 2019 – Council consultation  
 ✓ Budget 2019–2020 adopted at June 2019 Board meeting |
|-----------------------------------|--------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| Subscriptions                     | June December                                     | Send half year subscriptions to Council                                                                 | ✓ All first half subscriptions paid 
 ✓ All Second half subscriptions paid |
| Report to Constituent Councils    | Following each Board meeting By 30<sup>th</sup> September | The receipt of the following reports by Councils, Board Meeting Key Outcome Summary Annual Report including Annual Financial Statements | ✓ Key Outcomes Summary prepared following meetings  
 ✓ Annual Report forwarded electronically to Councils. |
Financial Statements 2018-2019

1. Certification of Financial Statements
2. Financial Statements and Notes
3. Related Parties Disclosures
4. Statement of Auditors Independence
5. Certification of Auditor Independence
6. Management Letter
GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY
ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 June 2019
CERTIFICATION OF FINANCIAL STATEMENTS

We have been authorised by the Gawler River Floodplain Management Authority Council to certify the financial statements in their final form.

In our opinion:

- the accompanying financial statements comply with the Local Government Act 1999, Local Government (Financial Management) Regulations 2011 and Australian Accounting Standards.
- the financial statements present a true and fair view of the Authority's financial position at 30 June 2019 and the results of its operations and cash flows for the financial year.
- internal controls implemented by the Authority provide a reasonable assurance that the Authority's financial records are complete, accurate and reliable and were effective throughout the financial year.
- the financial statements accurately reflect the Authority's accounting and other records.

David Hitchcock
EXECUTIVE OFFICER
15/8/19

Ian Baldwin
CHAIRMAN
15/8/19
# GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

## STATEMENT OF COMPREHENSIVE INCOME
for the year ended 30 June 2019

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>INCOME</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subscriptions</td>
<td>$3</td>
<td>$79,600</td>
</tr>
<tr>
<td>Investment income</td>
<td>$1,718</td>
<td>$2,428</td>
</tr>
<tr>
<td>State Government Grants</td>
<td>$2</td>
<td>-</td>
</tr>
<tr>
<td>Other Income</td>
<td>$5,024</td>
<td>$20,000</td>
</tr>
<tr>
<td><strong>Total Income</strong></td>
<td>$238,319</td>
<td>$102,028</td>
</tr>
<tr>
<td><strong>EXPENSES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contractual Services</td>
<td>$129,856</td>
<td>$85,445</td>
</tr>
<tr>
<td>Depreciation</td>
<td>$233,081</td>
<td>$231,213</td>
</tr>
<tr>
<td>Other</td>
<td>$16,746</td>
<td>$15,106</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>$379,684</td>
<td>$331,764</td>
</tr>
<tr>
<td><strong>OPERATING SURPLUS / (DEFICIT)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$(141,365)</td>
<td>$(229,736)</td>
</tr>
<tr>
<td><strong>NET SURPLUS / (DEFICIT)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$(141,365)</td>
<td>$(229,736)</td>
</tr>
<tr>
<td><strong>Other Comprehensive Income</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amounts which will not be reclassified subsequently to operating result</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Changes in revaluation surplus - infrastructure, property, plant &amp; equipment</td>
<td>$5,830,163</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Other Comprehensive Income</strong></td>
<td>$5,830,163</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL COMPREHENSIVE INCOME</strong></td>
<td>$5,688,798</td>
<td>$(229,736)</td>
</tr>
</tbody>
</table>

This Statement is to be read in conjunction with the attached Notes.
## GAWLIER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

### STATEMENT OF FINANCIAL POSITION
as at 30 June 2019

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ASSETS</strong></td>
<td>Notes</td>
<td>$</td>
</tr>
<tr>
<td><strong>Current Assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash and cash equivalents</td>
<td>3,034</td>
<td>2,124</td>
</tr>
<tr>
<td>Investments</td>
<td>1(d)</td>
<td>63,868</td>
</tr>
<tr>
<td>Debtors</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Debtors - GST</td>
<td>-</td>
<td>1,891</td>
</tr>
<tr>
<td>Accrued Interest</td>
<td>67</td>
<td>149</td>
</tr>
<tr>
<td><strong>Total Current Assets</strong></td>
<td></td>
<td>68,860</td>
</tr>
<tr>
<td><strong>Non-current Assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Infrastructure</td>
<td>9</td>
<td>25,329,000</td>
</tr>
<tr>
<td>Accumulated Depreciation Infrastructure</td>
<td>1(i), 9</td>
<td>(3,474,000)</td>
</tr>
<tr>
<td>Land</td>
<td>9</td>
<td>477,000</td>
</tr>
<tr>
<td><strong>Total Non-current Assets</strong></td>
<td></td>
<td>22,332,000</td>
</tr>
<tr>
<td><strong>Total Assets</strong></td>
<td></td>
<td>22,400,860</td>
</tr>
<tr>
<td><strong>LIABILITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Current Liabilities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trade &amp; other payables</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Borrowings</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Liabilities</strong></td>
<td></td>
<td>-</td>
</tr>
<tr>
<td><strong>NET ASSETS</strong></td>
<td></td>
<td>22,400,860</td>
</tr>
<tr>
<td><strong>EQUITY</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accumulated Surplus</td>
<td></td>
<td>13,718,887</td>
</tr>
<tr>
<td>Asset Revaluation Reserves</td>
<td>1(h)</td>
<td>8,681,973</td>
</tr>
<tr>
<td><strong>TOTAL EQUITY</strong></td>
<td></td>
<td>22,400,860</td>
</tr>
</tbody>
</table>

This Statement is to be read in conjunction with the attached Notes.
## GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

### STATEMENT OF CHANGES IN EQUITY
for the year ended 30 June 2019

<table>
<thead>
<tr>
<th>Notes</th>
<th>2019</th>
<th>2018</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance at end of previous reporting period</td>
<td>13,860,252</td>
<td>14,089,988</td>
<td>16,712,062</td>
</tr>
<tr>
<td>Restated opening balance</td>
<td>13,860,252</td>
<td>14,089,988</td>
<td>16,712,062</td>
</tr>
<tr>
<td>Net Surplus / (Deficit) for Year</td>
<td>(141,365)</td>
<td>(229,736)</td>
<td>(141,365)</td>
</tr>
<tr>
<td>Other Comprehensive Income</td>
<td></td>
<td></td>
<td>5,830,163</td>
</tr>
<tr>
<td>Gain on revaluation of infrastructure, property, plant &amp; equipment</td>
<td></td>
<td></td>
<td>5,830,163</td>
</tr>
<tr>
<td>Balance at end of period</td>
<td>13,718,887</td>
<td>13,860,252</td>
<td>22,400,860</td>
</tr>
</tbody>
</table>

This Statement is to be read in conjunction with the attached Notes.
# GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

**STATEMENT OF CASHFLOWS**
for the year ended 30 June 2019

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CASH FLOWS FROM OPERATING ACTIVITIES</strong></td>
<td>Notes $</td>
<td>$</td>
</tr>
<tr>
<td>Receipts</td>
<td>236,374</td>
<td>149,732</td>
</tr>
<tr>
<td>Interest Receipts</td>
<td>1,800</td>
<td>2,774</td>
</tr>
<tr>
<td>Payments</td>
<td>(146,602)</td>
<td>(100,552)</td>
</tr>
<tr>
<td><strong>Net Cash provided by (or used in) Operating Activities</strong></td>
<td>91,572</td>
<td>51,954</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>CASH FLOWS FROM INVESTING ACTIVITIES</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Payments</td>
</tr>
<tr>
<td>Expenditure on new/upgraded assets</td>
</tr>
<tr>
<td><strong>Net Cash provided by (or used in) Investing Activities</strong></td>
</tr>
<tr>
<td><strong>Net Increase (Decrease) in cash held</strong></td>
</tr>
<tr>
<td>Cash &amp; cash equivalents at beginning of period</td>
</tr>
<tr>
<td><strong>Cash &amp; cash equivalents at end of period</strong></td>
</tr>
</tbody>
</table>

This Statement is to be read in conjunction with the attached Notes.
### Gawler River Floodplain Management Authority

#### Uniform Presentation of Financial Statements

for the year ended 30 June 2019

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Operating Revenues</strong></td>
<td>$238,319</td>
<td>$102,028</td>
</tr>
<tr>
<td><strong>Less: Operating Expenses</strong></td>
<td>$(379,684)</td>
<td>$(331,764)</td>
</tr>
<tr>
<td><strong>Operating Surplus/(Deficit) before Capital Amounts</strong></td>
<td>$(141,365)</td>
<td>$(229,736)</td>
</tr>
<tr>
<td><strong>Less Net Outlays in Existing Assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital Expenditure on renewal and replacement of Existing Assets</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Less Depreciation Amortisation and Impairment</td>
<td>$(233,081)</td>
<td>$(231,213)</td>
</tr>
<tr>
<td>Less Proceeds from Sale of Replaced Assets</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Less Net Outlays on New and Upgraded Assets</strong></td>
<td>$(233,081)</td>
<td>$(231,213)</td>
</tr>
<tr>
<td>Capital Expenditure on New and Upgraded Assets</td>
<td>$84,081</td>
<td>$139,323</td>
</tr>
<tr>
<td>Less Amounts received specifically for New and Upgraded Assets</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Less Proceeds from Sale of Surplus Assets</td>
<td>$84,081</td>
<td>$139,323</td>
</tr>
<tr>
<td><strong>Net Lending / (Borrowing) for Financial Year</strong></td>
<td>$7,635</td>
<td>$(137,846)</td>
</tr>
</tbody>
</table>

This Statement is to be read in conjunction with the attached Notes.
GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

Schedule of Constituent Council's Interest in Net Assets as at 30th June 2019

Prepared to meet the requirements of Clause 15.5 of the Charter

"The 'Schedule of Constituent Councils' Interests in Net Assets' will reflect the proportionate contribution each Constituent Council has made to the growth of the net assets of the Authority having regard to the proportionate contribution to subscriptions. The Schedule when updated by the Board at the end of each financial year will reflect the proportionate contribution of each Constituent Council since the commencement of the Authority and once accepted by each Constituent Council will be evidence of the agreed proportion of a Constituent Council's interests in the net assets as at 30 June in that year."

For the purposes of this Clause all subscriptions by Constituent Councils have been included.

This Schedule has been prepared on the basis that the Authority was 'wound up' on 30 June 2019. The value of infrastructure and land as stated in the Audited Financial Statements at 30th June have been included. Grants and contributions from the Commonwealth Government, State Government and the former Northern Adelaide Barossa Catchment Water Management Board that have contributed to these costs have not been deducted.

Calculation of Net Equity

<table>
<thead>
<tr>
<th>Assets</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Investments / Debtors</td>
<td>$ 68,860</td>
</tr>
<tr>
<td>Infrastructure</td>
<td>$ 21,855,000</td>
</tr>
<tr>
<td>Land</td>
<td>$ 477,000</td>
</tr>
<tr>
<td></td>
<td><strong>$ 22,400,860</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Less Liabilities</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Accounts Payable / Creditors</td>
<td>$ 0</td>
</tr>
<tr>
<td></td>
<td><strong>NET EQUITY $ 22,400,860</strong></td>
</tr>
</tbody>
</table>

Allocation of Councils Interest in Net Assets

<table>
<thead>
<tr>
<th>Constituent Councils</th>
<th>Accumulated Subscriptions for Operations to 30 June 2019</th>
<th>Accumulated Subscriptions for Maintenance to 30 June 2019</th>
<th>Accumulated Subscriptions for Scheme Works to 30 June 2019</th>
<th>All Subscriptions to 30 June 2019</th>
<th>Percentage of Contributions to the Total</th>
<th>Council's Interests in Net Assets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adelaide Hills Council</td>
<td>$123,594</td>
<td>$4,005</td>
<td>$70,988</td>
<td>$198,587</td>
<td>3.92%</td>
<td>$878,114</td>
</tr>
<tr>
<td>Adelaide Plains Council</td>
<td>$123,594</td>
<td>$66,878</td>
<td>$1,183,146</td>
<td>$1,373,618</td>
<td>27.11%</td>
<td>$6,072,873</td>
</tr>
<tr>
<td>The Barossa Council</td>
<td>$123,594</td>
<td>$20,056</td>
<td>$354,951</td>
<td>$498,601</td>
<td>9.84%</td>
<td>$2,204,245</td>
</tr>
<tr>
<td>Town of Gawler</td>
<td>$123,594</td>
<td>$40,073</td>
<td>$709,892</td>
<td>$873,559</td>
<td>17.24%</td>
<td>$3,861,908</td>
</tr>
<tr>
<td>Light Regional Council</td>
<td>$123,594</td>
<td>$20,056</td>
<td>$354,951</td>
<td>$498,601</td>
<td>9.84%</td>
<td>$2,204,245</td>
</tr>
<tr>
<td>City of Playford</td>
<td>$123,594</td>
<td>$80,229</td>
<td>$1,419,763</td>
<td>$1,623,566</td>
<td>32.05%</td>
<td>$7,179,475</td>
</tr>
<tr>
<td>Total</td>
<td>$741,564</td>
<td>$231,297</td>
<td>$4,093,691</td>
<td>$5,066,552</td>
<td>100%</td>
<td>$22,400,860</td>
</tr>
</tbody>
</table>

Schedule of Constituent Councils' Interests in Net Assets' as at the 30th June 2019 adopted by the Board in accordance with Clause 15.5 of the Charter on 15/8/19
Gawler River Floodplain Management Authority
Notes to the Financial Statements for the year ended 30th June 2019

1 Statement of Significant Accounting Policies

a) The Local Government Reporting Entity
This general purpose financial report has been prepared in accordance with Australian Accounting Standards as they apply to not-for-profit entities, other authoritative pronouncements of the Australian Accounting Standards Board, Interpretations and relevant South Australian legislation.

The Gawler River Floodplain Management Authority is a Regional Subsidiary under Section 43 and Schedule 2 of the Local Government Act 1999. The Constituent Councils are the Adelaide Hills Council, The Barossa Council, Town of Gawler, Light Regional Council, Adelaide Plains Council and The City of Playford.

All funds received and expended by the Authority have been included in the financial statements forming part of this financial report.

b) Basis of Accounting
This financial report has been prepared on an accrual basis and is based on historical costs and does not take into account changing money values, or except where specifically stated, current valuation of non-current assets.

c) Employees
The Association has no employees.

d) Investments
Investments are valued at cost. Interest revenues are recognised as they accrue.

e) Cash
For purposes of the statement of cash flows, cash includes cash deposits which are readily convertible to cash on hand and which are used in the cash management function on a day to day basis, net of outstanding bank overdraft.

f) Infrastructure
The Bruce Eastick North Para Flood Mitigation Dam was constructed in 2007. The valuation includes all materials, contractor’s costs plus costs incidental to the acquisition, including engineering design and supervision fees and all other costs incurred.

g) Land
The dam land includes the land on which the dam is constructed, rights of way access to the land and ‘right to flood’ easements over the land upstream from the dam that will be inundated by dam waters for short periods of time during a flood event. The Board valuation was undertaken at 30th June 2011. Additional Land surrounding the dam was purchased in 2017/18.

h) Revaluation
The Board sought an independent valuation to be applied as at 30th June 2019, of the Bruce Eastick North Para Flood Mitigation Dam. The Board recognises that the dam is a unique infrastructure. The Board sought the advice of Entura (Hydro Tasmania), who provided a replacement cost valuation based on the actual construction contract costs, including some ‘owner’s costs’ which would be incurred in the event of a replacement being necessary. The estimate of the replacement cost was $25.245 million at June 2019. In accordance with Accounting Standard (AASB)13 Fair Value Measurement, it is to be noted that valuation has been under level 3 valuation.
Fair value level 3 valuations of buildings, infrastructure and other assets – There is no known market for these assets and they are valued at depreciated current replacement cost. The method involves: The determination of the cost to construct the asset (or its modern engineering equivalent) using current prices for materials and labour, the quantities of each being estimated based on recent experience of this or similar Councils, or on industry construction guides where these are more appropriate.

The calculation of the depreciation that would have accumulated since original construction using current estimates of residual value and useful life under the prime cost depreciation method adopted by Council.

The method has significant inherent uncertainties, relying on estimates of quantities of materials and labour, residual values and useful lives, and the possibility of changes in prices for materials and labour, and the potential for development of more efficient construction techniques.

i) Depreciation

The depreciation period for the Bruce Eastick North Para Flood Mitigation Dam is based on an expected life of 80 years.

The depreciation period for the Access Road is based on an expected life of 15 years

j) Revenue

Revenue from the Subscriptions is recognised upon the delivery of the service to customers.

Interest revenue is recognised on a proportional basis taking into account the interest rates applicable to the financial assets.

Revenue is stated net of the amount of goods and services tax (GST).

2 Functions / Activities of the Association

a) Revenues and expenses have been attributed to the following functions / activities, descriptions of which are set out in Note b.

b) The activities of the Authority are categorised into the following function / activities:

Administration: The operations of the Authority and its Board

Other Environment: Flood Mitigation

c) Functions of the Gawler River Floodplain Management Authority (excluding depreciation)

<table>
<thead>
<tr>
<th>Year</th>
<th>Revenue</th>
<th>Expenses</th>
<th>Surplus (deficit)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Year</td>
<td>Grants</td>
<td>Other</td>
</tr>
<tr>
<td>Administration</td>
<td>2019</td>
<td>$148,842</td>
<td>$148,842</td>
</tr>
<tr>
<td></td>
<td>2018</td>
<td>$63,028</td>
<td>$63,028</td>
</tr>
<tr>
<td>Other Environment: Flood Mitigation</td>
<td>2019</td>
<td>$89,477</td>
<td>$89,477</td>
</tr>
<tr>
<td></td>
<td>2018</td>
<td>$39,000</td>
<td>$39,000</td>
</tr>
<tr>
<td>Total</td>
<td>2019</td>
<td>$238,319</td>
<td>$238,319</td>
</tr>
<tr>
<td></td>
<td>2018</td>
<td>$102,028</td>
<td>$102,028</td>
</tr>
</tbody>
</table>
3 Subscriptions

The following subscriptions were levied on the Constituent Councils in accordance with Clause 10.2 of the Charter for the year:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Adelaide Hills Council</td>
<td>$1,548</td>
<td>$329</td>
<td>$23,683</td>
<td>$10,100</td>
<td>$25,231</td>
<td>$10,429</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Barossa Council</td>
<td>$7,758</td>
<td>$1,647</td>
<td>$23,683</td>
<td>$10,100</td>
<td>$31,441</td>
<td>$11,747</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Town of Gawler</td>
<td>$15,515</td>
<td>$3,295</td>
<td>$23,683</td>
<td>$10,100</td>
<td>$39,198</td>
<td>$13,395</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Light Regional Council</td>
<td>$7,758</td>
<td>$1,647</td>
<td>$23,683</td>
<td>$10,100</td>
<td>$31,441</td>
<td>$11,747</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adelaide Plains Council</td>
<td>$25,868</td>
<td>$5,492</td>
<td>$23,683</td>
<td>$10,100</td>
<td>$49,551</td>
<td>$15,592</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Playford</td>
<td>$31,030</td>
<td>$6,590</td>
<td>$23,683</td>
<td>$10,100</td>
<td>$54,713</td>
<td>$16,690</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>-</td>
<td>-</td>
<td>$89,477</td>
<td>$19,000</td>
<td>$142,098</td>
<td>$60,600</td>
<td>$231,575</td>
<td>$79,600</td>
</tr>
</tbody>
</table>

4 Contractual Services

Contractual Services involve payments or liabilities for the external provision of services and include (net of GST):

<table>
<thead>
<tr>
<th>Consultants</th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>I Baldwin</td>
<td>$770</td>
<td>$0</td>
</tr>
<tr>
<td>David Hitchcock</td>
<td>$49,253</td>
<td>$50,471</td>
</tr>
<tr>
<td>Ball PR</td>
<td>$5,000</td>
<td>$0</td>
</tr>
<tr>
<td>Water Technology</td>
<td>$1,080</td>
<td>$0</td>
</tr>
<tr>
<td>Entura</td>
<td>$8,100</td>
<td>$0</td>
</tr>
<tr>
<td>REMO Contractors</td>
<td>$14,540</td>
<td>$0</td>
</tr>
<tr>
<td>Tonkin Consulting</td>
<td>$0</td>
<td>$12,800</td>
</tr>
<tr>
<td>HARC</td>
<td>$38,360</td>
<td>$0</td>
</tr>
<tr>
<td>Tanom Legal</td>
<td>$0</td>
<td>$800</td>
</tr>
<tr>
<td>Business Risk A S Solutions</td>
<td>$2,600</td>
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<td>Steed Surveyors</td>
<td>$4,050</td>
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<td>Enviro Group Pty Ltd</td>
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<td>Newman Engineering</td>
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<td>Australian Water Environments</td>
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<tr>
<td>HLB Mann Judd</td>
<td>$6,103</td>
<td>$6,572</td>
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<tr>
<td>TOTALS</td>
<td>$129,856</td>
<td>$85,445</td>
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</table>
5 Comparison of Budget and Actual Results (excluding depreciation)

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
<th>2018</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Budget</td>
<td>Actual</td>
<td>Budget</td>
<td>Actual</td>
</tr>
<tr>
<td>Revenue</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td>$148,536</td>
<td>$148,842</td>
<td>$63,600</td>
<td>$63,028</td>
</tr>
<tr>
<td>Other Environment: Flood Mitigation</td>
<td>$0</td>
<td>$0</td>
<td>$28,574</td>
<td>$20,000</td>
</tr>
<tr>
<td>State Grant</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Maintenance</td>
<td>$89,476</td>
<td>$89,477</td>
<td>$19,000</td>
<td>$19,000</td>
</tr>
<tr>
<td>Other Environment: Flood Mitigation Capital</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
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<tr>
<td>Total Revenue</td>
<td>$238,012</td>
<td>$238,319</td>
<td>$111,174</td>
<td>$102,028</td>
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<tr>
<td>Expenditure</td>
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<td></td>
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<tr>
<td>Administration</td>
<td>$78,622</td>
<td>$75,351</td>
<td>$96,254</td>
<td>$92,000</td>
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<tr>
<td>Other Environment: Flood Mitigation</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
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<tr>
<td>Maintenance</td>
<td>$157,400</td>
<td>$71,251</td>
<td>$8,650</td>
<td>$8,551</td>
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<tr>
<td>Other Environment: Flood Mitigation Capital</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
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<tr>
<td>Total Expenditure</td>
<td>$236,022</td>
<td>$146,602</td>
<td>$104,904</td>
<td>$100,551</td>
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<td>Surplus (deficit)</td>
<td>$1,990</td>
<td>$91,717</td>
<td>$6,270</td>
<td>$1,477</td>
</tr>
</tbody>
</table>

6 Expenditure Commitment

i. An agreement has been entered into with David Hitchcock to provide Executive Officer and Supervision of Consultants services to 31 December 2019.

7 Reconciliation Statement of Cash Flows

Cash Flows from Operating Activities

Net deficit from operations ($141,365)
Adjust for non-cash items
Depreciation $233,082
Decrease in Debtors ($146)

Cash Flows from Investing Activities
Works on Access Road ($84,081)
Net Cash Increase from operating activities $7,491

8.2 Cash and cash equivalents
Balance at bank $3,034
Balance at LGFA $63,868
Total cash and cash equivalents $66,902

8 Economic Dependence

The Gawler River Floodplain Management Authority (GRFMA) was formed as a Regional Subsidiary under Section 43 and Schedule 2 of the Local Government Act 1999 in August 2002, by a Charter that was amended and published in The South Australian Government Gazette on 4th June 2015 at pages 2501 to 2506.
The Gawler River Floodplain Management Authority (GRFMA) is dependent upon subscriptions levied on the Constituent Councils in accordance with Clause 10.2 of the Charter for its continued existence and ability to co-ordinate the construction, operation and maintenance of flood mitigation infrastructure for the Gawler River.
## 9 Non-Current Assets Summary

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Fair Value Level</td>
<td>At Fair Value</td>
</tr>
<tr>
<td>Land and easements</td>
<td>0</td>
<td>$477,000</td>
</tr>
<tr>
<td></td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>North Para Dam Access Roads</td>
<td>3</td>
<td>$84,000</td>
</tr>
<tr>
<td>North Para Dam</td>
<td>3</td>
<td>$25,245,000</td>
</tr>
<tr>
<td>Total Infrastructure and Land</td>
<td>3</td>
<td>$25,806,000</td>
</tr>
</tbody>
</table>

Comparatives: $18,823,364 $139,323 $(2,311,850) $16,650,837 $18,823,364 $(2,080,638) $16,742,726

### Carrying Amount Movements During the Year

<table>
<thead>
<tr>
<th></th>
<th>2018</th>
<th>Additions</th>
<th>2019</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>New Upgrade</td>
<td>Renewals</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Carrying Amount</td>
<td>Disposals</td>
</tr>
<tr>
<td>Land and easements</td>
<td>$465,687</td>
<td>$0</td>
<td></td>
</tr>
<tr>
<td>Access Roads</td>
<td>$0</td>
<td>$84,081</td>
<td>$0</td>
</tr>
<tr>
<td>Infrastructure - North Para Dam</td>
<td>$16,185,150</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Total Infrastructure, Property, Plant &amp; Equipment</td>
<td>$16,650,837</td>
<td>$84,081</td>
<td>$0</td>
</tr>
<tr>
<td>Comparatives</td>
<td>$16,742,726</td>
<td>$139,323</td>
<td>$0</td>
</tr>
</tbody>
</table>

Page 12
Gawler River Floodplain Management Authority
Related Parties Disclosures as at 30 June 2019

The Key Management Personnel of the Gawler River Floodplain Management Authority include the Chairman, Board members, Deputy Board Members and Executive Officer.

The Authority does not have any employees.

Services of the Executive Officer are provided by contractual agreement. Payment was made to I Baldwin in lieu of Executive Officer on leave. See Note 4.

See note 5 of the Financial Statements for itemized contractual services payments.

The Chairman received an Honorarium of $7,850 as established by the Board.

Amounts paid as direct reimbursement of expenses incurred on behalf of the GRFMA have not been included above.

No other payments have been made to Key Management Personnel of the Gawler River Floodplain Management Authority.
TO THE BOARD MEMBERS OF GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

STATEMENT OF AUDITORS INDEPENDENCE
ANNUAL FINANCIAL STATEMENT FOR THE YEAR ENDED 30 June 2019

I confirm that, for the audit of the financial statements of Gawler River Floodplain Management Authority for the year ended 30 June 2019, I have maintained my independence in accordance with the requirements of APES 110 – Code of Ethics for Professional Accountants, Section 290, published by the Accounting Professional and Ethical Standards Board, in accordance with the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(5) Local Government (Financial Management) Regulations 2011.

HLB Mann Judd Audit (SA) Pty Ltd
Chartered Accountants

Adelaide, South Australia
9 August 2019

Corey McGowan
Director
CERTIFICATION OF AUDITOR INDEPENDENCE

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of the Gawler River Floodplain Management Authority for the year ended 30 June 2019, the Authority's Auditor HLB Mann Judd has maintained its independence in accordance with the requirements of the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) Local Government (Financial Management) Regulations 2011.

David Hitchcock
EXECUTIVE OFFICER

Peter Brass
PRESIDING MEMBER AUDIT COMMITTEE

Ian Baldwin
CHAIRMAN GRFMA
Mr Corey McGowan  
HLB Mann Judd  
169 Fullarton Road  
DULWICH SA 5065

Dear Corey,

This representation letter is provided in connection with your audit of the financial report of Gawler River Floodplain Management Authority, for the year ended 30 June 2019, for the purpose of you expressing an opinion as to whether the financial report is, in all material respects, in accordance with Australian Accounting Standards and other mandatory professional reporting requirements in Australia.

We confirm that, to the best of our knowledge and belief, having made such inquiries as we considered necessary for the purpose of appropriately informing ourselves:

**Financial Statements**

1. We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated 31 August 2016, for the preparation of the financial report in accordance with Australian Accounting Standards and other mandatory professional reporting requirements in Australia, and confirm that the financial report is fairly presented in accordance therewith, and is free from, material misstatement, including omissions.

2. The financial records of the entity have been kept so as to be sufficient to enable a financial report to be prepared and audited, and other records and registers required by the entity’s constitution have been properly kept and are up-to-date.

3. We acknowledge our responsibility for the design, implementation and maintenance of internal control to prevent and detect fraud and error. We have designed, implemented and maintained adequate internal control to facilitate the preparation of a reliable financial report, and adequate financial records have been maintained.

4. All transactions have been recorded in the accounting records and are reflected in the financial report.

5. The following have been properly recorded and/or disclosed in the financial report, or there are no such items requiring recording or disclosure:

   (a) Related party transactions and related amounts receivable or payable, including sales, purchases, loans, transfers, leasing arrangements and guarantees (written or oral);
   (b) Arrangements involving restrictions on cash balances, compensating balances and line-of-credit or similar arrangements;
   (c) Agreements to repurchase assets previously sold;
   (d) Material liabilities, contingent liabilities and assets including those arising under derivative financial instruments;
   (e) Losses arising from the fulfilment of, or an inability to fulfil, any sale commitments or as a result of purchase commitments for inventory quantities in excess of normal requirements or at prices in excess of prevailing market prices.

6. We have no plans or intentions that may materially affect the carrying values, or classification, of assets and liabilities.

7. The entity has satisfactory title to all assets, and there are no liens or encumbrances on such assets, nor has any asset been pledged as collateral. Allowances for depreciation have been adjusted for all important items of property, plant and equipment that have been abandoned or are otherwise unusable.

8. Significant assumptions used by us in making accounting estimates, including those measured at fair value, are reasonable. In particular:
(a) We consider that the measurement processes, including related assumptions and models, used by management in determining accounting estimates in the context of the applicable financial reporting framework are appropriate, and the measurement processes have been applied consistently.

(b) The assumptions appropriately reflect management's intent and ability to carry out specific courses of action on behalf of the entity, where relevant to the accounting estimates and disclosures.

(c) Disclosures related to accounting estimates are complete and appropriate under the applicable financial reporting framework.

(d) No subsequent event requires adjustment to the accounting estimates and disclosures included in the financial report.

9. We have assessed at the end of the reporting period whether there is any indication that an asset may be impaired, having considered, as a minimum, the impairment indicators noted in AASB 136. If any such indication exists, we have estimated the recoverable amount of the asset.

10. We have considered the requirements of AASB 136 'Impairment of Assets' when assessing the impairment of assets and in ensuring that no assets are stated in excess of its recoverable amount.

11. We have assessed the recoverability of all receivables, and confirm that adequate allowance has been made for any receivables which may not be collected.

12. The entity has complied with all aspects of contractual agreements that would have a material effect on the financial report in the event of non-compliance.

13. There were no material commitments for construction or acquisition of property, plant and equipment or to acquire other non-current assets, such as investments or intangibles, other than those disclosed in the financial report.

14. There are no known actual or possible litigation and claims whose effects should be considered when preparing the financial reporting framework.

15. Related party relationships and transactions have been appropriately accounted for and disclosed in accordance with the requirements of Australian Accounting Standards.

16. You have not advised us of any financial report misstatements requiring correction, or uncorrected misstatements, that you detected during the audit.

17. All events occurring subsequent to the date of the financial report and for which the applicable financial reporting framework requires adjustment or disclosure have been adjusted or disclosed.

18. If any matter which may materially affect the financial report arises during the period from the date of the auditor's report to the date the financial report is issued, we will inform you.

**Information Provided**

19. We have provided you with:
   (a) Access to all information of which we are aware that is relevant to the preparation of the financial report, such as records, documentation and other matters;
   (b) All financial records and related data and other information, explanations and assistance necessary for the conduct of the audit;
   (c) Minutes of all meetings of members, Board, and committees of Board.
   (d) Additional information, explanations and assistance that you have requested from us for the purposes of the audit; and
   (e) Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.

20. We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.

21. There has been no fraud, or suspected fraud that affects the entity and involves:
   (a) Management;
   (b) Employees who have significant roles in internal control; or
(c) Others where the fraud could have a material effect on the financial report.

22. There have been no allegations of fraud, or suspected fraud, affecting the entity’s financial report communicated by employees, former employees, regulators or others.

23. There have been no instances of non-compliance or suspected non-compliance with laws and regulations whose effects should be considered when preparing the financial report.

24. There have been no communications from regulatory agencies concerning non-compliance with, or deficiencies in, financial reporting practices that whose effects should be considered when preparing the financial report.

25. We have disclosed to you the identity of the entity’s related parties and all the related party relationships and transactions of which we are aware.

Other Matters

26. We have assessed the ability of the entity to continue as a going concern and are satisfied that it will so continue. We have no knowledge of events or conditions and related business risks beyond the period of this assessment that may cast significant doubt on the entity’s ability to continue as a going concern.

27. There have been no non-audit services performed by HLB Mann Judd.

We understand that your examination was made in accordance with Australian Auditing Standards and was, therefore, designed primarily for the purpose of expressing an opinion on the financial report taken as a whole, and that your tests of the financial records and other auditing procedures were limited to those which you considered necessary for that purpose.

Yours faithfully

[Signature]

David E Hitchcock Executive Officer

Date 15/8/19
4.5.2  CONSENSUS AGENDA – ENVIRONMENTAL SERVICES REPORT

4.5.2.4  TREES FOR LIFE
B9228, 19/48831
Trees For Life have provided Council with the Bush For Life 2018-19 Summary of Achievements, which is attached for information.

RECOMMENDATION:
That report items 4.5.2.4 be received.
Bush For Life 2018-19 Summary of Achievements

The Bush For Life program trains and supports volunteers to care for some of our most intact native vegetation using minimal disturbance bush regeneration techniques.

State-wide Summary

Over the past 12 months through its Bush For Life program, Trees For Life:

- managed 311 Bush For Life sites throughout South Australia
- involved more than 600 ‘adopt-a-site’ bushcarers who achieved around 30,000 hours of unsupervised volunteer bush regeneration work on their sites
- protected around 4,200 hectares of remnant bushland in South Australia
- coordinated 22 training days for community volunteers, filling 232 places in our introductory and advanced bush regeneration workshops
- ran 885 site activities supervised by our professional field officers, involving over 12,600 hours of volunteer bush regeneration work - more than 1,030 volunteers are registered for our supervised activities

delivered 46,576 hours of on-ground bush regeneration work, with a volunteer component valued at $1,799,107*

* Data from the Australian Bureau of Statistics supports a valuation for volunteer work of $42.25 per hour

Barossa Council Summary, 2018-19

- 6 Bush For Life sites on council land
- 9 ‘adopt-a-site’ volunteers allocated to these sites
- An estimated 363 hours of site-specific bush regeneration work delivered by these volunteers
- In addition we held:
  - 1 BAT, 10 mini-BATs and 8 support visits on these sites, during which volunteers contributed 146 hours of on-ground work
- Our skilled Field Officers undertook 59 hours of on-ground work on these sites alongside volunteers

Equivalent to an on-ground work contribution of $24,808 to The Barossa Council during 2018-19
4.5.2 CONSENSUS AGENDA – ENVIRONMENTAL SERVICES REPORT

4.5.2.5 REQUEST FOR SUPPORT – ADELAIDE AND HILLS KOALA RESCUE

B9236, 19/46075

Correspondence has been received from Adelaide and Hills Koala Rescue, seeking support to lobby the Department of Environment and Water to cease the programme of sterilising koalas in the Adelaide Hills and on Kangaroo Island (Refer attached).

In South Australia, Koalas were historically only found in the lower south east and were thought to be extinct by the 1930’s due to hunting for the fur trade. Public concern for the koala resulted in their protection under State and Commonwealth legislation. The Koala fur trade ceased by 1930.

In South Australia, Koalas are now found on Kangaroo Island, Mount Lofty Ranges, the Riverland and Eyre Peninsula, and the South East, and are protected in South Australia under the National Parks and Wildlife Act 1972.

Should Council elect to support the request, a formal letter would need to be sent to Department of Environment and Water.

RECOMMENDATION:
That report items 4.5.2.5 be received.
To whom it may concern,
As an animal lover I have been shocked to learn that recently the Department of Environment and Water has undertaken a programme of sterilising koalas in the Adelaide Hills and on Kangaroo Island.
The DEW has justified this programme saying: "koala over-population is resulting in over-browsing of eucalyptus trees".

The DEW has thus far been unable to provide information on how they arrived at the koala population numbers they have (80,000 in SA), which are contradictory to data provided by the Australian Koala Foundation (150,000 in all of Australia). They also haven't provided any evidence of eucalypt over-browsing caused by koalas. Actually, when giving a koala rescue group member a tour of the "over-populated" areas of KI, they struggled to find more than a single koala in an area deemed "over-populated". Besides that, the koala has managed it's own population numbers for thousands of years without human intervention which begs the question why does the DEW deem it necessary to intervene now?

Members of koala groups who frequent the sites of local koala populations also, have seen no evidence of over-browsing and believe there has been a decline in koala numbers in recent years.

Koalas are under enormous pressure due to loss of habitat, introduction of foreign diseases (chlamydia, mange, and kidney disease), increased car fatalities (due to increasing traffic on roads throughout the hills), and dog attacks.

Given the koala is a national icon under increasing threat it is unfathomable that the DEW would undertake a programme that would put their population at risk by sterilising the healthy, fertile females. One study suggests that even without the sterilisation programme, local koala populations of the Adelaide Hills could disappear by the middle of this century!

We should be looking at ways to secure the future and improve the health of our local koala populations so that they are here for generation to come not stopping the healthy and possibly more disease resistant females from breeding.

Please, we ask that you use all powers at your disposal to put a stop to this practice as soon as possible and raise awareness so we can increase support for this vital cause.

If you want more information on this issue or want to help out by volunteering your services or making a donation, you can contact our koala hotline 24/7 on 1300KoalaZ.

Thank you in advance for your time and efforts,
Lucy Francis 0458169358

Adelaide and Hills Koala Rescue
1300KoalaZ
aahkoalarescue@gmail.com

Chris Kruger
Executive Assistant, Development and Environmental Services
T: 08 8563 8483

file:///G:/DES - Agendas/Council/17 September 2019/Please help our vulnerable koalas.htm
4.5.3 CONSENSUS AGENDA – HEALTH SERVICES REPORT

4.5.3.1 FOOD RECALLS

B9106
Consumer Level recalls were monitored for:

- Noshu Foods Gluten Free Brownie Mix
- Naturli’ Foods and Funky Fields Organic Spreads

RECOMMENDATION:
That the report item 4.5.3.1 be received.
4.5.3  CONSENSUS AGENDA – HEALTH SERVICES REPORT

4.5.3.2  FOOD PREMISES INSPECTIONS
B4573
During the month of August 2019 the following food businesses were inspected for their compliance with the Food Act 2001.

- Barossa Sandwich Bar - Routine inspection
- Sunrise Bakery – Routine inspection
- Valley Hotel – Routine inspection

RECOMMENDATION:
That the report items 4.5.3.2 be received.
7.2.1 DEBATE AGENDA – CHIEF EXECUTIVE OFFICER

7.2.1.1 REGISTER OF INTERESTS POLICY

**B1485**

Author: Governance Advisor

<table>
<thead>
<tr>
<th>PURPOSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>To receive and consider the draft Register of Interests Policy and to receive the draft Registering of Elected Member Interests Process and Registering of Officer Interests Process, as attached.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>RECOMMENDATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) That Council receives, considers and approves the draft Register of Interests Policy (the “Policy”), as attached at Attachment 1; and</td>
</tr>
<tr>
<td>(2) That Council receives the draft supporting Processes to the Policy, being the Registering of Elected Member Interest Process and Registering of Officer Interests Process at Attachment 2 and 3 respectively, noting that the supporting Processes will be approved by the Chief Executive Officer.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>REPORT</th>
</tr>
</thead>
</table>
| **Background**

Pursuant to Chapter 5, Part 4, Division 2 and Chapter 7, Part 4, Division 2 of the Local Government Act 1999 (the “Act”), Elected Members and those officers declared as Prescribed Officers are required to register their interests, by way of Primary and Ordinary returns.

**Introduction**

Council’s Register of Interest Policy (“Policy”) and associated Registering of Officer Interests Process (“Officer Process”) and Registering of Elected Member Interests Process (“Elected Member Process”) are now due for review in accordance with the regular review process.

An updated draft version of the Policy with track changes is provided at Attachment 1. Updated draft versions of the Officer and Elected Member Processes are provided at Attachment 2 and 3, respectively. Please note that the draft Processes are provided for Elected Member information only, as the Processes will be approved by the Chief Executive Officer due to the administrative nature of the content.

**Discussion**
The proposed amendments to the Policy are:

- Change to clause 4.3.1 to include as Prescribed Officers, all officers who undertake assessment and advisory services pursuant to the Development Act or Planning, Development and Infrastructure Act. This has effectively broadened a particular tranche of Prescribed Officers, which previously included officers who undertook planning assessment. As a result of the change, all team members of the Development Services Team, including contractors, but excluding administration support officers, will be required to register their interests as Prescribed Officers.
- Addition to clause 2.2 to capture Barossa Assessment Panel Independent Members and reference relevant clauses in the Policy and direction to relevant Council Policy;
- Removal of Co-ordinator, Asset Management as a Prescribed Officer position, even though the position technically satisfies the criteria for being classified as a Prescribed Officer at clause 4.3.1 – i.e. the officer has delegated powers to enter into contracts which are $50,000 or more;
- Other updates for grammar, completeness and consistency – refer to track changes.

The proposed amendments to the Elected Member Process are:

- Removal of clause 4.2.2, which required the Chief Executive Officer to review Elected Member Returns upon receipt;
- Update to clause 4.2.2 (previous 4.2.3) to include timeframes for the Delegate to forward the Schedule of Elected Member Returns to the Mayor and CEO for signature;
- Update to language at clause 4.6.2 for clarity and to reflect language used in legislation. This is not a substantive change;
- Other updates for grammar, completeness and consistency – refer to track changes.

The proposed amendments to the Officer Process are:

- Removal of clause 4.2.2, which requires the Chief Executive Officer to review Officer Returns upon receipt;
- Updates to the language used at clause 4.2.1 and 4.1.3 for consistency with legislation and for clarity. This is not a substantial change and the effect of the clause remains the same;
- Other updates for grammar, completeness and consistency – refer to track changes.

Summary and Conclusion
Council is now asked to approve the amended Register of Interests Policy and note the changes made to the supporting Processes.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

| Attachment 1: | draft Register of Interests Policy |
| Attachment 2: | draft Registering of Elected Member Interests Process |
| Attachment 3: | draft Registering of Officer Interests Process |

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

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

Legislative Requirements
Local Government Act 1999
Local Government (General) Regulations 2013

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial and Resource
Nil

Risk Management
Risk is reduced by the transparency and accountability provisions of the Local Government Act 1999.

COMMUNITY CONSULTATION
No community consultation is required for this Policy as the content is mandated by legislation and facilitated according to internal processes.
THE BAROSSA COUNCIL
REGISTER OF INTERESTS POLICY

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

| Policy Owner: | Chief Executive Officer | Previous Approval Date(s): | 17/09/2013
|               |                          | 21/10/2015
|               |                          | 19/04/2016
|               |                          | 19/09/2017
|               |                          | 20/3/2018

| Document Control Officer: | Governance Advisor | Current Approval Date: | DD/MM/2019

| HPE Content Manager Ref: | 15/35750* | Next Review Date: | DD/MM/2023

1. Purpose

1.1 The purpose of this Policy is to provide a framework to assist The Barossa Council’s (“Council’s”) Elected Members and Prescribed Officers undertake the registering of their interests in accordance with the Local Government Act 1999.

1.2 The framework will enhance transparency to the community and as a result enhance community trust and confidence in Council.

2. Scope

2.1 This Policy applies to:

- Elected Members of Council, including the Mayor;
- The Chief Executive Officer, including anyone acting in that role; and
- Prescribed Officers (as defined in clause 4.3.1 of this Policy).

2.2 This Policy does not apply to the Independent Members of those committees of Council established under Section 41 of the Local Government Act 1999. Independent Members of the Barossa Assessment Panel should refer to clause 4.3.2 of this Policy as well as the Barossa Assessment Panel Register of Interests Process.

3. Definitions

<table>
<thead>
<tr>
<th>Employee</th>
<th>Permanent full-time, part-time, casual or fixed-term contract Employees of The Barossa Council.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest</td>
<td>A stake or involvement in an undertaking, especially a financial one.</td>
</tr>
<tr>
<td>Prescribed Officer</td>
<td>An Employee who holds a Prescribed Position.</td>
</tr>
</tbody>
</table>
### Prescribed Position

Any position across Council administration which the Elected Body has declared, by resolution, or the CEO has approved, under delegated authority, must register their interests.

### Register

A Confidential containers in the Electronic Data Document Records Management System (EDRMS) which contain the following records for each Elected Member and each Prescribed Officer: has a record of each Elected Member’s or Prescribed Officer’s Primary and Ordinary Return, together with the Schedule of Returns and Schedule of Updated Returns, which confirm the date that the Return was received for each person.
- Primary Returns
- Ordinary Returns
- Updates to Ordinary Returns
- Schedule of Primary Returns
- Schedule of Ordinary Returns
- Schedule of Updated Ordinary Returns
- Extracts of the Elected Member Interests published on Council’s website
- Related correspondence to and from Elected Members and Prescribed Officers
- Records of Inspection for the Register of Elected Member Interests and Register of Officer Interests

and any other information required by legislation.

### Return

Includes the Primary and Ordinary Return which are prescribed forms under the Local Government Act 1999, which outline an Elected Member’s, or a Prescribed Officer’s, interests.

## 4. Policy Statement

4.1 Council is committed to transparent and accountable governance practices which seek to minimise the risk of conflicting interests, fraud and corruption, and in turn promote community trust.

4.2 **Elected Member Interests**

4.2.1 The Register of Interests provisions within the Local Government Act 1999 (“the Act”) apply to the Mayor and all Elected Members of Council.

4.2.2 Elected Members will register their interests in accordance with the Registering Process.

4.2.3 There are also Register of Interests provisions under the Planning, Development and Infrastructure Act 2016 which will apply to the Elected Member representative(s) on the Barossa Assessment Panel. That Member or Members will additionally register their interests under the Barossa Assessment Panel Register of Interests Process.

4.3 **Council Officer Interests**
4.3.1 Council’s Employees are required to register their interests in accordance with Council’s Registering of Officer Interest Process where Council has declared them to be in a Prescribed Officer class or an individual Prescribed Officer.

Council will declare Employees’ positions to be prescribed where they undertake anyone or more of the following:

- hold delegated powers to enter into contracts which are $50,000 or more; and/or
- undertake planning and building assessment and advisory services pursuant to the Development Act 1993 or Planning, Development and Infrastructure Act 2016; and/or
- exercise significant influence over their direct reports; and/or
- exercise significant influence over policies and processes which affect the human resource employment management of or disciplining of Employees.

4.3.2 The following meet one or more of the criteria in the above clause 4.3.1 and so are declared Prescribed Officers or class of Officers pursuant to Section 111(b) of the Act:

- Corporate Management Team
- Organisational Management Group
- Development Services Planning Team, including contractors employed, hired or contracted Officers Planners employed to provide cover for existing positions, but excluding administrative support officers
- Co-ordinator, Asset Management
- Human Resources Advisor

The Co-ordinator, Asset Management is not declared as Prescribed Officer or class of Officers pursuant to Section 111(b) of the Act, even though the position may satisfy one of more of the criteria listed in clause 4.3.1.

4.3.3 Employees acting in a Prescribed Position

Where any Employee temporarily acts in a Prescribed Position as a result of performing higher duties for a period of:

- more than 90 days - they will be required to register their interests;
- between 30 and 90 days - they will be required to register their interests only if their Director determines that it is appropriate in all the circumstances having regard to the conditions and limitations of the higher duties arrangement;
- less than 30 days - they will not be required to register their interests.

4.3.4 Further Transparency
In addition to the above requirements, all Employees will continue to be bound by Section 120 of the Act as regards conflicts of interest and Schedule 2A of the Local Government (General Regulations) 2013 as regards the Code of Conduct for Council Employees.

4.3.5 Delegations

(i) The Chief Executive Officer is delegated the power to identify and add additional officers or class of officers to this list in clause 4.3.2 from time to time between Policy reviews, as appropriate.

(ii) Council Directors are delegated the power to determine who must register their interests when acting in a Prescribed Position by way of higher duties for a period of between 30 and 90 days.

5. Supporting Process

Registering of Elected Member Interests Process
Registering of Officer Interests Process
Barossa Assessment Panel Register of Interests Process

6. Related Policies and Codes

Code of Conduct for Council Members

7. Legislation and References

Local Government Act 1999
(Elected Members) Chapter 5, Part 4, Division 2
(Council Officers) Chapter 7, Part 4, Division 2

Local Government (General) Regulations 2013:
Schedule 2A: Code of Conduct for Council Employees
8. **Review**

This Policy shall be reviewed by Council in consultation with the relevant stakeholders, within four years or more frequently if legislation or Council needs change.

9. **Further Information**

This Policy is available on Council's website at [www.barossa.sa.gov.au](http://www.barossa.sa.gov.au). It can also be viewed electronically at Council's principal office at 43-51 Tanunda Road, Nuriootpa and all Council branches, during ordinary business hours. A copy of this Policy can be obtained at those venues upon payment of a fixed fee.

Any complaints in relation to this Policy or its application should be forwarded in writing addressed to the Chief Executive Officer of Council, PO Box 867, Nuriootpa SA 5355.

Signed: .................................  Dated: .................................

Mayor Michael Lange
THE BAROSSA COUNCIL

REGISTRATION OF ELECTED MEMBER INTERESTS PROCESS

Policy Link: Register of Interests Policy

| Process Owner:       | Chief Executive Officer | Previous Approval Date(s): 25/09/2013
|                      |                        | 21/10/2015
|                      |                        | 19/05/2016
|                      |                        | 3/8/2017
|                      |                        | 2/4/2018
| Document Control Officer: | Governance Advisor | Current Approval Date: DD/MM/2019
| HPE Content Manager: | 15/42788* | Next Review Date: DD/MM/2023

1. **Overview**

   To provide guidance to The Barossa Council’s (“the Council’s”) Elected Members when they register their interests in accordance with the Register of Interests Policy (“the Policy”).

2. **Core Components**

   Required Documentation and Timeframes

   Receipt of Returns and Failure to Submit a Return

   Maintaining the Register

   Inspecting the Register

   Publication of the Register

3. **Definitions**

   **CEO/Delegate**
   
   The Chief Executive Officer of The Barossa Council or the Executive Assistant to the Director, Corporate and Community Services or in their absence, the Executive Assistant to the CEO and Mayor (and those who act in these roles).

   **Delegate**
   
   The Executive Assistant to the Director, Corporate and Community Services or in their absence, the Executive Assistant to the CEO and Mayor (and those who act in these roles). For clarity, where both the abovenamed officers are unavailable, the Delegate will be those who act in these roles, in the same order as above.

   **Elected Member**
   
   An Elected Member of The Barossa Council, including the Mayor unless otherwise stated.

   **Electronic Document Records Management System (EDRMS)**
   
   An automated system used to manage the creation, use, management, storage and disposal of physical and electronic documents and records. An automated system used to manage the creation, use, management and disposal of hardcopy and electronically created Documents and Records for the purposes of supporting the creation, revision and management of digital records improving an organisation’s workflow and providing evidence of business activities.

   Council’s EDRMS is HPE Content Manager.

   **Election**
   
   A general election of members of the council (whether held under section 5 “Periodic Elections” of the Local Government (Elections) Act 1999 or pursuant to a proclamation or notice under this Act, which can include supplementary elections).

   **Interest**
   
   A stake or involvement in an undertaking, especially a financial interest, e.g."
Register of Elected Member Interests Process

Confidential containers in the Electronic Document Records Management System (EDRMS) which contain the following records for each Elected Member and each Prescribed Officer:

- Primary Returns
- Ordinary Returns
- Updates to Ordinary Returns
- Schedule of Primary Returns
- Schedule of Ordinary Returns
- Schedule of Updated Ordinary Returns
- Extracts of the Elected Member Interests published on Council’s website
- Related correspondence to and from Elected Members and Prescribed Officers
- Records of Inspection for the Register of Elected Member Interests and the Register of Officer Interests

and any other information required by legislation.

Confidential containers in the EDRMS which have a record of each Elected Member’s Primary Return for the term of the Council and Ordinary Return for each financial year of that term and any updated Returns, together with the Schedule of Returns (Elected Members) which confirms receipt date, Schedule of Updated Returns (Elected Members), Extracts of the Elected Member Interests published on Council’s website, Record of Inspection for the Register of Elected Member Interests, and any related correspondence.

Return

Includes the Primary and Ordinary Return which are prescribed forms under the Local Government Act 1999 which outline an Elected Member’s interests. Those who were an Elected Member of the immediately preceding Council Elected Body past Council are required to submit only an Ordinary return (i.e. returning Elected Members).

Return Period

The time between lodging the current Ordinary Return and the previous Ordinary or Primary Return.

4. Process

4.1 Required Documentation and Timeframes

4.1.1 Form 3 (Elected Member) Primary Return

(a) The Delegate will provide the Primary Return template and the supporting guidelines from the Local Government (General) Regulations 2013 (“the Regulations”) to the Elected Member as soon as practicable following the Election or appointment of the Elected Member.

(b) The Elected Member must complete and return the Primary Return to the Delegate via email or hard copy within 6 weeks of the Election or appointment.

(c) Those who were an Elected Member of the immediately preceding Council Elected Body (i.e. returning Elected Members) are required to submit only an Ordinary return (i.e. returning Elected Members).
4.1.2 Form 4 (Elected Member) Ordinary Return

(a) The Delegate will provide to the Elected Member the Ordinary Return template and supporting guidelines from the Regulations and, if the Elected Member registered in the preceding year, also a copy of the previous Ordinary Return for reference, as soon as practicable following 30 June each financial year and no later than 15 July.

The Delegate will also provide these documents to the Elected Member at any time during the year, upon Elected Member request, when there is a change to Elected Member interests or to the interests of a person related to the Elected Member according to Schedule 3 of the Local Government Act 1999 ("the Act").

(b) The Elected Member must complete and return the Ordinary Return via email or hard copy to the Delegate:

(i) as soon as possible and by no later than 29 August each year and

(ii) within 1 month of any change in the interests of the Elected Member or a person related to the Member according to Schedule 3 of the Act; noting that an update to an Ordinary Return can be made via a completely new Ordinary Return or email advice to the Delegate describing the particulars of the updated information.

4.1.3 It is an offence and a breach of the Code of Conduct for Council Members for an Elected Member to submit a Return with knowledge that is false or misleading in a material particular or contains false or misleading material, [whether by reason of inclusion or omission of information].

4.1.4 Where the Elected Member has concerns about including their residential address on their Return, they must provide a written explanation to the CEO. If the CEO is satisfied that the inclusion in the Register of the Elected Member’s address would risk their personal safety, or that of a member of their family or another person, the CEO may suppress the address from the Register. The CEO will confirm this in writing to the Elected Member and save the email into the confidential EDRMS container.

4.2 Receipt of the Completed Returns

4.2.1 When an Elected Member submits their Return (Primary or Ordinary) or an update to their Return (or email advice confirming the updated interest), the Delegate will:

- confirm receipt via email to the Elected Member and copy in the CEO;
save the Return or the updated Return (or email advice confirming the updated interest) into the Register of Elected Member Returns (“the Register”);  

refer any hard copies of Member Returns to the Knowledge Management Officer to save them in secure storage in accordance with the General Disposal Schedule; and  

enter the receipt date and EDRMS reference number for each Return and updated Return into the Schedule of Elected Member Returns (“the Schedule”) and save it into the Register of Elected Member Returns.  

4.2.2 Upon receipt, the CEO will review each Member Return and immediately discuss any obvious areas of concern with the Member as a courtesy, noting however, that the correct and timely lodgement of their Return will always be the responsibility of the Member.  

4.2.3 The Delegate will forward the:  

(i) Schedule of Elected Member Returns to the Mayor and CEO for signature at the immediate conclusion of the deadlines:  

- Primary Returns within 6 weeks of the Election or appointment of the Elected Member  
- Ordinary Returns deadline on or before 29 August  
- Updates to Ordinary Returns – on receipt  

noting any Elected Member who has failed to submit their Ordinary Return by the deadline (see clause 4.3 for appropriate action) and will then save the signed Schedule in the Register of Elected Member Returns; and  

(ii) Schedule of Updated Returns to the CEO when there are updates to an Elected Member’s Ordinary Returns for that Return period, and then will save the Schedule of Updated Returns as a new version in the Register.  

4.2.4 As soon as practicable following the annual receipt of Primary or Ordinary Returns and any individual updates of the Ordinary Returns, the Delegate will publish an updated Extract of the Elected Members’ Register of Interests on Council’s website. The Extract consists of the following details which have been extracted from the Register of Elected Member Returns:  

(i) the Elected Member’s income sources, employer (see Schedule 3 of the Act’s definitions);  

(ii) the name of any political party, body or association formed for political purposes or any trade or professional
4.3 Failure to Submit a Return

4.3.1 If the required Return has not been submitted by the Elected Member within the required time frame referred to above, the Delegate will notify the CEO as per paragraph 4.2.3 above and the CEO must as soon as practicable notify that Elected Member via registered mail and advise that they must submit the relevant Return within one month of the deadline, failing which his or her office as an Elected Member of Council will become vacant subject to Section 54 of the Act.

4.4 Maintaining the Register

4.4.1 The CEO has oversight to maintain the Register with the administrative support of the Delegate.

4.4.2 Access controls to the Register are restricted to the CEO and Delegate subject to paragraph 4.5 below.

4.5 Inspecting the Register

4.5.1 Any member of the public is entitled to inspect the Register during business hours at Council’s Principal Office at no charge and/or to obtain a copy of it in accordance with Council’s Fees and Charges Register.

4.5.2 As the confidential Register is stored within an electronically container within Council’s EDRMS, the Delegate will facilitate these inspections upon request at the front counter of the Principal Office.

4.5.3 At the time of inspection the Delegate will complete the Record of Inspection for the Register of Elected Member Interests.

4.6 Publication of the Register

4.6.1 It is an offence for a person to publish or authorise the publishing of information from the Register unless the information is a fair and accurate summary of that information and it is published in the public interest.

4.6.2 It is also an offence to comment on the facts set forth in the Register unless the comment is fair and published in the public interest without malice. Any comments on the facts from the Register must be fair and published in the public interest without malice, failing which an offence will also occur.

5. Accountabilities / Responsibilities

organisation of which the Elected Member is a member (see Schedule 3 of the Act for definitions); and

any gifts received by the Elected Member that are required to be included in the information entered into the Register by them in relation to the Elected Member.
5.1 The Chief Executive Officer (CEO) is accountable for the receipt of Elected Member Returns, maintenance of the Register of Elected Member Interests and access to the Register by the public.

5.2 The Delegate is responsible to forward to Elected Members the Primary and Ordinary Returns templates and any supporting guidelines, and facilitate receipt and updates of Returns, preparation and uploading of Return extracts to Council’s website according to this Process.

5.3 Elected Members are required to honestly and correctly complete and forward their Primary and Ordinary Returns and updates within the required timeframes to the Delegate.

6. Training

Elected Members will receive training in registering their interests at induction.

7. Tools to Implement Process

Form 3 - Primary Return – Elected Member
Form 4 - Ordinary Return – Elected Member
Register of Elected Member Interests

- Form 3 - Primary Return – Elected Member
- Form 4 - Ordinary Return – Elected Member
- Schedule of Elected Member Primary Returns
- Schedule of Elected Member Ordinary Returns
- Schedule of Updated Elected Member Returns
- Extract of Elected Members’ Register of Interests
- Record of Inspection – Register of Elected Member Interests

Fees and Charges Register

8. Legislation and References

Local Government Act 1999
Local Government (Elections) Act 1999
Local Government (General) Regulations 2013
Register of Interests Policy - HPE 15/35750[v2]

9. Review

This Process will be reviewed by the Process Owner in consultation with the relevant stakeholders, within four years or more frequently if legislation or Council’s need changes.

SIGNED: .................................................. DATE: ..........................................................  
Chief Executive Officer

Registering of Elected Member Interests Process
approved by the Chief Executive Officer on DD MM 2019

This electronic copy is the approved version and is stored in Council’s Record Management System (HPE Content Manager). Printed copies are considered uncontrolled. Before using a printed copy please verify that it is the current version.

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THE BAROSSA COUNCIL

REGISTERING OF OFFICER INTERESTS PROCESS

<table>
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<th>Policy Link:</th>
<th>Register of Interests Policy</th>
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<td>Process Owner:</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td>Previous Approval Date(s):</td>
<td>25/09/2013 28/10/2015 3/8/2017 2/4/2018</td>
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<td>Governance Advisor</td>
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<td>15/35760*</td>
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<td>DD/MM/2023</td>
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1. Overview

To provide guidance to The Barossa Council’s (“Council’s”) Prescribed Officers (“Officers”) when they register their interests in accordance with the Register of Interests Policy (“the Policy”).

2. Core Components

Required Documentation and Timeframes
Receipt of the Completed Returns
Failure to Submit a Return
Maintaining the Register
Inspecting the Register
Publication of the Register

3. Definitions

**CEO**
Delegate: The Executive Assistant to the Director, Corporate and Community Services or in their absence, the Executive Assistant to the CEO and Mayor (and those who act in these roles), The Chief Executive Officer of The Barossa Council

Delegate: The Executive Assistant to the Director, Corporate and Community Services or in their absence, the Executive Assistant to the CEO and Mayor (and those who act in these roles). For clarity, where both the above named officers are unavailable, the Delegate will be those who act in these roles, in the same order as above.

Elected Member: An Elected Member of The Barossa Council, including the Mayor unless otherwise stated.

Electronic Document Records Management System [EDRMS]: An automated system used to manage the creation, use, management and disposal of hardcopy and electronically created Documents and Records for the purposes of supporting the creation, revision and management of digital records improving an organisation’s workflow and providing evidence of business activities. (EDRMS) An automated system used to manage the creation, use, management, storage and disposal of physical and electronic documents and records.
4. Process

4.1 Required Documentation and Timeframes

4.1.1 Form 5 (Officer) Primary Return

(a) The Delegate will provide the Primary Return template and the supporting guidelines from the Local Government (General) Regulations 2013 (“the Regulations”) to an Officer within 5 days of being advised by Human Resources that the Officer:

(i) has commenced as an Employee of Council in a Prescribed Position; or

(ii) has been approved to temporarily act in a Prescribed Position, for an amount of time which the relevant Director has determined will

Confidential containers in the Electronic Document Records Management System (EDRMS) which contain the following records for each Elected Member and each Prescribed Officer:

- Primary Returns
- Ordinary Returns
- Updates to Ordinary Returns
- Schedule of Primary Returns
- Schedule of Ordinary Returns
- Schedule of Updated Ordinary Returns
- Extracts of the Elected Member Interests published on Council’s website
- Related correspondence to and from Elected Members and Prescribed Officers
- Records of Inspection for the Register of Elected Member Interests and Register of Officer Interests

and any other information required by legislation.

Includes the a Primary and Ordinary Return which are in prescribed form under the Local Government Act 1999 and which outline a Prescribed Officer’s interests.

The time between lodging the current Ordinary Return and the previous Ordinary or Primary return.
trigger a requirement to register their interests under clause 4.3.3 of the Register of Interests Policy; or

(iii) is a current Employee of Council in a position which has only recently been included in the list of Prescribed Positions by a Council resolution or CEO delegated decision.

(b) The Prescribed Officer must complete and forward their Primary Return to the Delegate via email within 30 days of their initial appointment at Council or appointment to act in a Prescribed Position or of the inclusion of their position as a Prescribed Position, as the case may be.

4.1.2 Form 6 (Officer) Ordinary Return

(a) The Delegate will provide the Ordinary Return template and supporting guidelines from the Regulations to the Prescribed Officer and, if the Officer completed one in the preceding year, also a copy of the previous Ordinary Return for reference, as soon as practicable following:

(i) 30 June each financial year and no later than 15 July and

(ii) an Officer request to update their Ordinary Return to reflect a change to their interests or to those of their family member(s) (i.e. spouse/domestic partner; and child(ren) under 18 who normally reside(s) with the Officer).

(b) Subject to (c) below, the Officer must complete and return their Ordinary Return via email to the Delegate (except for the CEO, who must email their Return to the Mayor and copy in the Delegate) as soon as practicable and:

(i) by no later than 29 August each year and

(ii) as soon as practicable at any time when there is a change to their interests or the interests of their family member(s) as described in (a) above.

However, an update to an Ordinary Return may alternatively be made via email advice to the Delegate describing the particulars of the updated information.

(c) Should the Officer's initial appointment occur or their existing position be declared as Prescribed under the Policy within a period of 60 days of 30 June they are only required to register their Primary Return and not the Ordinary Return.

However, if during the 60 day period, their interests and/or those of their family members change, then the Officer will be additionally required to register an Ordinary Return in as soon as practicable, following that 60 day period.

and if during that time their interests and those of their family members have not changed, they are only required to register their Primary Return and not the Ordinary Return. In that case, they would register an Ordinary Return for the subsequent 30 June return period.

4.1.3 It is an offence for an Employee who is a Prescribed Officer for the purposes of this
4.2 Receipt of the Completed Returns

4.2.1 When a Prescribed Officer submits their Return (Primary or Ordinary) or an update to their Return (or email advice confirming the updated interest), the Delegate will:

- where the Officer is not the CEO, confirm receipt via email to the Officer and copy in the CEO; or
- where the Officer is the CEO, confirm receipt via email to the CEO and copy in the Mayor; and
- save the Return or the update to the Return (or email advice confirming the updated interest) into the Register of Officers’ Primary and Ordinary Returns (“the Register”) for the relevant return period; and
- enter the receipt date and EDRMS reference number for each Return and updated Return (or email advice) into the Schedule of Officer Returns or Schedule of Updated Returns, as the case may be and save it in the Register (Officers’ Primary and Ordinary Returns).

4.2.2 Upon receipt, the CEO will review each Officer Return and immediately discuss any obvious areas of concern with the relevant Officer as a courtesy, noting however, that the correct and timely lodgement of their Return will always be the responsibility of the Officer.

4.2.3 The Delegate will forward the:

- Schedule of Officer Returns to the CEO for signature at the immediate conclusion of the Ordinary Return deadline on 29 August, identifying any Officers who have failed to submit their Ordinary Return by the deadline (see paragraph 4.3 for appropriate actions); and will then save the signed Schedule in the Register (Officers’ Primary and Ordinary Returns); and
- Schedule of Updated Returns to the CEO for signature when there are updates to Officers’ Ordinary Returns for that return period; and then will save it as a new version in the Register (Officers’ Primary and Ordinary Returns).

4.3 Failure to Submit a Return

4.3.1 If no Primary or Ordinary Return has been submitted by the Officer within the required time frame, the Delegate will notify the CEO (or if the CEO has not submitted, then the Mayor) who will as soon as practicable notify the Officer (or CEO, as the case may be) in writing and advise that the breach of the overarching Register of Interests Policy may be referred for investigation and disciplinary action in accordance with Council policies and processes.

4.3.2 If the Officer then submits their Return within 7 working days after receipt of the CEO’s letter or in the case of the CEO then the Mayor’s letter, the Delegate will
4.3.3 If the Officer has not submitted their Return within 7 working days after receipt of the CEO’s letter (or in the case of the CEO then the Mayor’s letter) this will initiate an investigation under Council processes into a breach of the Register of Interests Policy.

4.4 Maintaining the Register

4.4.1 The CEO has oversight to maintain the Register with the administrative support of the Delegate.

4.4.2 Access controls to the Register are restricted to the CEO and Delegate subject to paragraph 4.5 below.

4.5 Inspecting the Register

4.5.1 In accordance with Section 118 of the Local Government Act (“the Act”), the CEO must provide access to the Register if an Elected Member requests inspection, and accordingly will monitor usage of the Register to ensure that:

- only Elected Members are provided access to the Register, and
- any Elected Member who views the Register must first complete the Record of Inspection (Register of Officer Interests) form.

4.5.2 The CEO will advise Officers via email when a request to view the Register is received.

4.6 Publication of the Register

4.6.1 It is an offence for anyone to disclose information that is in the Register unless:

- it is necessary for the preparation or use of the Register by the CEO (eg which allows the Delegate access to the information so that they may prepare the Register); or
- such disclosure occurs at a meeting of the Elected Council, a Council Committee or a subsidiary of Council – and in that case, the public must be excluded from such meeting (or part of a meeting) and that minutes of that meeting (or part of those minutes containing information disclosure under this clause) are not available for public inspection.

5. Accountabilities and Responsibilities

5.1 The Chief Executive Officer is accountable for the receipt of Officer Returns, maintenance of the Register of Officer Interests and access to the Register by an Elected Member.

5.2 The Delegate is responsible to forward to Prescribed Officers the Primary and Ordinary Returns templates and any supporting guidelines, and facilitate receipt and updates of Returns according to this Process.
5.3 Prescribed Officers are required to honestly complete and forward their Primary and Ordinary Returns and updates within the required timeframes to the Delegate.

6. **Awareness**

6.1 Once Human Resources has advised the Delegate of the commencement of a Prescribed Officer at Council, or commencement of an Officer acting in a Prescribed Position (subject to clause 4.3.3 of the Register of Interests Policy), the Delegate will advise the Officer on this Process.

7. **Documents to Implement Process**

- Form 5 - Primary Return (Officer)
- Form 6 - Ordinary Return (Officer)
- Register of Officer Interests
- Schedule of Officer Returns
- Schedule of Updated Officer Returns
- Record of Inspection

8. **Legislation and References**

- Section 111-119 Local Government Act 1999
- Local Government (General) Regulations 2013
- Register of Interests Policy – HPE 15/35750[v2]

9. **Review**

9.1 This Process will be reviewed by the Process Owner in consultation with the relevant stakeholders, within four (4) years or more frequently if legislation or Council’s need changes.
7.2.1 DEBATE AGENDA – CHIEF EXECUTIVE OFFICER

7.2.1.2 QUARTERLY UPDATE TO DELEGATIONS REGISTER
B8824 and B8826

Author: Governance Advisor

PURPOSE
Council is asked to delegate the additional and amended powers to the Chief Executive Officer which are now available under the Local Government Act 1999, Development (Waste Reform) Variation Regulations 2019, State Records Act 1997 and the Community Titles Act 1996.

RECOMMENDATION

(1) Revocation of Delegations

(a) Council hereby revokes delegations to the Chief Executive Officer of those powers and functions under the provisions of the Local Government Act as specified in the extract contained in Attachment 1 of this report.

(2) Delegations made under the Development (Waste Reform) Variation Regulations 2019

(a) In exercise of the powers contained in Section 44 of the Local Government Act 1999 and Section 20 of the Development Act 1993, Council hereby delegates to the person occupying the office of the Chief Executive Officer of the Council, the powers and functions under Clauses 2(2) and 2(3) of Schedule 1 of the Development (Waste Reform) Variation Regulations 2019, 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.

(3) Delegations made under the State Records 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 the Chief Executive Officer of the Council, the powers and functions under sections 15(2), 18(1), 19(1), 19(3), 19(3)(c), 19(5), 22(2), 23(1), 23(2), 23(4), 24(3), 25(1), 25(3) and 26(1) of the State Records Act 1997, which are specified in the extract contained in Attachment 3 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) Delegations made under the Community Titles Act 1996

(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 the Chief Executive Officer of the Council, the powers and functions under Section 142A(4) of the Community Titles Act 1996, which are specified in the extract contained in Attachment 4 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.

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 in the Local Government Association’s (“LGA”) Quarterly Reviews of urgent updates recommend that amended Instruments of Delegation be immediately adopted. Council’s most recent annual review of delegations occurred in May earlier this year.

The review before Council today is as a result of two updates:

- a quarterly one on advice from the LGA which has identified updates to the delegations templates, and confirms that new delegations should be in place as soon as possible; and
- a correction to the Instruments of Delegation by the administrators for Council’s delegation software.

Attachment 5 is the LGA’s Table of Delegations Updates, which outlines the required changes to powers and functions of its Instruments of Delegation under the Local Government Act 1999, Development Act and Regulations and State Records Act 1997.
Attachment 4 is an extract from Council’s delegations software, which shows the update made to the Instrument of Delegation under the Community Titles Act 1996 by the software administrators.

Discussion

1. Local Government Act

Upon the commencement of the Public Interest Disclosure Act 2018 (‘PID Act’), the Whistleblowers Protection Act 1993 was repealed.

The PID Act requires that the Chief Executive Officer appoint Responsible Officers to receive and manage disclosures of public interest information. As a result, there is no need or legislative authority to designate responsible officer/s under the Whistleblowers Protection Act 1993.

The Instrument of Delegation under the Local Government Act 1999 has now been updated to reflect this change. An extract of the Instrument showing the amendments is set out by way of track changes, attached as Attachment 1 to this report.

2. Development (Waste Reform) Variation Regulations 2019

The Development (Waste Reform) Variation Regulations 2019 (the “DVR Regulations”) came into operation on 1 June 2019, and varies the Development Regulations 2008.

The delegations relate to development authorisation to deal with development authorisations, as a consequence of variations to Schedule 21 or 22 of the DVR Regulations, which relate to activities of activities of environmental significant; and powers to dispense with the requirement for applications and fees.

As the delegations for the DVR Regulations sit under the Instrument of Delegation under the Development Act 1993 and Development Regulations 2008, the said Instrument has now been updated to reflect this change. An extract of the Instrument showing the amendments is set out by way of track changes, attached as Attachment 2 to this report.


The LGA has prepared a new Instrument of Delegation under the State Records Act 1997, which sets out Council’s powers under the State Records Act 1997.

The LGA recommends that Council make delegations under the new Instrument as soon as required.

The Instrument of Delegation under the State Records Act 1997 is attached as Attachment 3 to this report.


From time to time, the administrators of Council’s delegations software, RelianSys makes minor corrections and updates to its Instruments of Delegation. Officers have been advised that the update to the Community Titles Act 1996 was in order to correct a provision that was previously omitted on the system.

The Instrument of Delegation under the Community Titles Act 1996 has now been updated to reflect this change. An extract of the Instrument showing the amendment is set out by way of track changes, attached as Attachment 4 to 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 Local Government Act 1999
Attachment 2 - Proposed amendments to the Instrument of Delegation under the Development Act 1993 and Development Regulations 2008
Attachment 3 - Proposed Instrument of Delegation under the State Records Act 1997
Attachment 4 - Proposed amendments to the Instrument of Delegation under the Community Titles Act 1996
Attachment 5 - LGA’s Table of Delegations Updates

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan
How We Work – Good Governance

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

Legislative Requirements
Local Government Act 1999
Development Act 1993 and Development Regulations 2008
Development (Waste Reform) Variation Regulations 2019
State Records Act 1997
Community Titles Act 1996

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.
### Local Government Act 1999

#### CHANGED Provisions

<table>
<thead>
<tr>
<th>#</th>
<th>Delegation Source</th>
<th>Section</th>
<th>Item Delegated / Authorisation</th>
<th>Conditions and Limitations</th>
<th>Delegate / Authorised Officer</th>
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<tbody>
<tr>
<td>12609</td>
<td>Local Government Act 1999</td>
<td>s302B</td>
<td>148. Whistleblowing Deliberately left blank</td>
<td></td>
<td>This power remains with CEO - no further sub-delegation</td>
</tr>
</tbody>
</table>

148.1 The duty pursuant to Section 302B of the Act to ensure that a member of staff of the Council who has the qualifications prescribed by the Local Government (General) Regulations 1999 2013 is designated as the responsible officer for the Council for the purposes of the Whistleblowers Protection Act 1993.
### NEW Provisions

<table>
<thead>
<tr>
<th>#</th>
<th>Delegation Source</th>
<th>Section Source</th>
<th>Item Delegated / Authorisation</th>
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</thead>
</table>
| 274936 | Development (Waste Reform) Variation Regulations 2019 | Clause 2(2) Schedule 1 | 120. Development Authorisations to Continue  
120.1 The power pursuant to clause 2(2) of Schedule 1 of the Development (Waste Reform) Variation Regulations 2019 (‘the Waste Reform Regulations’), to, on the Delegate’s own initiative or on application by an existing authorisee:  
120.1.1 grant a new development authorisation to the person; or  
120.1.2 revoke an existing development authorisation; or  
120.1.3 by notice in writing to the authorisee given within 2 years after the commencement of clause 2 of Schedule 1 of the Waste Reform Regulations:  
120.1.3.1 vary the terminology or numbering in the existing development authorisation; or  
120.1.3.2 impose or vary a condition of the existing development authorisation, if, in the opinion of the Delegate, it is necessary or desirable to do so as a consequence of the variation of Schedule 21 or 22 of the principal regulations by the Waste Reform Regulations. | | |
| 274937 | Development (Waste Reform) Variation Regulations 2019 | Clause 2(3) Schedule 1 | 120. Development Authorisations to Continue  
120.2 The power pursuant to clause 2(3) of Schedule 1 of the Waste Reform Regulations, if the relevant authority takes action under clause 2(2) of Schedule 1 of the Waste Reform Regulations, to, dispense with the requirement for applications and payment of fees as the Delegate considers appropriate. | | |
### NEW Provisions

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<tr>
<th>#</th>
<th>Delegation Source</th>
<th>Section</th>
<th>Item Delegated / Authorisation</th>
<th>Conditions and Limitations</th>
<th>Delegate / Authorised Officer</th>
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</table>
1.1 The power pursuant to Section 15(2) of the State Records Act 1997 (the Act) to, afford the Manager reasonable cooperation and assistance in the conduct of a survey under Section 15 of the Act. | | |
| 274859 | State Records Act 1997 | s 18(1) | 2. Voluntary Transfer to State Records’ Custody  
2.1 The power pursuant to Section 18(1) of the Act to, subject to Section 18(2) of the Act, deliver any of the Council’s records into the custody of State Records. | | |
| 274860 | State Records Act 1997 | s 19(1) | 3. Mandatory Transfer to State Records’ Custody  
3.1 The power pursuant to and subject to Section 19(1) of the Act, to deliver an official record of the Council into the custody of State Records (unless sooner delivered to State Records) or dispose of an official record of the Council in accordance with this Act):  
3.1.1 when the Council ceases to require access to the record for current administrative purposes; or  
3.1.2 during the year occurring 15 years after the record came into existence, whichever first occurs. | | |
| 274861 | State Records Act 1997 | s 19(3) | 3. Mandatory Transfer to State Records’ Custody  
3.2 The power pursuant to and subject to Section 19(3) of the Act, to postpone the delivery of records into the custody of State Records:  
3.2.1 in accordance with record management standards issued by the Manager; or  
3.2.2 with the Manager’s approval, in cases where the Manager is satisfied (after consultation with the Council) that the records are further required for current | | |
| 274862 | State Records Act 1997 | s 19(3)(c) | 3. | Mandatory Transfer to State Records’ Custody |
| 274863 | State Records Act 1997 | s 19(5) | 3. | Mandatory Transfer to State Records’ Custody |
| 274864 | State Records Act 1997 | s 22(2) | 4. | Keeping of Official Records in Premises Other than State Records’ Premises |
| 274866 | State Records Act 1997 | s 23(2) | 5. | Disposal of Official Records by Agency |
| 274868 | State Records Act 1997 | s 24(3) | 6. | Disposal of Official Records by Manager |

administrative purposes or should be retained for any other special reason.

3. The power pursuant to Section 19(3)(c) of the Act, to make submissions to the Manager for the delivery of records into the custody of State Records to be postponed.

3. The power pursuant to Section 19(5) of the Act, to apply to the Manager for an exemption granted under Section 19(4) of the Act to be varied or revoked.

4. The power pursuant to Section 22(2) of the Act, to require an arrangement under Section 22(1) of the Act to be subject to such conditions as the Delegate may reasonably require.

5. The power pursuant to Section 23(1) of the Act, to dispose of official records in accordance with a determination made by the Manager with the approval of the State Records Council.

5. The power pursuant to Section 23(2) of the Act, to request the Manager make a determination as to the disposal of official records.

5. The power pursuant to Section 23(4) of the Act, if there is a dispute as to a determination under Section 23 of the Act to make an application to the Minister to determine the matter.

6. The power pursuant to Section 24(3) of the Act, to consent and make submissions to the Minister in relation to the disposal of a record under Section 24(1) of the Act.
|   | State Records Act 1997 | s 25(1) | 7. Agency’s Access to Records in Custody of State Records  
7.1 The power pursuant to Section 25(1) of the Act, to have such access to, and make or direct such use of as the Delegate requires, official records in the custody of State Records for which the Council is responsible. |
|---|---|---|---|
|   | State Records Act 1997 | s 25(3) | 7. Agency’s Access to Records in Custody of State Records  
7.2 The power pursuant to Section 25(3) of the Act, if there is a dispute as to access under Section 25 of the Act, to make an application to the Minister to determine the matter. |
8.1 The power pursuant to Section 26(1) of the Act, in relation to official records in the custody of State Records for which the Council is responsible, to, in consultation with the Manager:  
8.1.1 determine that access to the record (other than by the Council) is not subject to any restrictions other than those determined by the Manager under Section 26(2) of the Act; or  
8.1.2 determine conditions excluding or restricting access to the record. |
**NEW Provisions**

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</table>
| 277202 | Community Titles Act 1996 | s 142A(4) | 29. Holding of Deposit and Other Contract Moneys When Lot is Pre-sold  
29.2 The power pursuant to Section 142A(4) of the Act, if the plan of community division is not deposited in the Lands Titles Registration Office:  
29.2.1 within such period after the date of the contract as is specified in the contract in accordance with any requirements specified in the regulations; or | | |
**LOCAL GOVERNMENT ASSOCIATION**  
**UPDATES OF DELEGATION TEMPLATES ON WEBSITE**

(Note: Paragraph references below refer to updated version – As at 1 July 2019)

<table>
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<tr>
<th>Act Document/ Page on Website</th>
<th>Para number in instrument which contain changes</th>
<th>Section number of Act/ Regulation</th>
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<td>120.1, 120.2</td>
<td>Clause 2(2), Schedule 1 Development (Waste Reform) Regulations 2019, Clause 2(3), Schedule 1 Development (Waste Reform) Regulations 2019</td>
<td>Addition, Addition</td>
<td>Legislative amendment, Legislative amendment</td>
<td>1 August 2019, 1 August 2019</td>
<td>Adopt updated instrument as soon as require delegations to be made</td>
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*Note:* The table above lists the changes made to the delegation templates as at 1 July 2019. The information includes the Act, document/page on the website, paragraph number in the instrument, section number of the Act/Regulation, whether the change is an addition, amendment, or deletion, the reason for the change, and the date of the latest version. The recommendation is to adopt the updated instrument as soon as possible.
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<td>Notification of Subdelegations for Council Officers</td>
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</table>
7.2.1 DEBATE AGENDA – CHIEF EXECUTIVE OFFICER

7.2.1.3 REQUEST BY RESIDENT TO SUPPORT COSTS OF REPAIR
B9967

PURPOSE
To consider a request from a resident to support costs of repair that may have resulted from a street tree.

RECOMMENDATION
That Council noting it has an exemption under Section 245 of the Local Government Act and that Council’s insurer has rejected the claim on the basis of the statutory exemption reject the claim to support costs of repair.

REPORT
Background
The resident asserts that a tree root from an adjacent road reserve in Tanunda has caused damage to his property. Officers have managed the matter in accordance with Council’s insurance obligations, service levels and legal exemptions.

Discussion
Some time ago a tree matter was raised by a resident in Tanunda. The tree was investigated, in the first instance and on advice the customer request was responded to that the tree was not the cause of any issues. Upon further investigation by the resident and staff it was established that further down into the ground a root from the tree, on reasonable grounds could be the cause of damage. The tree was removed in any case due to its health.

Subsequently the resident made a claim for damages. As per normal practice and required under the rules of our insurer the claim was referred to them for assessment. The insurer rejected the claim as Council has a legal exemption under Section 245 of the Local Government Act. The resident then escalated the matter to certain members and myself. I explained the exemptions and that ultimately I could not override our insurer. After various conversation, at his request I agreed to put the matter to Council, as it is a significant policy position for Council to take and could set a very expensive precedent.

Should Council consider that it provide some support for costs it should do so knowing:

1. Our insurer Local Government Risk Services will not support any claim made for any damage now or in the future for this matter and it will mean Council is potentially financially exposed;
2. It is acting to set a significant policy position which is unknown in its long term liability to Council and contrary to legal protections it enjoys by statute.
If Council does agree to support any costs it should be done via a deed of release.

The resident has sought three quote to undertake the work they are $880, $1287 and $1584.

Whilst empathetic to the matter Council must consider the long term policy position it is setting. Should Council wish to support a portion of, or all costs, I have provided below an alternative recommendation; I can do nothing other at this time than make the recommendation to reject the claim to ensure alignment with our insurer, not expose Council to additional unreasonable risk and align with the law.

Specifically Section 245 of the Local Government Act states:

245—Liability for injury, damage or loss caused by certain trees
(1) A council is not liable for any damage to property which results from—

   (a) the planting of a tree in a road; or

   (b) the existence of a tree growing in a road (whether planted by the council or not).

(2) However, if—

   (a) the owner or occupier of property adjacent to the road has made a written request to the council to take reasonable action to avert a risk of damage to property of the owner or occupier from the tree; and

   (b) the council has failed to take reasonable action in response to the request, the council may be liable for any damage to property that would have been averted if the council had taken reasonable action in response to the request.

In relation to part 2 Council has taken reasonable action as it removed the tree. There are no historical records indicating any earlier written (or verbal) requests prior to this one being raised and dealt with.

Alternative recommendation:

That Council noting it has an exemption under Section 245 of the Local Government Act and that Council’s insurer has rejected the claim on this basis, agrees to provide $X to support repair costs on condition the resident signs a Deed of Release for any and all future claims.

Summary

The matter of support costs for repair needs to be considered by Council due to the nature of the claim and the importance of the policy position in the long term.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment: Quotes – one quote is very hard to read but is the upper quote in any case.
6.5 Implement compliant and contemporary risk management initiatives.

**Legislation**
Section 245 of the Local Government Act

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

**Financial and Resource**
At this time no financial costs have been incurred to support cost of repairs. The tree removal has been funded from normal maintenance budgets.

Should Council support the costs of repair it would be funded from public liability excess budget.

**Risk Management**
Any risks posed by the tree have been mitigated by removal. The risks that now need to be considered on a policy basis are the balance between reputational, legal and financial matters concerning its final decision.

**COMMUNITY CONSULTATION**
No community consultation is required.
Dear Martin,

This morning I received a second quote for repair work to my concrete Paving, I do hope that work can be done ASAP. Neither of these Quotes has inc any plumbing costs, but that should be minimal, if required.

8Hardy Crt, Tanunda

[Redacted]
QUOTE FOR

Set up and supply labour and materials for cut and removal of existing concrete and replace with new to match existing concrete as detailed below:

Top quality job

Total Labour & materials $800

GST $80

TOTAL $880

Quote based on work on a prepared site and information supplied. Alterations will be charged accordingly.

Any questions please don't hesitate to contact me on 0400988429. We thank you for the opportunity of tendering and await your further instruction.

QUOTE VALID FOR 30 DAYS

Terms & conditions – payment is to be made within 14 days of completion of job.
To [Name]

Please remove section of concrete paving 2.0m x 1.1m.
Then reinstated with stock grey concrete
32mm, 50/52 mesh topping and coated with
existing concrete. Also reinstated basecourse.

Price $1440.00
GST $144.00
Total $1584.00

Yours faithfully,
[Signature]
Mr Martin McCarthy
CEO Barossa Council.

A further quote for repair work at my property
8 Hardy Crt Tanunda,
REGAL CONCRETE
MICK PIHODNYA
PO BOX 86
EDEN VALLEY 5235
Mobile Phone 0412 265032
regaimick1@bigpond.com

Customer:
Number 8
Street HARDY
Suburb TANUNDA P/C 5352
Phone No. 0403 308 389
Mobile Phone

Thank you for allowing us to submit the following quote:

REPAIR OF PATH
SAW CUT AND REMOVE DAMAGED PATH
REPAIR STORMWATER PIPE UNDERNEATH
REPLACE PATH WITH REINFORCING MESH & CONCRETE
MATCH COLOUR CLOSE AS POSSIBLE
REMOVAL & DUMP OF OLD CONCRETE PATH

Amount $1,170.00

GST $ 117.00
Total $ 1,287.00

Many thanks and kind regards.
MICK
7.2.1 DEBATE AGENDA – CHIEF EXECUTIVE OFFICER

7.2.1.4

**EXPRESSION OF INTEREST BAROSSA RAILWAY CORRIDOR**

**B10091**

<table>
<thead>
<tr>
<th><strong>PURPOSE</strong></th>
</tr>
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<tbody>
<tr>
<td>To ratify the Expression of Interest made to the open tender by the Department of Planning, Transport and Infrastructure for future use of the Barossa Railway Corridor (the EOI).</td>
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</tbody>
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<table>
<thead>
<tr>
<th><strong>RECOMMENDATION</strong></th>
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<tbody>
<tr>
<td>That Council note the work undertaken to date and ratify the submission presented at the Attachment made by the Chief Executive Officer on behalf of the consortium outlined in the response.</td>
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<table>
<thead>
<tr>
<th><strong>REPORT</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Background</strong></td>
</tr>
<tr>
<td>As was outlined to Council at a special workshop an EOI was released seeking proposals for future use of the Barossa Railway Corridor.</td>
</tr>
</tbody>
</table>

**Discussion**
Over the past month the Mayor and I have met with interested stakeholders and out of that meeting developed a high level proposal. Due to the timeframes, the EOI was issued on 9 August 2019 and submissions were due on 10 September 2019. Based on preliminary work Council had started and input provided at the workshop I have proceeded to lodge an EOI as the lead of a consortium. The submission is at the Attachment and has been developed based on a multi-pronged solution and is consistent with an advocacy role highlighted in our Community Plan for public infrastructure.

The clear reality from the work done is the cost to achieve a passenger service using traditional methods (which ultimately depends on the actual conditions of the assets and corridor) is high, somewhere in the order of $11M and this may not even achieve a full speed service. Council is not a public transport provider and nor are the other consortium members - the interest ultimately had to be connected to innovative and cost effective tourism and community transport links.

Further conversations have been held with other parties during this process however due to the very limited timeframe to develop the EOI the parties have been limited to the those in the original meeting but should a successful outcome be achieved the consortium could increase or change as the proposal is developed through to a full business case.
The proposal is strategic in nature and has not been tested in various ways due to lack of time but if successful would proceed with further investigations, conversations and business analysis. The proposal and discussions to date have made it clear we are trying to facilitate an outcome we will not at this time assume any lease or associated liabilities in any transfer of the corridor.

Council is now asked to formally ratify the submission made, if it is not supported I understand the EOI can be withdrawn.

Summary
The EOI submission is ultimately is a low risk strategic proposal where Council is trying to facilitate an innovative use and activation of the corridor in support of economic, environmental, community and innovative outcomes. No commitments are made through this EOI process rather it is a proposal for further analysis should it be successful.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment: Part D Response to Expression of Interest Submission – Proposal for the Use of the Barossa Rail Corridor

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Natural Environment and Built Heritage

Community and Culture

Infrastructure

Business and Employment

How We Work – Good Governance

1.6 Support tourism development that is sensitive to the natural environment and sustainable.
1.10 Facilitate opportunities to repurpose or find alternative use of built heritage.
2.9 Create places where people want to live and plan for the future in a coordinated, appropriate and proactive manner.
3.2 Collaborate with private and public utilities providers to ensure infrastructure is adequate to support the community both now and into the future.
3.5 Advocate for and seek out funding opportunities that support the development of community, health and other facilities and infrastructure from both state and federal government.
3.7 Ensure infrastructure meets the needs of people with and provides for all abilities access.
3.8 Support opportunities to increase community transport and access to services and facilities.
5.1 Work closely with State Government, Federal Government and stakeholders to support economic growth, development and job creation.
5.3 Help build the capacity of the tourism sector and encourage the development of tourist services, including eco and recreational tourism infrastructure.

5.4 Attract investment for new and innovative industries, such as creative industries and cultural tourism.

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

**Financial and Resource**
At this time no financial costs have been incurred,

Resources have been provided internally from my time and support staff in various areas.

Should the proposal be successful a commercial full analysis, business case, legal and governance structure and other planning and investigation activities would need to be undertaken. It is clear this will consume significant internal resources namely myself, engineering and finance staff, and will require external support, it is not know at this time what costs would be incurred to develop the proposal to the stage it is commercial and operationally ready.

**Risk Management**
The EOI is a low risk proposal submission, risk has been mitigated to date based on being clear with the consortium we are facilitators the ultimate risk profile will be assessed should the EOI be successful.

**COMMUNITY CONSULTATION**
No community consultation is required for the EOI, we have engaged with four key companies to develop this proposal and as explained in the body of the report spoken to many others.
4. PART D - RESPONSE TO EXPRESSION OF INTEREST

PROPOSAL FOR THE USE OF THE BAROSSA RAIL CORRIDOR

EXPRESSION OF INTEREST FORM

Name of Respondent: The Barossa Council on behalf of the following consortium

Business Name: Consortium of The Barossa Council, SAGE Automation, Leyton Funds Management, Chateau Tanunda (Ivivi Pty Ltd) and First Drop Wines under the support of The Barossa Council in the first instance

Address: C/- The Barossa Council, 43-51 Tanunda Road, Nuriootpa, SA 5355

ACN: N/a  ABN: 47 749 871 215

The undersigned hereby registers an interest in the above project and declares that the information contained in this EoI Response is true and correct and conforms to the Conditions for Submission.

I confirm that I have read, understood and accepted the Conditions of Submission forming Part C of the EoI.

I acknowledge the receipt of revisions numbered:........1........................................
(Respondents to insert number of revisions received)

Name of the authorised representative of the Respondent who signs this EoI form: ...........Martin McCarthy

Signature: Date: 9/9/2019
Title: Chief Executive Officer

Signature of Witness: Date: 9/9/2019
Name of Witness: Michael (Bim) Lange
Title: Mayor
Supporting Information is attached.

FOR OFFICE USE ONLY

Tender opened on ............../............../............
By: ................................................................. .................................................................
(Signature of Authorised Officer) (Printed Name of Authorised Officer)

And: ................................................................. .................................................................
(Signature of Authorised Officer) (Printed Name of Authorised Officer)
### 4.1 RESPONDENT DETAILS

<table>
<thead>
<tr>
<th>Details</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trading Name</td>
<td>The Barossa Council</td>
</tr>
<tr>
<td>Registered Name</td>
<td>The Barossa Council</td>
</tr>
<tr>
<td>ACN</td>
<td>N/a</td>
</tr>
<tr>
<td>ABN</td>
<td>47 749 871 215</td>
</tr>
<tr>
<td>Address of registered office</td>
<td>43-51 Tanunda Road, Nuriootpa, SA 5355</td>
</tr>
<tr>
<td>Place of business in South Australia</td>
<td>The Barossa Council area</td>
</tr>
<tr>
<td>Type of entity (e.g. company, trust, partnership, sole trader, other)</td>
<td>Local Government</td>
</tr>
</tbody>
</table>
| Key Personnel (e.g. directors, chief executive officer, principal of business etc) | Martin McCarthy – CEO - The Barossa Council  
Damian Hewitt – General Manager, Transport – SAGE Automation  
Damien Brown – Director – Leyton Funds Management  
John Geber – Principal - Chateau Tanunda (Ivivi Pty Ltd)  
Keiron Lomax – Brand Manager – First Drop Wines |
| Telephone                           | 0418 787 886                                                                |
[www.sageautomation.com](http://www.sageautomation.com)  
[www.chateautanunda.com](http://www.chateautanunda.com)  
[www.firstdropwines.com](http://www.firstdropwines.com) |

### 4.2 CONTACT DETAILS

<table>
<thead>
<tr>
<th>Details</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact Person</td>
<td>Martin McCarthy</td>
</tr>
<tr>
<td>Position</td>
<td>CEO</td>
</tr>
<tr>
<td>Address</td>
<td>43-51 Tanunda Road, Nuriootpa, SA 5355</td>
</tr>
<tr>
<td>Postal address (if different to above)</td>
<td>PO Box 867, Nuriootpa, SA 5355</td>
</tr>
<tr>
<td>E-mail</td>
<td><a href="mailto:mmccarthy@barossa.sa.gov.au">mmccarthy@barossa.sa.gov.au</a></td>
</tr>
<tr>
<td>Telephone</td>
<td>0418 787 886</td>
</tr>
</tbody>
</table>
4.3 COMPANY / CONSORTIA STRUCTURE

Outline the roles of the Respondent Members and primary subcontractors for the Project, if the Respondent is a joint venture, partnership or trust, copies of all documents evidencing the joint venture, partnership and or trust (including any memoranda of understanding or other documentation evidencing the intention to form a joint venture, partnership or trust in the case that such joint venture, partnership or trust has not yet been formed) must be provided and DPTI reserves the right to require further information about the Respondent, including to satisfy DPTI that the Respondent will be bound by the proposed contractual agreements.

Where a related company of the Respondent or its participants is or may in the future be involved as a participant for a different Respondent, or in relation to a different Submission, the Respondent must provide details here of:

- The relationship between the related companies
- The processes by which decisions concerning the Respondent tender will be made and responsibilities discharged during the selection process, should the Respondent be invited to submit a tender;
- Any internal governance arrangements and other procedures which the Respondent has or will put in place to address and resolve probity and competitiveness issues; and
- The manner by which compliance with such internal governance arrangements and other procedures will be certified.

The companies and entities have agreed to submit a proposal noting the limited timeframe to develop a governance structure, business plan, business case and undertake due diligence. As such it is proposed that this will be undertaken during a successful EOI and progression to a possible project conclusion in 2020 with DPTI.

The relationship between the parties is currently based on a coalition and commitment to try and achieve a multipronged approach to providing an integration and innovative solution for the use and maintenance of the railway corridor.

The parties have committed should this EOI proceed to developing the conceptual governance and commercial structure and agreed a Memorandum of Understanding to work together on this proposal, it is provided at attachment 1.

The Barossa Gawler Light and Adelaide Plains Regional Development Board support the concepts that are presented and the drive to ensure the corridor is retained for this and the future community. The have provided is provided at attachment 2.

4.4 CONFLICT OF INTEREST

You must provide details of any actual or perceived interests, relationships or clients which may cause a conflict of interest or potential conflict of interest and actions to prevent or manage the conflicts of interest.

There are currently none known.
4.5 CAPACITY/CAPABILITY /EXPERIENCE

Including comprehensive experience and capability statement and Reference cases for similar initiatives and Customer reference contact details as appropriate,

The five parties to this EOI have extensive success in each of their fields. The ability to outline the success of a similar project is limited in that the management of a rail corridor is extremely rare and normally the responsibility of specific-purpose companies or government entities. Nevertheless the parties are confident that their collective expertise provides a substantial basis for moving forward with a long term utilisation of the rail corridor to benefit the Barossa region. The general relevant experience of each party is summarised below.

The Barossa Council

1. Maintains and provides extensive transport services through road and related infrastructure and community transport services with over 80+ volunteers and 3.5 staff through 14 vehicle and two buses providing extensive community, medical and social isolation / connectivity services.
2. Delivers extensive project and programmed services access a wide array of services and has a proven record in delivering infrastructure for its community and supporting State and Commonwealth programs for instance $17M regional indoor sporting facilities, $7M Barossa Trail from Nuriootpa to Gawler, $7M flood mitigation system in Nuriootpa.

SAGE Automation

SAGE Automation is a local South Australian system integrator of intelligent transport systems (ITS) with DPTI Prequalification for ITS. With over 400 employees, SAGE delivers technical excellence and robust project execution from concept and design through to commissioning, practical completion, service and ongoing maintenance. SAGE’s extensive experience includes:

1. Delivering major infrastructure projects
   - Strategy and delivery of major managed motorways and tunnel control systems.
   - Hazop/Chazop development, safety systems, high-level communications, redundant networks, thermal video incident detection, power factor and harmonics monitoring, vibration analysis.
   - Innovative technologies such as predictive analytics, ramp metering, radar systems.

2. Providing the latest mobility technologies, including data-gathering and analytics
   - Involvement in 5 separate autonomous trial deployments in Australia with 4 different vehicle vendors, providing operational support and 24/7 monitoring from SAGE’s National Operations Centre.
   - V2X integration of autonomous vehicles with infrastructure such as traffic controllers and geofenced vehicle crossings.
   - Addinsight wireless vehicle/pedestrian detection units deployed by road authorities in all states to collect real-time travel data, beaoning and display control.
   - Smart City technologies – deployment of IoT sensor solutions, data aggregation, dashboard and analytics platforms delivering insight on equipment status, visitor behavior and usage patterns.

3. User-centric, community-focused Smart Transport technology
   - SAGE’s Matilda Smart Transit Hub
     o Targets First-Mile/Last-Mile scenarios by integrating with autonomous vehicles and other transit, providing services “to the doorstep”. This minimises the hassle of transfers, encouraging transit corridor use and increasing connectivity and visitation to surrounding points of interest.
     o Humanises the autonomous service experience, with natural interaction technologies to lower the barrier for use. It focuses on accessibility, safety and interactivity to support disability and aged-care needs.
     o Sustainable, solar-powered and fully connected with real-time data from vehicles and transit sources to deliver a seamless, intuitive service to users while providing powerful centralised management and data collection for service providers.
     o Rich interactive display and audio allows promotion of the local area, visitor information and up-to-date service information.
     o For more details please see attachment 3.
4. **SAGE Service**
   - Service technicians available 24/7 with national footprint – A-Class electricians with technical capability including PLC/SCADA programming and switch configuration.

**Leyton Funds Management**

Leyton Funds Management (LFM) is a property investment manager and holds an Australian Financial Securities Licence (AFSL) issued by the Australian Securities Commission (ASIC) 483762. LFM currently owns multiple assets in South Australia including; a majority of the future urban land at Concordia (through the Concordia Land Trust (CLT)); and the Gawler Central Shopping Centre, directly adjoining the Gawler Central Train Station (through the Gawler Trust (GT)). Concordia Land Management (CLM) is the entity that provides the specialist skills to manage and seek a rezoning of the land for urban development on behalf of LFM. In regard to the future of the Gawler-Barossa Rail line these two investments are closely linked and the future of the rail service has significant implications for both.

The principles of LFM ([www.leytonfunds.com.au](http://www.leytonfunds.com.au)) have a combined 75 years of project development experience and are actively developing a range of commercial and residential projects around South Australia with a total value range of up to $200 million.

At Gawler Central Shopping Centre, LFM has secured development approval for its 3rd retail extension in the last 5 years which will create a further 2 retail tenancies and take the value of the recent development works at the centre to $4 million.

For the Concordia Project, Concordia Land Management (CLM) provides the specialist skills to manage and seek a rezoning of the land for urban development on behalf of (and under direction from) LFM. The vision for the Concordia project is to create a comprehensively master community of some 9,500 and 24,000 people over the next two decades.

CLM is under the Directorship of Damien Brown and Richard Osborne who also have a partnership in the development company Arcadian Communities, which is currently delivering the Springwood Development at Gawler East. The Springwood Development was purchased from Lend Lease in early 2016 and the project team has been working closely with State and local government, and the community since then to implement a refreshed master plan to deliver a quality lifestyle choice in the Gawler hills.

The Directors and staff involved in the Concordia Project have all had extensive experience in residential and commercial development projects, both locally and nationally, which have involved complex infrastructure negotiations and have gone on to deliver very successful and highly awarded outcomes. In particular, the team has been directly involved in the development of projects at Golden Grove, Mount Barker, Gawler East and Mawson Lakes.

**Chateau Tanunda**

As the only current provider of a rail transport service historically Chateau Tanunda can demonstrate the operation of the wine train as a critical link to the solution being proposed. Further the 20 years of investment by the Chateau in the restoration, commercialisation and return to profit the Chateau is inextricably linked to the character culture and history of the Barossa.

The Chateau is the first Chateau built in Australia in 1890. Authentic wines and experiences are the most important “Find and Discover Experiences” by any tourist in any wine area.

The vision and track record is clear. The last 20 years has been bringing The Chateau up to “Chateau Standard”, and creating genuine brands within Chateau Tanunda using the Chateau Tanunda name. The brand is now over 200,000 cases annually and is a profitable brand. As one of the largest exporters offshore with over 10% of all Barossa Wines. Our track record of making it happen is strong and projects are thoroughly thought through.

Our next 3 most important stages are:

1. **The Chateau Hotel** - Situated next to the railway station, Comprising of 80 -110 rooms.
   - Feasibility has been completed.
   - Architects have been engaged.
   - The land swap currently on a separate title for the hotel is completed.
2. Cultural, Education and Culinary Centre – To tie in with the Wine Education tram. Predominately China but also with the rest of the world.

- The Educational accommodation has been designed. Currently consulting with heritage.
- 48 rooms all in the existing Bond Store
- Our educational rooms have been designed and will be in “The Chateau West Wing” Room. Seating up to 100 people in 3 different areas.
Both these accommodation centres are “The Chateau” functions room and kitchens.

3. The Tanunda Train Station
   - This is being proposed for a restaurant of high quality. Currently Sydney’s Number 1 Chinese restaurant with a one hat Michelin rating.

Together with the other respondents this will be unequally world class – a genuine train corridor in one of the most important wine regions in the world. Vision gets people and we know from The Napa Valley Wine Train experience that train travel and cruises are the most desired tourism activities in the world.
The Napa Valley train goes from Napa to St Helena (25 miles away) situated next to a major highway. Our train track goes from Gawler to Nuriootpa in genuine wine country passing 30+ wineries within a 300m radius from the railway line.

The Barossa wine train is a focal point of all other activity supporting this rail corridor.

**First Drop Wines**

First Drop Wines is a progressive and innovative wine and tourism business who drive regional awareness and visitation with strong marketing and a fresh approach to their value proposition.

Based in Nuriootpa, their Cellar Door is adjacent the rail corridor & opposite the Barossa Council offices. First Drop have long recognised that development of the rail corridor can deliver greater access for tourism and community and deliver strong economic outcomes.

First Drop’s involvement in this EOI is a reflection of broader industry engagement and commitment by food, wine and tourism facing businesses to developing progressive means of regional access.

The focus on international travellers and Millennial and Asian (specifically Chinese) tourists by Barossa Tourism and the Barossa Grape & Wine Association necessitates world leading initiatives that deliver ecologically sound and experiential approaches. First Drop support the approach offered by this EOI in providing an opportunity for recognition, promotion, international media coverage and social media value.

---

4.6 HIGH LEVEL DEVELOPMENT PLAN (your proposal for the corridor)

Including the benefits to the South Australian community,

**Proposal**

The consortium proposal is a three pronged approach to activating the line.

1. Provision of an extension of the existing passenger rail in the medium term through to Concordia to service the new growth area and existing community in the Gawler/Barossa region. This will create a connection from Adelaide to Concordia and the infrastructure to enable the second connection.
2. From Concordia, a rail connection via the Wine Train and/or autonomous vehicle (future stage) would provide a tourism connection through to the valley floor and Tanunda, thereafter providing access to the third connection. A by-product of the activation of the line would also potentially include the use of the rail corridor as a horse trail from Kalbeeba to Lyndoch.
3. Tanunda to Nuriootpa and then possibly Angaston (stage one and two) via an automated vehicle would provide tourism and public connection to three towns and tourism businesses along the route including the Chocolate Factory, the university, First Drop Wines and Beckwith Park precinct, the planned Arts Culture and Heritage Hub adjacent Chateau Tanunda, the potential 5 star accommodation at Chateau Tanunda, the restored Angaston Railway.

Should an autonomous vehicle trial over 3 years prove successful and the proofing of on-road full speed transport be achieved, there are growing and endless extensions to the heart of Nuriootpa, precincts such as Seppeltsfield and potentially working south and east to further service the tourism and public connectivity opportunities.

Connectivity and infrastructure support at stations can be achieved relatively cheaply through the use of innovative solutions such as the Matilda module provided by SAGE Automation for Nuriootpa and the Tanunda station has capacity to service the wine train with basic investment.

At attachment 3 is the Matilda concept and the current SAGE Automation and The Barossa Council autonomous vehicle concept. The solution being discussed will link with the work The Barossa Council is undertaking on Smart City solutions for the Barossa.

A high level concept map of the proposal is at attachment 5.
## Benefits

1. Activating a disused corridor for new and innovative and integrated passenger, tourism and social connectivity solution.
2. Presenting the Barossa in a new and unique way.
3. Assisting to develop future technologies for scalable passenger, tourism and social connectivity and proving full speed autonomous vehicles transitioning to on-road solutions.
4. Ability of State Government to make significant savings on planned infrastructure for Altona Bridge and Kroemers Crossing and providing support to activate the rail corridor for use and where there is potential for technological and traditional to co-exist.
5. Creating a connected and sustainable region of Barossa/Gawler including
   - Barossa Regional Gallery and future Culture Hub
   - Culinary and Cultural Tourism precinct in Tanunda
   - Developing Sporting and Recreational events precincts at Lyndoch, Tanunda, Nuriootpa, Angaston and wider with the successful application of a long term vision and solition
   - Angaston Railway Precinct Regional play and open space destination
   - Future linkages to Adelaide Wine Capital Cycling Trail from McLaren Vale to Clare.
6. Making a contribution to carbon reduction and the State’s climate change goals, specifically the increased electrification of transport to achieve emission reduction.
7. Provision of rail services to a significant current and future growth area to support a master planned, transit oriented community.
8. The creation of permanent local jobs as a result of investment which will leverage off the new transport services. Investment in public infrastructure, and particularly transport services, is guaranteed to attract further private investment.
9. Improving equity in access to public transport for a regional community.
10. Significant improvements to train patronage through the provision of expanded and improved park and ride facilities (at Gawler Central and Concordia).
11. Making better use of existing infrastructure and sunk costs.
12. Reduction of traffic congestion.
13. Creating new opportunity for the approximately 317 tourism activites and businesses located within 1km of the rail corridor.

## 4.7 COMMERCIAL MODEL

Incl Proposed funding sources

The commercial model is envisaged to be a separate commercial entity of the consortium partners and potentially further partners as the model is developed. There are various legal ways of achieving the governance and commercial model including:

1. Given the Barossa success a cooperative model;
2. An incorporated association;
3. Commercial model limited by guarantee.

Due to the limitation of the timeframes of the EOI the ability to develop a full commercial model and undertake necessary due diligence, develop legal arrangements and incur significant resource and financial cost when the EOI outcome is unknown, was not possible.

The current partners have agreed in principal that should the EOI proceed they will develop a model. It is stressed that The Barossa Council is driving this strategy as a facilitator and supporter, it is not structured to provide commercial and public transport services and its ongoing involved will be through this support.
4.8 TIMEFRAME

This response item has been added to coincide with the EOI documentation and checked with DPTI as to its insertion.

As a proposal its our commitment to work with relevant stakeholders to implement the solutions over a short, medium and longer term dependent on which component of the proposal a general estimate is as follows.

**Milestone 1** - achieve rail access by mid 2020.  
**Milestone 2** - commence autonomous vehicle stage 1 trial by October 2020.  
**Milestone 3** – wine train to be determined once condition of line and assets is understood through the achievement of Milestone 1.  
**Milestone 4** – public transport extension to Concordia is dependent on development timeframes and funding cycles, likely to be in the range of 5-10 years.  
**Milestone 5** – extension of autonomous vehicle network depends on success of milestone 2 and milestone 3.

4.9 ANY STATE GOVERNMENT REQUIREMENTS

Provide details any resources your proposal may requirement from the State.

There are various State Government Requirements:

1. Disclosure of the current lease agreement and advice as to expected transfer of any liabilities to the consortium.
2. Condition assessment of the asset and commitment prior to any negotiated transfer of maintenance requirements including clarification; will rail track remain or be removed and at who’s cost.
3. Support for the activation of the initial autonomous vehicle links between Tanunda, Nuriootpa and Angaston estimated at $1M over three years – The Barossa Council will provide staff or volunteer support for chaperones noting the trial will be the first to test full speed running via the rail corridor.
4. Inclusion of the rail line reconstruction and extension to Concordia in the State Infrastructure Plan currently under preparation by Infrastructure SA; and
5. Preparation of a proposal to the Federal Government seeking funding to support the development of a business case investigating the rail extension to Concordia including a grade separation at Murray Street.
Attachment 1 – Signed Memorandum of Understanding

A1. Final Signed MoU - Railway Corridor.pdf

Attachment 2 – Letter from Regional Development Australia

A2. RDA Barossa - Rail Corridor EOI.pdf

Attachment 3 – SAGE Automation Shuttle and Matilda Solutions

A3. SAGE Automation Shuttle

Attachment 4 – SAGE Automation and The Barossa Council Concept Stage 1 and 2

A4. SAGE Automation and TBC Concept.pdf

Attachment 5 – Concept Map

A5. EOI Rail Corridor Map.pdf
Memorandum of Understanding
Strategic Partnership Agreement

This Memorandum of Understanding (MoU) dated 9 September 2019 is made between:

The Barossa Council (ABN 47 749 871 215) of 43-51 Tanunda Road, Nuriootpa, SA 5355

and

SAGE Automation (ABN 59 104 119 833) of 1284 South Road, Tonsley Park, SA 5042

and

Leyton Funds Management (ABN 35 608 723 860) of Level 1, 22-26 Vardon Avenue, Adelaide, SA 5000

and

Ivivi Pty Ltd (Chateau Tanunda) (ABN 64 003 376 985) of 9 Basedow Road Tanunda SA 5232

and

First Drop Wines (ABN 24 112 570 859) of 30-38 Barossa Valley Way, Nuriootpa, SA 5355

Collectively “the Parties”

1. **Purpose**
   The purpose of this MoU is to outline how The Parties will work together to submit an Expression of Interest (EOI) to the Department for Planning Transport and Infrastructure for the Barossa Railway Corridor and use their best endeavors should the EOI be successful to develop the proposal outlined in the EOI.

   - This MoU is not legally binding.
   - This MoU can be amended only in writing and subject to agreement of all parties.

2. **Scope**
   The Scope of this MoU covers activities set out in Expression of Interest application(s) and Detailed Business Case documentation for various funding applications as agreed from time to time by all parties.

   Nothing in this MoU precludes any individual party from pursuing an alternative EOI submission/s.

3. **Expectations and Benefits**

   Through this MoU the Parties to:
   - Create mutual understanding and partnership of the strategy and business needs for each party but also the growth of the Barossa and other common commercial, community and or social outcomes.
   - Create opportunities for allied funding applications for projects where applicable.

4. **The Parties Agree**

   Specific and more detailed activities developed through this working relationship will be subject to future documentation and agreement as required.

   Activities may include, but are not limited to:
   - Sharing and development of relevant strategies for the purpose of delivering a joint EOI by the due date;
   - If the EOI is successful developing the proposal to achieve commercial, community and or social outcomes and benefits outlined in the EOI submission.
• Collaborate and share information, respecting when that information maybe confidential.
• Introductions to third parties that can assist in defining and scoping common areas of interest and added value to the EOI proposal.
• Developing future legal and governance arrangements in the event of a successful EOI application.
• Provision of required information in agreed timeframes or notification if timeframes cannot be met.
• That other parties may join the initiative in support of the EOI proposal.
• Should an individual party be successful with their own EOI submission that they acknowledge that they will work with the other parties in support of the EOI proposal submitted under this MoU the extent possible.

5. **Management of the Partnership**
The nominated representatives are outlined in the EOI submission by the Parties.

The nominated representatives can nominate other officers.

Nominated representatives will manage the day to day partnership requirements of the Parties and have the necessary authority to make decisions and public comment on behalf of their respective organisation in regard to all aspects of the EOI application processes.

If a matter arises outside the authority of a Nominated Representative or that materially impacts the submission of the EOI or subsequent processes should the EOI be successful, the party will notify the other parties within a 24 hour period (working day).

6. **Intellectual Property, Data and Copyright**
Intellectual Property remains the property of the organisation that owns it but to assist in facilitating the EOI proposal the Parties agree that non-sensitive information can be shared and used to support the EOI and any subsequent processes.

The use of information shall be limited to that required to support the EOI or any subsequent processes and must not be used for commercial or other purposes without proper authorisation.

Each party is required to ensure it complies with Copyright, patent or any other relevant law or requirements of the provider of the information.

7. **Freedom of Information and Confidentiality**
This paragraph is legally binding.

The Barossa Council as a public entity is subject to the requirements of the Freedom of Information Act 1999 in relation to the provision of information relating to this MoU. Each party must identify any information of a Commercial in Confidence nature so that necessary agreements can be put in place to restrict public access in accordance with the provisions of relevant legislation.

8. **Brand Protection**
This paragraph is legally binding.

The Parties require that any MoU protect their brand and its use. Detailed arrangements to be agreed by way of separate agreement. Any use of either brand to be agreed by the Nominated Representatives prior to use and documented. Each party understands that use of any 3rd party brands must have agreement of the relevant 3rd party prior to use and be documented.

9. **Commencement, duration, termination and advice**

Commencement: 22 August 2019 (the date of the initial scoping meeting)

Duration: 12 months
Termination:
- at the conclusion of an unsuccessful EOI submission noting the will to work together should an individual party be successful.
- as agreed when superseded by legally binding arrangements arising from successful collaborative funding applications.

RDA Barossa (Anne Moroney – CEO) will provide neutral, 3rd party input to support the collaborative process when required.

10. Application costs
The allocation of responsibility for the cost of support to make the EOI submission shall be borne by each of The Parties.

Any future costs for subsequent processes will be resolved between The Parties at the earliest opportunity if the EOI is successful and proceeds to the next stage.

11. Points of Contact / Nominated Representatives

The Barossa Council
Martin McCarthy
mmccarthy@barossa.sa.gov.au
08 8563 8399

SAGE Automation
Damian Hewitt
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08 8276 0863

Leyton Funds Management
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Ivivi Pty Ltd (Chateau Tanunda)
John Geber
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0438 316 337

First Drop Wines
Kieron Lomax
kieron@firstdropwines.com
0431 635 719
12. Signatures:
Signed for and on behalf of The Parties

Name: Martin McCarthy  
Organisation: The Barossa Council  
Title: Chief Executive Officer  
Date: 6/9/2019

Name: Damian Hewitt  
Organisation: SAGE Automation  
Title: General Manager  
Date: 6/9/2019

Name: Damien Brown  
Organisation: Leyton Funds Management  
Title: Director  
Date: 6/9/2019

Name: John Geber  
Organisation: Ivivi Pty Ltd (Chateau Tanunda)  
Title: Proprietor  
Date: 6/9/2019

Name: Keiron Lomax  
Organisation: First Drop Wines  
Title: Brand Manager  
Date: 6/9/2019
8 September 2019.

The Chief Executive,
Department for Planning, Transport and Local Government
c/- Mr Martin McCarthy, CEO,
The Barossa Council,
Tanunda Road,
NURIOOTPA, 5351.

Dear Sir,

Call for EOI regarding Rail Corridors, Barossa Light and Lower North Region

RDA Barossa Gawler Light Adelaide Plains supports the retention in public ownership of the rail corridors in our region. One of the fastest growing areas in South Australia, the region is a logistics hub and a tourism centre both of which have future demand for rail transport systems, as circumstances arise to deliver the business case.

Long term leasing of the corridor is required for attracting investment from the private sector, however, and each proposal deserves a merits based approach.

RDA submits that the corridor should be prioritised for commercial, including tourism, usage where demand and investment support this. Innovations in passenger transport, and mixed modes of freight transport suggest there are combinations and business cases that are emerging but perhaps are not yet fully visible. In these circumstances, we urge the government to keep an open mind to opportunities for the corridor as a transport solution.

We look forward to working closely with the Barossa Council, Light Regional Council and the Government of South Australia to develop bankable proposals for the corridors for the Barossa and Light Region in particular.
Yours sincerely,

Anne Moroney, CEO
Local Motors in Glenelg

SAGE demonstrated a full-featured ecosystem including the Matilda stop that supported the Local Motors trial and integrated with various elements surrounding trial operation.

The 6-month trial has demonstrated first-mile last-mile transportation while linking back to SAGE’s National Operations Centre for all operation needs.

Located at SAGE Automation’s national headquarters in South Australia, the NOC provides real-time monitoring of different assets to provide operational and maintenance support, emergency response, security monitoring, and assistance in managing incident resolution.

We are using the NOC to monitor Matilda, and other trials, to determine their success and improve future offerings.
The World’s Smartest Transit Hub

Matilda is your link to new smart technologies. Gone are the days when time was wasted by waiting for on-time and delayed public transport. Using a mix of smart innovations, Matilda improves comfort on and around public transport which encourages ridership.

Meet Matilda

Today’s autonomous and connected vehicles need connected bus stops and transit hubs to deliver a seamless tailored passenger experience.

Matilda is a portable, connected transit hub that is equipped with the latest smart technologies that offer everyone the equal opportunity of autonomous shuttle transportation.

Matilda caters for passengers based on their individual abilities, making each visit unique, easy and fun.
EasyMile in Playford Alive

SAGE is currently working alongside EasyMile and the City of Playford to deliver a two phased autonomous trial aimed at understanding how road users respond to autonomous vehicles, how passengers respond to autonomous technology and interact with it, as well as what technology and infrastructure is required to operate autonomous vehicles on public roads alongside other road users.

Funded partly by the Department of Planning, Transport and Infrastructure's Future Mobility Lab Fund, the trial is now in Phase Two where one EasyMile Autonomous Shuttle operates between the Munno Para train station and various stops within the Playford Alive Township.

SAGE plays the important role as trial operators and monitors the shuttle during operating hours from the National Operations Centre situated at the SAGE headquarters in Tonsley.

The City of Playford has proven to be an ideal location to demonstrate this innovative technology as it will interact with various road users including busses, local traffic, parked cars, cyclists and pedestrians.
CONTACT US FOR MORE INFORMATION

The best thinking in automation and control.

T  0407 793 839
@ damian.hewitt@gotoSAGE.com
INTRODUCTION

The Barossa Valley is a world-renowned wine region that at its core is an excellent tourist destination in South Australia. Barossa valley is a prime location for this trial and will benefit because:

- Large increase in tourism
- World class transportation project
- Possibility to create a greater community experience unlike anywhere else in the world
- Creates a more mobile user-friendly environment

The Barossa Council are considering options for the smart implementation of driverless vehicle services. Investment into intelligent transport and infrastructure equates to a greater quality of life for the residents of the Barossa Valley, a host of economic benefits, and access to safer and more appealing amenities among groups such as the elderly.

SAGE Automation provide The Barossa Council with this initial concept. This concept covers existing infrastructure and transport and identifies local destinations of interest. A route is a high-level concept that will be further thought through as the project develops. Complementary technologies and their benefits are then explored. It is intended that this document acts as a foundation for stakeholder discussion regarding system functionality, design and operation.
Project Overview

Autonomous vehicles are an area of rapid growth, with tremendous potential to impact all sectors of transportation. With AV trials becoming increasingly common, local councils are taking the initiative to explore the potential options in the future of transport and mobility with upgrades occurring in the area.

The proposed project is a staged approach for an AV service that will carry passengers along various predefined routes over the different stages. The first stage will connect Nuriootpa town centre with the Barossa Valley Chocolate Company; this route does have the potential to include information on the screens about the various wineries as the bus passes by, providing tourists with a greater and more complete experience. The second stage will transfer patrons from Nuriootpa town centre to the Angaston town centre along the route the vehicle has the potential to stop at the shopping centre and various wineries. Further development of stage two can result in adding multiple vehicles to the shared path providing a more seamless transition experience for patrons. The third stage can be implemented in conjunction with the complete removal of the current railway line allowing for a multilane autonomous vehicle highway starting and ending at Tanunda cultural centre allowing for a seamless commute between Tanunda, Nuriootpa and Angaston.

Vision and Objectives

SAGE’s aim in this project is to leverage state-of-the-art AV technology to deliver a solution to the first/last mile problem of tourism in the area, by streamlining the journey between Tanunda, Nuriootpa and Angaston such that tourist and locals are provided with a safe and easy way to explore and interact with each other and local business. Within the solution, SAGE will aim to provide a suitable transport option for all patrons, including those who have accessibility needs, as well as increase the safety, value and engagement for passengers, pedestrians and other road users.

SAGE brings several competencies and advantages to this project:

- SAGE Organisational vision and deep knowledge of Intelligent Transport and AV projects Has allowed the company to conduct 5 current autonomous vehicle trials which deal with four of the world’s leading autonomous vehicle providers
- Proven experience in technology integration and development of solutions which deliver effective, reliable and profitable results
- Access to SAGE 24/7 Service for maintenance and on-going support
- Support from SAGE’s National Operations Centre (NOC) for security monitoring and issue resolution
User Profiles and Intended Audience

AV technology brings the benefits of improved safety, efficiency and environmental impact whilst also being capable of travelling at urban speeds. Additionally, the unique features of autonomous vehicles demonstrate particular focus on the following transport edge cases:

- First Mile / Last Mile
- Accessibility
- Aged Care
- Tourists
- Local business

First Mile/Last Mile

The First Mile/Last Mile (FMLM) principle in this instance refers to the transport mode at the beginning and end of a journey to the Barossa Valley. Currently, it describes the portion of a commuter’s journey while travelling around the Barossa Valley, where the problem arises for users who struggle to travel between towns and local destinations as well as conducting wine tours where drink driving can become a problem.

In regional areas which don’t offer a range of public transport options, CAV projects are aimed at filling the first mile/last mile gap between the home and the points of interest in a community.

FMLM transport provides an alternative to carparks and travel between local businesses. It can also reduce the potential to drink and drive by creating a more friendly and interactive service for tourists to embrace the core of the Barossa Valley.

Accessibility for Disability/Disadvantaged

According to ABS data, 5% of people within the Barossa need assistance with a core activity, while 38.4% of the population exceeds the working age of 15-64 years which is higher than the national average of 15.1%. Many of the people that fall in disabled/aged demographic are restricted in terms of their transportation options. By adding autonomous vehicles to the community, it will allow disabled/aged demographic to maneuver around the area and interact more with local business and the community safely and efficiently.

Aged Care

Australia’s increasing aged demographic has fuelled almost exponential growth in the aged care products market. The projected proportion of people over the age of 65 is expected to hit 25% in 2101 which is still well below Barossa valleys 38.4%. Along with this trend, a rise in retirement age is expected to grow the transportation needs for this age group, with many occupations dependent on the availability of transport.

The risk of mobility loss associated with the over 65 age bracket is at high risk of mobility loss, along with its associated negative impacts on quality of life. In targeting this issue, autonomous vehicle services could be implemented in the future in areas that have an increasingly aged population.
Tourism

Statistics from Tourism Australia indicate that in 2017, Australia welcomed 8.5 million international visitors. This is 36% of Australia’s population, which is a significant proportion for such a remote country. In conjunction Barossa received 209 thousand visitors in the year 2017 this accounts for 160% of the population of the region, showing that the Barossa is a prime tourist destination. Autonomous vehicle services will increase the Barossa Valleys global position as a holiday location as it will provide seamless travel around the region and to connecting towns creating a more relaxed and enjoyable holiday destination for many tourists to come.

Local business

Having the autonomous vehicle will allow for future engagement in the project whether that be through simple advertising on the Matilda stop/e-paper screen/autonomous bus or by engaging more heavily with companies and gaining sponsorships for more vehicles dedicated to delivering patrons to their door step.

AV Service Benefits

One of the challenges in the adoption of an AV service is managing its integration with the existing infrastructure, in order to maximise the overall benefits of the technology integration. The solution proposed by SAGE will offer benefits to all users and stakeholders, as outlined in the following sections.
Stakeholder Benefits

The benefits this project will provide to **The Barossa Council** include:

- Increase overall tourism to the region by supplying a world class trial that has never been seen anywhere else in the world
- Dedicated path and Autonomous Vehicle from The Barossa Council building to Barossa Valley Chocolate Company will result in more patronage travelling through the town and to local businesses
- The Barossa Council will be known as the one of the leading innovative areas for Autonomous Vehicle’s. Advertising opportunities and Global recognition.
- Increased accessibility for aged care and disability tourists
- Possible world first, First Mile last Mile service connecting the council to many local businesses
- Increase area popularity by providing a convenient service within the community
  - Improving the community's council-area experience
- Increase tourism in the area
- Demonstrating council support for businesses in the area
  - Provides patrons with better access to the local shops and other businesses
- Community engagement opportunities and associated learnings
  - Opportunity to collect feedback regarding how various parties feel affected by the CAV technology, including local residents, business owners, and tourists
- Data collected during service operation can provide insight into various aspects of system operation and patterns of patronage

The benefits this project will provide to **DPTI** include:

- Low risk trial in a regional and highly developed area
- Pave the way for future autonomous vehicle trials in metro area
  - Reduce transportation costs
- Supplies an ideal location for a proving ground demonstrating the effectiveness of a dedicated autonomous vehicle track
- Can allow for future planned upgrades to be incorporated into current upgrade costs resulting in an overall lower cost to the project
The benefits this project will provide to **local community** include:

- Providing a convenient transit option as a first/last mile solution between towns and activities within the Barossa Valley Region (e.g. shopping, recreation and wine tours)
  - Provides patrons with increased access to other public transport services
  - Provides patrons with increased access to the local economy
  - Provides safer and easier option for visiting wineries
- Increased transport options for people with mobility restrictions
  - Accessibility assistance on both the shuttle and at the bus stop

The benefits this project will provide to **local business** include:

- Autonomous vehicle transport can also act as a catalyst for wider regional development, helping to attract businesses and private investment into the towns.
  - Provides local business with more foot traffic
- Increased advertisement opportunities for local business
- Supply local business with more real time data around people movements and shopping behaviours

**PROPOSED SOLUTION**

SAGE propose an autonomous shuttle servicing the ‘first-mile, last-mile’ and local transport needs of the community. This would make use of an autonomous vehicle pathway alongside the proposed route.

A staged approach to the solution will assist in overcoming inevitable resistance to the introduction of new autonomous vehicle technology. It will also allow lessons learned in early stages to be incorporated in later stages to produce a more robust solution in the project’s future.

The proposed staged approach includes the following phases across the project lifespan:

- **Phase 1** – Nuriootpa town centre with the Barossa Valley Chocolate Company
- **Phase 2** – Nuriootpa town centre to the Angaston rail station.
- **Phase 3** – utilise current railway line allowing for a multiline autonomous vehicle highway starting and ending at Tanunda cultural center allowing for a seamless dynamic AV service between Tanunda, Nuriootpa and Angaston

**Phase 1**

- Implementing two stops one at Nuriootpa town centre and the other at Barossa Valley Chocolate Company
- Pre-defined route Nuriootpa town centre and Barossa Valley Chocolate Company
  - Optional information about wineries or key points of interest along the route to be displayed in the bus
- The vehicle will travel along the shared bicycle path in parallel with the current railway line
- An operator onboard
  - The operators will be people from the local community that can provided technical knowledge and area knowledge to those that use the vehicle
SAGE will perform the operations role allowing for a more streamlined development process.

Phase 2
Phase 2 will likely be achieved within one year after phase 1 has been implemented:

- Integration of one or more autonomous vehicles
- Pre-defined route between the Nuriootpa town centre and the Angaston rail station.
  - Potential to add the shopping centre on the route
- Implementation of DSRC traffic light control
  - Allows the autonomous vehicle to interact with the traffic signal
- Potential to trial without an operator

Phase 3
Phase 3 will likely be achieved within one year after phase 2 has been implemented:

- Complete redevelopment of the current railway line from Tanunda to Angaston creating a dedicated AV track will allowing for potentially two lanes allowing a fleet of vehicles to traverse between the three towns
- Integration of one or more autonomous vehicles
- Pre-defined route between Tanunda, Nuriootpa and Angaston connecting the three towns together
- Development of Tanunda cultural centre as a transit hub allowing visitors and community members to engage with one another
- Speed increase of the vehicle due to the dedicated transit path
EXISTING TRANSPORT PRIORITIES

Key destinations have been identified in the Barossa Valley area:

- Nuriootpa town center
- Barossa Valley Chocolate Company
- Angaston rail station
- Tanunda cultural centre

ROUTE OPTIONS

When planning a route, three items must be balanced:

- Utility to community
- Vehicle and infrastructure capability
- Operational safety

Phase 1
Phase 2
Phase 3
Phase 1

Based on Utility to community, Vehicle and infrastructure capability and Operational safety, SAGE propose that the most sensible route is through Barossa Valley Way along the shared path that runs along the current railway line.

Phase 2

SAGE foresees Phase 2 operations being conducted with a final stop installed at the Angaston rail station.

This route requires the vehicle to follow along the railway lines shared foot path starting at the Nuriootpa town centre and continuing until the Angaston rail station.

Phase 3

SAGE foresees Phase 3 operations being conducted in conjunction with the Tununda cultural centre where the final stage will be creating an autonomous vehicle path that starts at the cultural centre and extends to the Angaston rail station through Nuriootpa town centre forming a continuous route between the three towns.

MATILDA SMART HUBS

The success of driverless route implementations can be maximised with the right supporting infrastructure. SAGE provides crucial components of this infrastructure, such as the Matilda smart transport hub.

The Matilda provides a friendly and informative waiting area for shuttle services. It is a portable, connected stop, offering live travel times. Importantly, it is an easily identifiable shelter for waiting passengers.

SAGE has found that vehicle routes with the Matilda stops experience roughly 400% of the patronage of routes with basic stops.

The hubs come with a range of options to suit Marion’s budget and needs. These options cover security, interactivity, solar power, advertising, among other systems.

For more information, please find the attached brochure, as well as the Matilda information homepage and video.
SAGE has successfully implemented a range of booking and survey systems to support AV trials. Booking systems increase ridership and trust in the vehicles. Together with direct surveying, SAGE can provide data on patronage and perceptions.

ePaper Smart Bus Stop

Our solution will consist of a solar power ePaper solution that connect via 3G to an AV API or other systems API and booking systems.

The system will be self-sufficient for power via a solar system built into the structure.

The key benefits of using this system are:

- Quick to deploy and install
- Efficient roll out
- Providing the public with real time information.
- Can be linked to other transport hubs for connecting types of transport (MaaS).
- Clear information in all weather conditions
- Low power and self-sustained
OUR APPROACH

SAGE proposes the following approach prior to commencement of the project to ensure project success and stakeholder satisfaction:

1. Development of User Requirements Specification (URS)
2. Outline of project scope
3. Estimation of associated project costs

USER REQUIREMENTS SPECIFICATION (URS)

SAGE recommends a User Requirement document be produced for the project. This would involve conducting a workshop with key stakeholders, in order to communicate stakeholder requirements for the solution. The workshop would include:

- Creating a basic User Requirement for discussion during the workshop
- Discussion with stakeholders to ensure requirements are understood, approved, and aligned across the project
- Finalisation of the User Requirement based on the outcomes of stakeholder meetings, to be provided to stakeholders for review

SCOPE

The scope of the project (inclusions, exclusions) can be determined, based on the reviewed and approved URS. SAGE’s technical solution can then be developed, ensuring all stakeholder requirements are met or otherwise explained.

COST

The project cost can be estimated and sent to key stakeholders for review once the technical solution has been developed.
# Appendix A - Regulatory Overview

This provides a brief overview of Legal Issues pertaining to Autonomous and Connected Vehicles Trials in Australia.

<table>
<thead>
<tr>
<th>Legal Issue</th>
<th>Relevant Authority</th>
<th>Reference / Legislation</th>
<th>Detailed Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle Design</td>
<td>Commonwealth Government</td>
<td>Australian Design Rules (ADRs) administered by the Australian Government under the Motor Vehicle Standards Act 1989.</td>
<td>The Australian Design Rules (ADRs) are national standards for vehicle safety, anti-theft and emissions. ADRs cover issues such as occupant protection, structures, lighting, noise, engine exhaust emissions, braking and a range of miscellaneous items.</td>
</tr>
<tr>
<td>Import of AV test vehicles</td>
<td>Commonwealth Government</td>
<td>Motor Vehicle Standards Act 1989</td>
<td>Current requirements are outlined in Circular 0–4–8 Registration and use of evaluation vehicles document which details registration and use of evaluation vehicles including their importation. This Circular sets arrangements under which manufacturers and importers may register vehicle(s) for the purposes of evaluation. As per Attachment 2 of the Circular 0-4-8, it appears that imported vehicles used for evaluation purposes that are not required to be used on public roads under conditional registration, are permitted.</td>
</tr>
<tr>
<td>National Overarching Guidelines for conducting AV / CV Trials</td>
<td><strong>Austroads</strong></td>
<td></td>
<td></td>
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<td>---------------------------------------------------------------</td>
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<tr>
<td>With the Guidelines for Trials of AV in Australia jointly authored with the National Transport Commission (NTC)</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Austroads has produced a range of reports that are relevant to both Cooperative ITS and Automated Vehicles. <strong>Guidelines for Trials of Automated Vehicles in Australia</strong></td>
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<tr>
<td>Assessment of Key Road Operator Actions to Support Automated Vehicles <strong>Registration, Licensing and CTP Insurance Issues Associated with Automated Vehicles</strong></td>
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<tr>
<td>Privacy Impact Assessment (PIA) for Cooperative Intelligent Transport System (C-ITS) data messages</td>
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<table>
<thead>
<tr>
<th>Social Issues</th>
<th><strong>Commonwealth Government</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>The Australian Government is conducting an inquiry into the social issues relating to land-based driverless vehicles in Australia. Submissions are currently open. Relevant social issues such as: general social acceptance levels, passenger and non-passenger safety, legal responsibility and insurance, potential impacts on employment and different industry sectors (e.g. taxi industry), access and equity issues (such as increasing individual mobility for the elderly and people with disabilities), potential public transport applications. <strong>Terms of Reference</strong> <strong>Submissions</strong> (47 to date)</td>
</tr>
</tbody>
</table>
| AV Trials in South Australia | Government of South Australia | Motor Vehicles (Trials of Automotive Technologies) Amendment Bill 2016 | This new legislation provides a framework to facilitate on-road trials, testing and development of driverless vehicles and other advanced automotive technology on South Australian roads.  

Trial applicants should note that they will NOT be covered by the Compulsory Third Party Insurance Scheme administered by the Motor Accident Commission of South Australia (MAC) for the costs of the death of or bodily injury to third parties in the event of a trial vehicle collision with a third party’s vehicle or person. As such, appropriate public liability insurances must be held by the applicant.  

Trials in SA are also required to provide the state government with following information:  
- Management of trials  
- Insurance  
- Safety Management Plan  
- Data & Information Plan  

For a trial to proceed it must receive approval from State Government.  

Privacy and Right to Information | N/A | N/A | These vehicles will be sending and receiving details regarding travelling both to the infrastructure and to other vehicles. How does this relate to the protection of privacy in Australia? |
| Safety Concerns | Transport Accident Commission (TAC) | N/A | News reports and research indicate that autonomous vehicles will challenge our understanding of who was liable in a motor vehicle accident. There may potentially be a shift of this liability to the manufacturer. |
Concordia Public Transport Extension

Stage 1 Autonomous Vehicle

Stage 2 Autonomous Vehicle

Potential future connectivity with autonomous vehicle

Potential future connectivity with autonomous vehicle/train interface

Potential future connectivity with autonomous vehicle

Wine Train

Potential future connectivity with autonomous vehicle/train interface
7.2.1 DEBATE AGENDA – CHIEF EXECUTIVE OFFICER

7.2.1.5
AUSTRALIA DAY 2020
B9790

PURPOSE
To determine where to hold the 2020 event as the Tanunda Show Hall shall not be available in 2020 due to significant upgrade works being undertaken.

RECOMMENDATION
That Council move the 2020 Australia Day event to Nuriootpa Centennial Park and allocates a further $10,000 to support additional costs of hosting the event.

REPORT
Australia Day is a civic and ceremonial event held since amalgamation at the Show Hall as the only facility large enough owned by Council to hold a community wide event.

The Show Hall will not be available in 2020 due to the significant upgrades and renovations of the hall currently underway.

It is suggested that Nuriootpa Centennial Park located near the club rooms is an appropriate location as it has access to commercial kitchen, toilets and general parking and facilities that can cater for the event. Alternative locations considered are:

1. Bethany reserve, however this is significantly exposed and should the weather be against the event it will be difficult to manage.
2. Village Green, for similar reasons not considered appropriate and lack of catering and kitchen facilities.
3. All halls, none are large enough.
4. Private venues, will be prohibitively costly.

Also Council has been asked to consider, see attachment, a donation to other local events held. There are three that are held by community groups, whilst they are not the official Council event these serve a community purpose for those communities. The events are Mount Pleasant, Eden Valley and Williamstown. Williamstown group applied for some funding as part of the community new initiatives in the 2019/20 budget for $600. Council if it wished to support these events would need to make an additional budget allocation. Should members wish to support that outcome it can consider it in the 2020/21 budget or include a resolution to the following affect in the resolution above.
That Council support the three community Australia Day celebrations at Mount Pleasant, Eden Valley and Williamstown to the value of $X on condition that the funds are provided to a legal entity of the organisers, register for GST and that they acquit the funds annually.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Correspondence from Cr Barrett.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community and Culture

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

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial and Resource
At this time no financial costs have been incurred, it is estimate some additional costs to hire marques or other equipment will be required.

Risk Management
Nil

COMMUNITY CONSULTATION
No community consultation is required and the community will be notified of the changes through normal Australia Day publicity.
Martin McCarthy

From: Cr Don Barrett
Sent: Thursday, 29 August 2019 2:44 PM
To: Martin McCarthy
Cc: Mayor Lange
Subject: Barossa Council, Australia Day Events at Tanunda and elsewhere within Council.

Hello Martin,

Since your presentation on the 7th of this month regarding the Australia Day Event at Tanunda and the need to change venue this year due to building work I have been giving the funding and location of such an event much thought.

As my wife is heavily involved in the running of the Mount Pleasant Australia Day event it got me thinking as to why the Mt. Pleasant or for that reason any other small town within the Barossa Council is not provided with some funds to help run their Australia Day events. Everything is directed towards Tanunda. I have searched the Council website high and low to try and find some historic context as to why Tanunda is funded and no other event is funded, I couldn’t find a thing on any publically available document. I also looked for any policy document that may explain the current situation to me, again I could find nothing.

With that knowledge I recently approached Lorraine (as the organiser of the event) and Bim as he was entering his office. I spoke to them both about obtaining some funding specifically for the Mt. Pleasant event. Initially I indicated to Lorraine and Bim that I would direct my wife towards applying for a Community Assistance Grant to run the event. I dismissed that as an option and spoke to Lorraine and Bim about adding the funding request for Mt. Pleasant onto the end of the report that will come back to Council to approve funding for the event in Tanunda. Bim was not keen on that option and indicated that if I was that keen on the idea to put it up as a motion. I can do that but I question why I need to go down that path when the same is not happening in Tanunda. No EM is doing that at Tanunda, it is staff initiated.

Raising this issue is not about Tanunda having the Australia Day event, it makes eminent sense to have it at that venue and I would NEVER suggest it be held anywhere else. When you spoke on this issue Carla spoke about having the event elsewhere and suggested Williamstown and Mt. Pleasant as alternatives. Neither town has a venue that could cater for the crowd and for the same reasons that most of the people living in and around Mt. Pleasant don’t go to the Tanunda event the people from in and around Tanunda wouldn’t come down to Mt. Pleasant for such an event. What this email is all about is equity, not just in regards to location of an event but publicity of other Australia Day events within the Council area and some form of equitable funding for local events. I have gone onto the Council website and looked at how Australia Day is celebrated within the Barossa Council. All I can find is reference to the event in Tanunda and nothing else.

As an exercise I looked at how neighbouring councils advertise their Australia Day events, Adelaide Plains Council hold their Australia Day events sequentially across Two Wells, Mallala and Dublin. The Light Regional Council moves around the district, by way of example 2011 – Kapunda, 2018 – Roseworthy and in 2019 – Wasleys. The Mid Murray Council, recognising distance holds events at Morgan and Mannum, both river towns. The Adelaide Hills Council holds a central event at Stirling but promotes events at Mylor, Urabadia, Woodside and Gumera. As an aside a few years ago I went over to Gumera and was the guest speaker at their event, the interesting thing was the key local people from that area were not there, they were all in Stirling having received the major awards across the Adelaide Hills Council. This year I did not go up to Tanunda for the Australia Day event, I stayed behind in Mt. Pleasant and presented Michael Seager with an award for his 30 odd years plus service. Additionally, from local knowledge the event in Mt. Pleasant has been going since 1996, before Council amalgamations, it will be in its 24th year next year.

Against all of this information and background is there any reason why a small funding request for the Mt. Pleasant event can not be added to the Tanunda event funding when it comes back to Council for approval because after all both are to run an Australia Day event, just in different towns on opposite sides of the Council area. I know that the
event in Tanunda incorporates the Citizenship Ceremony, the same happens within the Adelaide Hills Council, the major event is held in Stirling and incorporates a citizenship ceremony and all the other smaller towns are recognised with lesser events that have local importance. As I said when I spoke about the Regional Culture Hub I’m just seeking some equity, nothing more.

Thanks for considering this matter, more than happy to discuss with you and Bim in person when I’m in Nuri. next week for the workshop. Lastly, if there are any documents that support the current situation of only funding Tanunda I’m more than happy to read and digest before the workshop, nothing comes immediately to hand when searching the Barossa Council website or google for that matter.

(As an aside if what I have put forward is considered favourably I will have to declare a conflict of interest and leave the Chamber because my wife is Secretary of the Mt. Pleasant Community Assoc., the body that runs the event, so I will not be able to vote on it anyway. I am just letting you both know of this conflict situation at the outset, there is no hidden agenda in regard to this request).

Regards

Don Barrett

Cr Don Barrett
7.2.1 DEBATE AGENDA – CHIEF EXECUTIVE OFFICER

7.2.1.6
BOUNDARY REFORM
B5538

PURPOSE
To consider the development and lodgement of a boundary reform proposal including the establishment of a working party to assist in boundary reform processes.

RECOMMENDATION
That Council having noted the issues paper, attachments and report:

(1) Instruct the Chief Executive Officer to prepare and lodge a proposal for boundary reform consistent with that outlined in attachment 4 and the contents of this report to the South Australian Local Government Boundaries Commission as a high priority with a target submission being made by 31 October 2019, or the Chief Executive Officer advise Council of an alternative date if this cannot be achieved at the October meeting of Council;

(2) Establish the Boundary Reform Internal Working Group to support the Chief Executive Officer in the management of the proposal submission and thereafter processes in relation to any boundary reform proposals impact The Barossa Council;

(3) Appoint the Mayor and Cr…………….., Cr……………… and Cr……………. to the Boundary Reform Internal Working Group.

REPORT

Background
Boundary reform has long been an informal conversation of The Barossa Council and parts of the community. With recent amendments to the Local Government Act in the area of boundary reform and ongoing discussion, Council committed in its Strategy Policy and Reform Platform paper, approved on 5 July 2019 to, “Having a Conversation about Local Government Boundaries is Supported”.

This report is structured to trigger the development and lodgement of an initial proposal and commence the work and community and stakeholder engagement around a possible realignment of boundaries.

Discussion

Process Summary and Strategic Considerations
Since the swearing in of this Council and the development of the reform strategy paper Council have been discussing in various forums the need to consider boundary reform to primarily achieve the following;
1. The Barossa Council supporting and overseeing the majority of the area known as the Barossa GI (Geographical Indication);
2. Bringing together of communities of interest, generally defined as shared cultural, identity, place, social, economic and environmental interests under the banner of one Council driven by the strategic goal of the Barossa GI under one umbrella;
3. Looking for opportunities to better coordinate land use policy, economic development, tourism integration and service across these communities of interest.
4. Potentially looking for efficiencies in service provision.

I have provided reference to one specific independent study (of consolidation activities which range from amalgamation through to boundary adjustment, shared services and regional collaboration) on this matter in the attachments among many findings there are two key findings:

- “Our research indicates that consolidation.......is an essential (but not exclusive) strategy to address the challenges facing local government and secure its place in the evolving Australian system of government. The evidence shows that significant benefits can be derived from all of the approaches to consolidation examined in this study. Equally there may be dis-benefits – disruption, transition costs, weakening of local democracy, loss of local identity and employment – that need to be weighed in any strategic approach to reform”.
- That efficiencies can be found but normally need to be “ploughed back into other areas, notably asset management. We can conclude that any efficiency gains from consolidation should not be expected to deliver significant reductions in rates and charges, as has often been claimed. Greater efficiency is more likely to be reflected in enhanced capacity or improved service delivery.”

Generally the learning from the study is that there are both benefits and dis-benefits of both a financial and non-financial type which need to be carefully assessed and any reform activity is unlikely to result in savings but rather potential efficiencies in enhanced capacity or improved service delivery noting there are four type of strategic reform tested.

At attachment 1 is an issues paper outlining the processes, general matters and factors for consideration.

In summary it is likely that any proposal of the complexity and extent being considered will be a general proposal under the Local Government Act. A general proposal will require extensive analysis, engagement with stakeholders and the community before any decisions are made. It is difficult to determine what the full expectations and process will be along with cost as to date the new legislative regime has not been fully tested. The guidance provided by the Commission and Department guidelines indicate that in the first instance before proceeding with a full application that Council, should it wish to proceed, first lodge a high level proposal. The South Australian Local Government Boundaries Commission (the Commission) will then assess the proposal and advise if it considers it acceptable, requires further thinking and amendment or is rejected. Thereafter if a proposal is accepted in some form the Commission will provide further advice on what processes and investigations will be required. Costs may also be discussed at this point. From that submission a fully informed report can then be provided as to the requirements to proceed.
Draft Proposal

Over the past months officers have supported the Council in undertaking preliminary assessment of proposals under the umbrella of the strategic goal of having the Barossa GI in The Barossa Council area. It is clear however that a proposal needs to be balanced against the interests of the communities that will be affected. For these reasons the proposal is summarised as follows (attachment 4 provides a conceptual map and more detailed maps of the proposed alignment):

1. The Barossa GI and viticultural area is enclosed into the boundary, with the proposal being incorporated in the area bounded by the red boundary.
2. Using natural barriers or road reserves to delineate the boundary where possible.
3. Understanding that the Barossa GI transgresses into the Town of Gawler, whereas a boundary boarded by the North or South Para is more logically.
4. That the Springwood development area which primarily resides in the Town of Gawler transfer out of The Barossa Council.
5. Addressing the interests of the communities that will be affected or involved, that primarily associate with the Barossa, the draft proposal is:
   a. Connecting Eden Valley via a straight line associated with the ridgeline through the Keyneton area and pushing north to Truro.
   b. Heading from Truro west and south through Koonunga, west of Greenock to Shea Oak Lodge via Daveyton on the Sturt Highway to Gomersal Road and then Rosedale via Turretfield Road.
6. Retaining Mount Pleasant area as it is included in the Barossa Character Preservation Area.

The maps provided at attachment 4 are conceptual and noted as a starting point for discussion and will no doubt be subject to change. The draft proposal is subject to survey and other technical analysis.

As part of the work undertaken to date officers have assessed rating information across the four Councils (The Barossa Council, Light Regional Council, Town of Gawler and Mid-Murray Council) however more detailed data is needed and best assessed as part of the proposal processes, rather than the high level comparison of rating across the whole of the Council areas, as there is a high likelihood the data could materially be incorrect and mislead. For the same reasons officers have not undertaken any financial or economic assessment as any calculations will need much greater data and access to information and to develop a financial model on limited information would present potentially incorrect information and mislead. The structure of the boundary investigation process is set up for these pieces of work.

Governance

Ultimate oversight of any boundary reform process (be that initiated by Council or another party) comes from Council and cannot be delegated in terms of decision making. However, to assist in the development, analysis and engagement of boundary reform processes it would be aided by having an internal working group to assist the CEO and officers with the tasks and policy development and or responses for Council to consider.

At attachment 5 is a proposed Terms of Reference for a small Internal Working Group that in the first instance will support the CEO to formulate the paper and proposal submission to the Commission in accordance with this report and the resolution of Council should it proceed as drafted. It is recommended that this Group be kept small as it will simply provide support and input as required, it is not envisaged to undertake
any significant work as the strategic and political nature of any processes will mean most matters will be discussed with full Council, its role will be to assist with development of relevant documents to come to Council.

**Broader Issues**

There are many broader issues and documents to be developed should a preliminary proposal be accepted by the Commission, these will be undertaken with the aid of the Internal Working Group and include:

1. Project plan.
2. Risk assessment.
3. Resourcing plan once it is known from the Commission the next steps
4. Engagement strategy.
5. Raft of assessment documents relative to the proposal.

At this time it has been recommended, through discussion with the Department to not expend significant resources until the first hurdle, being the general proposal to be assessed by the Commission, has been cleared and advice provided from the Commission thereafter.

The development of an initial proposal is not expected to incur much cost and can primarily be developed in house, some external support around detailed mapping and economic assessment maybe required but can be funded from existing budget settings. If the proposal proceeds past the first assessment to a full process the cost and resource requirements, whilst unknown are likely to be substantial, and they are unbudgeted at this time.

**Summary**

Council has resolved as one of its 10 key policy statements to support the conversation around boundary reform. After many conversations to date this report will commence a process in support of that policy position.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

<table>
<thead>
<tr>
<th>Attachment</th>
<th>Description</th>
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<tbody>
<tr>
<td>Attachment 1</td>
<td>Issues Paper</td>
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<tr>
<td>Attachment 2</td>
<td>Regional Map</td>
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<tr>
<td>Attachment 3</td>
<td>Council Map with character area and GI</td>
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<tr>
<td>Attachment 4</td>
<td>General Map for Proposal for Boundary Realignment and Detailed Maps of Key Reform Components</td>
</tr>
<tr>
<td>Attachment 5</td>
<td>Terms of Reference for Internal Working Party</td>
</tr>
</tbody>
</table>

**References**

1. SA Local Government Boundaries Commission – Guidelines 1-9 (the most relevant being at this time being 3-5)

2. Consolidation in Local Government – A Fresh Look

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

- Natural Environment and Built Heritage
- Community and Culture
All strategies as the reform is highly strategic and impacts the core of Councils activity.

Legislation
Part 2 of the Local Government Act

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial and Resource
Outlined in the body of the report.

Risk Management
This will be assessed should the initial proposal proceed. Generally the risk profile of this activity is significant as it crosses all the risk spectrum including:

1. Financial and Resource
2. Reputational
3. Political
4. Economic
5. Relationships
6. Organisational

COMMUNITY CONSULTATION
Extensive community consultation will be required to be conducted in accordance with the Commission and Department’s guidelines and requirements. However, consultation is not required until the Commission has assessed the potential proposal in the first instance following initial submission, and provided preliminary feedback on whether or not a formal proposal can be submitted.
Background

The process for local council boundary reform was amended in January 2019, following the commencement of the Local Government (Boundary Adjustment) Amendment Act 2017, which amended Chapter 3 of the Local Government Act 1999 (the “Act”).

Key elements of the amendments include:

- Expanding the ways in which boundary adjustment proposals can be initiated, by allowing the Minister for Local Government or a single council to initiate proposals, as well as either House of Parliament and members of the public;
- Establishing a streamlined process for administrative (or minor) proposals for boundary reform;
- Establishing the Local Government Grants Commission, an independent Commission that assesses and oversees inquiries into proposals for boundary reform;
- Bringing in independent investigators, with relevant expertise, to investigate general (or significant) proposals;

This paper will summarise the current framework for boundary reform in local government.

The Two Types of Proposals

Proposals for boundary reform are divided into two categories – Administrative Proposals and General Proposals.

Administrative proposals are minor proposals for boundary reform, whereas general proposals are more significant, and can include amalgamation and major boundary changes. The process involved with respect to each category differs, with the process for general proposals being more involved. Further information, including definitions and a breakdown of the processes for each proposal category, is provided in the Summary table of this paper.

The Local Government Boundaries Commission (the “Commission”)

The Commission is an independent body charged with dealing with proposals for boundary reform under the Act. The Commission is responsible for:

- Establishing guidelines for assessing proposals for boundary reform (the “Guidelines” – see References and Further Information at the end of this paper);
- Receiving proposals for boundary reform, and conducting preliminary assessments and inquiries – refer to Summary table for further information;
- Determining whether to refuse to inquire into a proposal;
- Appointing investigators to inquire into general proposals;
- Providing recommendations to the Minister for Local Government on the proposal, who makes the final determination on whether or not the proposal should proceed.

After conducting an inquiry into the proposal, the Commission provides its recommendations to the Minister, who is then responsible for determining whether or not the proposal should proceed. Further details of the Minister’s role is included in the Summary table of this paper, on the following page.
### Summary of Process

The below table provides a summary of what administrative and general proposals are, how they are dealt with and considerations for each proposal category. For more information, refer to the References and Further Information section at the end of this paper, the Act and the Guidelines (links below).

<table>
<thead>
<tr>
<th>Issue</th>
<th>Administrative Proposal</th>
<th>General Proposal</th>
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<tbody>
<tr>
<td>1. <strong>Proposal categories</strong></td>
<td>Administrative proposals are minor proposals for boundary reform, and can propose to:</td>
<td>Any proposal that is not an administrative proposal. General proposals are more significant proposals for boundary reform, and can include significant boundary change or amalgamation.</td>
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<tr>
<td>o Alter a boundary that is shared by 2 or more councils;</td>
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<td>o Alter the common boundary of councils following realignment of a road;</td>
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<td>o Correct an anomaly that is, in the opinion of the Commission, generally recognised – e.g. where the boundary intercepts 1 or more private properties;</td>
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<td>o Incorporate vacant land into a council area;</td>
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<td>o Facilitate a development that has been authorised in accordance with the Planning, Development and Infrastructure Act – these are referred to the Commission after the development approval process is complete; or</td>
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<td>o Be of a kind prescribed by the regulations.</td>
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<tr>
<td>2. <strong>Who can initiate a proposal?</strong></td>
<td>Proposals can be made to the Commission by:</td>
<td>The Commission recommends that councils submit proposals in two stages:</td>
</tr>
<tr>
<td>o Either House of Parliament;</td>
<td></td>
<td>1. <strong>Stage 1</strong> - Initial submission for the Commission to provide early feedback on a potential proposal. Council should write to the Commission outlining the potential proposal and the reasons why Council/s consider the boundary reform as the best option, with reference to the principles at section 26 of the Act (see item 8).</td>
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<td>o The Minister for Local Government;</td>
<td>The Commission will then provide feedback on whether the general proposal can be formally submitted, or if further work or information is needed. However, any feedback provided by the Commission does not guarantee that the proposal will be accepted.</td>
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<td>o 1 or more council/s;</td>
<td>2. <strong>Stage 2</strong> – formal submission to the Commission that details the grounds on which the proposal is made and issues that should be considered in assessing the proposal (see below items 8 and 9).</td>
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<td>o By more than 10% of eligible electors – see section 27(1) of the Act for definition of eligible electors – but can only initiate proposals to:</td>
<td>For further detail, refer to Guideline 3.</td>
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<td>o Alter council boundaries;</td>
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<td>o Change the composition of a council or its representative structure; or</td>
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<td>o Incorporate land that does not belong in any council area.</td>
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<tr>
<td>3. <strong>How to submit a proposal</strong></td>
<td>Proposals should describe the nature of the proposed boundary change, and include:</td>
<td>The Commission recommends that councils submit proposals in two stages:</td>
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<tr>
<td>o An outline of the submission;</td>
<td>1. <strong>Stage 1</strong> - Initial submission for the Commission to provide early feedback on a potential proposal. Council should write to the Commission outlining the potential proposal and the reasons why Council/s consider the boundary reform as the best option, with reference to the principles at section 26 of the Act (see item 8).</td>
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<tr>
<td>o A map;</td>
<td>The Commission will then provide feedback on whether the general proposal can be formally submitted, or if further work or information is needed. However, any feedback provided by the Commission does not guarantee that the proposal will be accepted.</td>
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<tr>
<td>o Grounds for making the submission;</td>
<td>2. <strong>Stage 2</strong> – formal submission to the Commission that details the grounds on which the proposal is made and issues that should be considered in assessing the proposal (see below items 8 and 9).</td>
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<tr>
<td>o Any other relevant information.</td>
<td>For further detail, refer to Guideline 3.</td>
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<td>For more information, refer to Guideline 1.</td>
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<tr>
<td>4. <strong>When can a proposal be refused?</strong></td>
<td>The Commission can refuse to inquire into a proposal if:</td>
<td>If the proposal is referred by the Minister or House of Parliament, or is of a prescribed kind, then the Commission must appoint 1 or more investigators to conduct the inquiry.</td>
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<td>o The proposal is vexatious, frivolous or trivial; or</td>
<td>In all other cases, the Commission may appoint investigator/s. The Investigators should have expertise relevant to the proposal, and Councils affected by the proposal should be consulted on the appointment.</td>
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<td>o It is not in the public interest; or</td>
<td>At the end of the inquiry, the investigator/s provide a report to the Commission.</td>
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<td>o A similar proposal has already been inquired into; or</td>
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<td>o There is some other good reason for refusal.</td>
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<tr>
<td>5. <strong>Who conducts the inquiry?</strong></td>
<td>The Commission</td>
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<td>6. <strong>Consultation requirements</strong></td>
<td>A reasonable amount of public consultation should be conducted by the Commission after receiving the proposal – but the Commission can determine not to consult with community if unnecessary to do so – e.g. a very minor proposal that affects a small number of ratepayers. The Commission will also consult with the Minister.</td>
<td>Prior to submitting the proposal formally, the party initiating the proposal to undertake community consultation, and include evidence when submitting the proposal to the Commission. The Commission may seek additional information from council/s, the community and relevant bodies, in accordance with its investigation powers - see item 7. The Commission will consult with the Electoral Commission of SA on proposals for changes to a council’s composition or representative structure. For more information, refer to Guideline 9.</td>
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43-51 Tanunda Road (PO Box 867) Nuriootpa SA 5355 | Phone (08) 8563 8444 Email: barossa@barossa.sa.gov.au www.barossa.sa.gov.au ABN: 47 749 871 215
### Investigation powers

The Commission and any investigator/s have wide-ranging investigative powers, including summoning a person, requiring a person to answer questions, requiring documents and records be produced by council/s or persons, and call for and receive submissions and representations.

Failure to comply may result in a maximum penalty of $10,000.

### Commission’s considerations in arriving at recommendations

**Should be considered by Council and included in the proposal – for general proposals (Section 26 of the Act)**

- The objects of the Act;
- Roles, functions and objectives of councils under the Act;
- Following principles:
  - Resources available to local communities should be used as economically as possible while recognising the desirability of avoiding significant divisions within the community;
  - Proposed changes should, wherever practicable, benefit ratepayers;
  - A council should have a sufficient resource base to fulfil its functions fairly, effectively and efficiently;
  - A council should offer its community a reasonable range of services delivered on an efficient, flexible, equitable and responsive basis;
  - A council should facilitate effective planning and development within an area, and be constituted with respect to an area that can be promoted on a coherent basis;
  - A council should be in a position to facilitate sustainable development, the protection of the environment and the integration of land use schemes;
  - A council should reflect communities of interest of an economic, recreational, social, regional or other kind, and be consistent with community structures, values, expectations and aspirations;
  - A council area should incorporate or promote an accessible centre (or centres) for local administration and services;
  - The importance within the scheme of local government to ensure that local communities within large council areas can participate effectively in decisions about local matters;
  - Residents should receive adequate and fair representation within the local government system, while over-representation in comparison with councils of a similar size and type should be avoided (at least in the longer term);
  - A scheme that provides for the performance of functions and delivery of services in relation to 2 or more councils (for example, a scheme for regional governance) may improve councils’ capacity to deliver services on a regional basis and therefore offer a viable and appropriate alternative to structural change; and
  - The extent and frequency of previous changes affecting the council or councils under Chapter 3 of the Act or the repealed Act.

The Commission should, so far as is relevant, give preference to structural changes that enhance the capacity of local government to play a significant role in the future of an area or region from a strategic perspective.

### Other considerations when conducting the inquiry

Matters at item 8.

In addition to those considerations in item 8:

- The financial and resource impact likely to have on council/s affected by the proposal;
- The extent of support for the proposal (in particular) and boundary reform (in a general sense) within the community;
- The extent of support for the proposal from council/s affected by the proposal;
- The impact on the rights and interests of any council employees affected by the proposal;
- Any other principles prescribed by the regulations.

The Commission/investigator may also consider:

- Division of assets and liabilities;
- The impact of any significant contracts;
- Access to council services and communication with the community;
- Significant differences in rating policies of councils involved and impacts of the ratepayers and how these impacts will be addressed in the short and long term;
- Potential conflicts in existing land use if proposal implemented;
- Significant differences in fees and charges of councils involved;
- Material impact of legal orders and proceedings;
- Significant differences in service levels of councils involved; and
- Implications for council employees, including transfer of staff and conditions of employment.

### What happens at the conclusion of an inquiry?

The Commission publishes the proposal and recommendations on a website (determined by the Commission) and provides a copy to the Minister. The Commission’s recommendations may include variation/s to the proposal.

The Commission publishes a report with the Commission’s recommendations on a website (determined by the Commission), and provides a copy to the Minister. The Commission’s recommendations may include variation/s to the proposal.

The recommendations may propose delivery of services on a regional basis by councils as an alternative to structural change.

### Responsibilities of the Minister at the end of an inquiry

The Minister determines whether the proposal should proceed or not.

- If the proposal is to proceed, then it is forwarded to the Governor with a recommendation that a proclamation be made.

The Minister can request that the Commission make amendments to the report.

- If the proposal is initiated by council/s and the Commission has recommended that the proposal not proceed, the Minister can, at council/s’ request, consult with the council/s.

The Minister then determines whether the proposal should proceed or not. If the proposal is to proceed, then it is forwarded to the Governor with a recommendation that a proclamation be made.
<table>
<thead>
<tr>
<th>Issue</th>
<th>Administrative Proposal</th>
<th>General Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>12. Notification of outcome</td>
<td>Commission gives public notice of the Minister’s determination, and notifies relevant bodies - i.e. person/body who initiated the proposal, council/s affected, registered industrial association that represents interests of council employees.</td>
<td>In addition to public notice and notifying relevant bodies, if it is determined that the proposal not proceed, then the Minister’s report is laid before both Houses of Parliament.</td>
</tr>
<tr>
<td>13. Costs</td>
<td>The Act does not contemplate for the costs for administrative proposals to be recovered from the party initiating the proposal.</td>
<td>If the proposal is initiated by council/s, the Commission can recover reasonable costs incurred, from those council/s. Costs may depend on a range of factors, including complexity, number of investigators needed etc. The Commission will consult with the initiating council/s on expected costs.</td>
</tr>
</tbody>
</table>
References and Further Information

Local Government (Boundary Adjustment) Amendment Act 2017
Local Government Act 1999
Local Government (General) Regulations 2013
SA Local Government Boundaries Commission – Guidelines 1-9
Department of Planning, Transport and Infrastructure – Explanatory Paper – Local Government (Boundary Adjustment) Amendment Act 2017 – March 2018

Appendix – Boundary Reform Process Flowchart

Localised Issues and Thinking

In developing any submission Council needs to turn its mind to the following critical success factors:

**Strategic Goals:**

1. Benefits verses Costs for our Customers – first and foremost?
2. What is the strategic purpose for a boundary realignment?
3. What is the ultimate goal for boundary realignment?

**Tactical Considerations:**

1. What are the negotiable and non-negotiable factors for instance:
   a. Is Concordia development something Council should maintain control (as best it can) over?
   b. The movement of boundary’s in either direction – what are the limits, what are we prepared to concede?

2. What are the known unknowns:
   a. Political resistance vs support?
   b. Level of engagement?
   c. Risk management and counterproductive relationships?
   d. What are the true costs and benefits?
   e. What is the business case build on?

3. What are the true costs and benefits?

4. Where do the costs and benefits flow e.g. larger area may have greater revenue but it will also have greater cost?

**Proposal Considerations:**

It is believed the key to any successful conversation around boundary reform will hinge on some, all and no doubt other considerations above but also the following five specific areas of:

- Economic use of available resources and avoiding significant divisions within the community;
- Proposed changes should, wherever practicable, benefit ratepayers;
- Sufficient resources to carry out the role of Council (and all effected Councils) including the considerations of environmental, community, social, economic outcomes;
- A council should reflect communities of interest of an economic, recreational, social, regional or other kind, and be consistent with community structures, values, expectations and aspirations;
- Effective ways to include all in decision making and fair representation models without over-representation.

**Summary**

At this time work has been undertaken to understand the work and processes required to develop a submission, support it and move towards an outcome.

There has been much academic and industry research into amalgamation and boundary adjustment process (especially large one which amount to significant business change akin to amalgamation).

Phase 1 would be to develop a proposal and make a submission this would trigger the Commission to determine if the proposal was satisfactory. This proposal is relatively simple and high level and does not require extensive analysis, this can be quickly developed within. This has been confirmed with the Office for Local Government.

Phase 2 thereafter will require significant consultation and investigation. Council resources at the senior level are stretched at present and cannot absorb a full application process nor necessarily we will have the full data and internal abilities, this would therefore necessitate some external resourcing assistance. However,
should the Commission and then Council feedback on phase 1 be positive a further conversation will be had with the Department as to the level and scope of the phase 2 submission.

Other resourcing matters that need to be considered through the process are:

1. Consultation support and activities;
2. Level of interest and engagement this will get will utilise resource;
3. Senior resources are committed at present and for the foreseeable future:
   a. to The Big Project;
   b. current budget and business plan;
   c. the change program;
   d. local government reform;
   e. planning legislation implementation;
   f. other recent legislative changes including the Public Interest Disclosure Act and Child Vulnerability laws;
   g. legislative requirements for reviews of our community and corporate plans and associated reporting, and asset management plans;
   h. economic development projects in addition to The Big Project, smart cities, automated vehicles, collaborative power solutions, railway corridor activation; and
   i. normal day to day business.
4. The extent and access to the right data and information and ability and time to analyse it noting independence will be a key matter to any proposal.
Steinert Road

Direct Line - Steinert Road via Hundred Road to Pine Dale Road to intersection point 1 and south to intersection point 2 and Eden Valley
Direct Line - intersection point 1 and south to intersection point 2 and Eden Valley connection

Intersection point 1

Intersection point 2
1. **ESTABLISHMENT**

   1.1 Council adopted a policy position as part of the endorsement of the Strategic Policy and Reform paper on 16 July 2019 that support a position of pursuing boundary reform. To support this policy position and the work of Officers an internal working party be established.

2. **OBJECTIVE**

   2.1 The purpose of the Group is to support Council with the development, analysis and processes involved with any boundary reform processes.

3. **SCOPE OF ROLE**

   3.1 The Group’s role is to:

   1. Support the development of relevant documents and policy positions in support of Boundary Reform for the adoption of Council.

   2. Support the development of a Project Scope, Risk Assessment for Boundary Reform for adoption by Council.
3. Oversee the processes and assist the CEO to prepare reports and advice for Council for its consideration.

4. Monitor any identified and emerging issues in the implementation of a Boundary Reform proposal and assist the CEO to prepare reports advice for Council for its consideration.

5. Support and provide input to any promotional, community engagement and communication activities and assist the CEO in preparing reports and advice for Council for its consideration.

6. Support the CEO in policy responses from matters pertaining generally to the process of Boundary Reform and its impacts including financial, rating, economic, community and other relevant issues and assist the CEO in preparing reports and advice for Council for its consideration.

7. Assist the Mayor and CEO to liaise with the SA Local Government Boundaries Commission and other Councils.

4. **MEMBERSHIP**

4.1 In accordance with the resolution of Council reference [insert resolution], the Group shall comprise:

- The Mayor;
- Three elected members;
- The Chief Executive Officer;
- Manager Financial Services;
- Other staff as necessary to support the Group;
- External consultants / resources as necessary;
- Ad hoc technical representatives as required (internal and external to Council administration)

5. **DELEGATED POWERS**

5.1 The Group will act in an advisory capacity to Council only and does not have specific delegated powers.

5.2 The Chief Executive Officer has delegation in respect of various activities detailed in the Delegations Register.

6. **GOVERNANCE**

6.1 Meets as required to assist with Boundary Reform proposals either made by Council or in response to other proposals submitted impacting Council.

6.2 Shall provide written updates to Council as required.

7. **MEETINGS**

7.1 Meetings will be held at times set in accordance with clause 7.2.

7.2 Meetings can be called by the Chief Executive Officer or Mayor.

7.3 The Group shall keep a record of all meetings, and forward a copy to the Group members.
7.4 Members can discuss and make recommendations but not decisions.

7.5 Agreed recommendations must be submitted to Council Officers and/or Elected Members as appropriate for further consideration.

7.6 Meetings shall adhere to the principles of the Informal Gathering Policy and any meeting shall be open to the public unless deemed to satisfy clause 3.3.2 of the Policy to hold the meeting or parts of the meeting in confidence.

8. RESOURCES

8.1 The Group is supported by Council resources for meeting purposes and as detailed in any agreed specific Project scopes and plans and in accordance with any approved budget.

9. TRAINING

9.1 None identified any future requirements to be addressed to Council

Signed ........................................................................ Dated: ..................................................

Mayor Bim Lange
7.2.2 DEBATE AGENDA – FINANCE

7.2.2.1 MONTHLY FINANCE REPORT (AS AT 31 AUGUST 2019)

B411

Author: Senior Accountant

PURPOSE

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

RECOMMENDATION

That the Monthly Finance Report as at 31 August 2019 be received and noted.

REPORT

Discussion

The Monthly Finance Report (as at 31 August 2019) is attached. The report has been prepared comparing actuals to the Original adopted budget 2019/20.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1: Monthly Finance Report 31 August 2019

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 2019, as per legislation. This report is advising Council of the monthly finance position compared to that budget.
## Uniform Presentation of Finances

### OPERATING ACTIVITIES:

<table>
<thead>
<tr>
<th>Description</th>
<th>% Actual Expenditure to Original Budget</th>
<th>Original Budget (Full-Year) $'000</th>
<th>Actual Result (Year-to-Date) $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Income 1)</td>
<td>13.48%</td>
<td>38,457</td>
<td>32,191</td>
</tr>
<tr>
<td>Less Operating Expenses</td>
<td>13.48%</td>
<td>(37,737)</td>
<td>(5,086)</td>
</tr>
<tr>
<td><strong>Operating Surplus / (Deficit)</strong></td>
<td></td>
<td>720</td>
<td>27,105</td>
</tr>
</tbody>
</table>

### CAPITAL ACTIVITIES:

#### Net Outlays on Existing Assets

<table>
<thead>
<tr>
<th>Description</th>
<th>% Capital Budget Spent</th>
<th>Capital Expenditure</th>
<th>Add back Depreciation, Amortisation &amp; Impairment</th>
<th>Add back Proceeds from Sale of Replaced Assets</th>
<th>Subtotal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Expenditure on Renewal and Replacement of Existing Assets 2)</td>
<td>0.94%</td>
<td>(6,139)</td>
<td>7,664</td>
<td>305</td>
<td>1,830</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1,231</td>
</tr>
</tbody>
</table>

#### Net Outlays on New and Upgraded Assets

<table>
<thead>
<tr>
<th>Description</th>
<th>% Capital Budget Spent</th>
<th>Capital Expenditure</th>
<th>Add back Amounts Received Specifically for New and Upgraded Assets</th>
<th>Add back Proceeds from Sale of Surplus Assets</th>
<th>Subtotal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Expenditure on New and Upgraded Assets 2)</td>
<td>2.17%</td>
<td>(12,700)</td>
<td>5,194</td>
<td>0</td>
<td>(7,506)</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1,887</td>
</tr>
</tbody>
</table>

**Net Lending/(Borrowing) for the Financial Year**

<table>
<thead>
<tr>
<th></th>
<th>$'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total % Capital Budget Spent</td>
<td>1.77%</td>
</tr>
</tbody>
</table>

### NOTES

1) The first quarter Grants Commission payment $150k was received in August

2) 2019/20 Capital Expenditure spent to end of August includes:
   - Barossa Visitor Centre Interpretative Display/Video Wall $1k
   - CWMS $5k
   - Drainage $15k
   - Footpaths 13k
   - Nuriootpa Centennial Park Authority Change Rooms $6k
   - Nuriootpa Office LED Lighting Replacement $2k
   - Road Resheeting $20k
   - Sealed Roads $14k
   - The Big Project - Angaston Railway Precinct $141k
   - The Big Project - Barossa Culture Hub $3k
   - The Big Project - Tanunda Recreation Park - Oval $1k, Show Hall Upgrade $13k, Electrical Upgrade/Lighting $76k
   - Williamstown QVJP Bridge Entrance $18k
7.2.2 DEBATE AGENDA – FINANCE

7.2.2.2
2018/2019 DRAFT ANNUAL FINANCIAL STATEMENTS – COUNCIL CERTIFICATE

B8203
Author: Senior Accountant

PURPOSE
Prior to presentation of the draft financial statements to the External Auditors, Council is required to authorise the Chief Executive Officer and Principal Member (Mayor) to certify the statements.

RECOMMENDATION
That the Mayor and Chief Executive Officer be authorised to sign the Certification of Financial Statements for the 2018/2019 Financial Year.

REPORT

Introduction
Regulation 14 of the Local Government (Financial Management) Regulations 2011 requires that a certification statement (in the prescribed form) be included in the Annual Financial Statements and be signed by the Chief Executive Officer and Principal Member of the Council.

Discussion
The certification statement indicates that:

- Council’s Annual Financial Statements have complied with the Local Government Act 1999, Local Government (Financial Management) Regulations 2011 and Australian Accounting Standards;
- the Financial Statements present a true and fair view of Council’s financial position as at 30 June 2019 and the results of its operations and cash flows for the financial year;
- internal controls implemented by the Council provide a reasonable assurance that the Council’s financial records are complete, accurate and reliable and were effective throughout the financial year; and
- the Financial Statements accurately reflect the Council’s accounting and other records.

The certifiers will be required to sign the certificate prior to the final presentation of the accounts to the External Auditors. Upon completion of the audit and presentation to the Audit Committee in October, final statements will be tabled at Council.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Other
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.

6.16 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 14

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial
There are no financial, resource or risk management considerations.

COMMUNITY CONSULTATION
Not required for this report. Following the completion of the Council’s Financial Statements a copy will be placed on the Council’s website.
COUNCIL
EXECUTIVE SERVICES
FINANCE
17 SEPTEMBER 2019

7.2.2 DEBATE AGENDA – FINANCE

7.2.2.3 NURIOOTPA CENTENNIAL PARK AUTHORITY – AUDIT COMMITTEE APPOINTMENTS

B9086
Author: Manager Financial Services

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

The NCPA is governed by a Board of Management which has the responsibility to manage the business and affairs of the Authority in accordance with its Charter. The Charter specifies at Part 9 Clause 8 that the NCPA must establish an Audit Committee and details the conditions that apply to the Committee.

RECOMMENDATION
That Council, being satisfied that Clauses 25.2, 26.2.1 and 25.2.6 of the Nuriootpa Centennial Park Authority Charter (Charter) have been complied with, thereby appoint the following as members of the Nuriootpa Centennial Park Authority Audit Committee pursuant to Clause 38 of the Charter:

Members of the Nuriootpa Centennial Park Authority Board of Management
1. Mr. Guy Martin;
2. Cr Tony Hurn;

Independent Members for a period two years from 21 June 2019, with one right of extension of the appointment
3. Mr Dafydd Llewelyn;
4. Ms Elaine Ratcliffe;

Barossa Council senior officer in an advisory and non-voting capacity
5. Mr Mark Lague; and

that Mr Dafydd Llewelyn be appointed as Chair of the Nuriootpa Centennial Park Authority.

REPORT

Introduction
The Audit Committee is responsible for:
• overseeing and monitoring the participation of Management and the External Auditors in the financial reporting process;
• overseeing and making recommendations on the approach used by Management to address business risks; and
• reviewing and making recommendations on how Council’s corporate, financial, governance and legal responsibilities are being addressed.

Meetings are held at least four times per year as determined by the Committee.

The appointments to the Board must be approved by the Barossa Council (Council) having taken into account clauses 25.2, 26.2.1 and 26.3.2 of the Charter, those clauses state:

25.2 For the purposes of sub clause 26.1.3, applicant must demonstrate a range of relevant knowledge, skills and experience in a least one of the following areas:

25.2.1 commercial business management including financial management;

   o 25.2.2 marketing and/or advertising;

   o 25.2.3 commercial management preferably with property management;

   o 25.2.4 director or board member of a similar body;

25.2.5 community development and significant contribution to a community based organisation/s; or

25.2.6 local government experience at an elected member or senior officer level.

26.2.1 all appointments will be made by the Council upon written recommendation of the Board detailing how the applicant meets the criteria detailed in 25.2 after a public expression of interest process including, the placing of notices in local newspapers. This requirement applies to new appointments and reappointments.

26.3.2 Thereafter all appointments will be for a two year term.

Discussion

The Audit Committee Terms of Reference at clause 3.1 states that the Committee shall consist of five members and Council approves* all NCPA Audit Committee members:

1. two NCPA Board Members;
2. two being Independent Members; and
3. a Barossa Council senior officer appointed by the Chief Executive Officer of Council, to attend meetings in an advisory and non-voting capacity.

1. The NCPA Board appoints 2 members to the NCPA Audit Committee and depending on the timing and who, they will not necessarily change at the same time as Council Elected Member (EM) appointments:

   i. Following the last Council Election Cr Leonie Boothby withdrew from EM roles both the NCPA Board and Audit Committee. In line with the NCPA Charter, Council appointed Cr Tony Hurn to the NCPA Board as the Council Elected Member representative. Contact was made with Cr Hurn to consider to also be the NCPA AC member, Tony accepted this in December 2018. This appointment was an administration oversight, not presented to Council for approval;

   ii. The NCPA Board appointed NCAP Audit Committee member is Mr Guy Martin, who satisfies the requirement through his extensive knowledge of the operations of the authority, its services and as a long standing Board member and extensive industry experience in governance and project management.

2. Two Independent Members - Mr Dafydd Llewelyn (Chair) and Mr Jonathon Gerhardy, terms of appointment have expired on the 21 June 2019.
The NCPA advertised for Expressions of Interest (EOIs) for the positions in the Leader on 17 July 2019. EOIs closed at 5.00pm on 31 July 2019 and were reviewed by an Interview Panel, consisting of the NCPA Board Chair, Mr. Guy Martin and Business Manager, Ms. Tanya Pumpa. Two Expressions of Interest (EOIs) were received (applicant 1 was received after the closing date). Ideally, Audit Committee members will have a financial, risk management and/or auditing background and retiring members are eligible for re-election. The term of appointment for Independent members is 2 years with a right of extension of the appointment by the NCPA Board and approval by Council.

At the NCPA Board meeting held in 21 August 2019, the submission from applicant 1 (Dafydd Llewelyn) the previous NCPA Audit Committee Chair, was considered and their appointment was approved as Member and Chair of the Audit Committee. Also at this meeting, applicant 2 (Ms Elaine Ratcliffe) submission was discussed with the NCPA Board consent for the Panel to conduct an interview to progress the recruitment process.

An interview was held for applicant 2 on 4 September 2019. The interview questions were in relation to their financial and business background, employment and other board and committee experiences, why they applied for the role and what will contribute to the Audit Committee.

The Panel’s opinion was that applicant 2 demonstrated the required level of skill, expertise and experience to meet the requirements of an Independent Committee Member. When combined the abilities and experience along with knowledge of the NCPA operations and Audit Committee of applicant 1 with applicant 2 skills, experiences, knowledge would provide a diverse approach and contributions to the membership. Further information can be provided at the Council meeting as/if required.

A report will be presented to the 18 September 2019 NCPA Board meeting to consider appointment of applicant 2.

The NCPA Audit Committees next meeting is scheduled for the 15 October 2019 to consider the NCPA 2019 Financial Statements and discuss the audit findings with the auditor.

3. The final member of the Board, being a nonvoting member in an advisory capacity is appointed by the Chief Executive Officer* of Council, this role has been carried out by Mr Mark Lague, Manager Financial Services since September 2016. Satisfying the requirements through expertise and experience in financial management, preparing the annual updates with the draft NCPA long term financial plan (LTFP) for NCPA Board and audit committee consideration and inclusion within Council summary LTFP.

Summary
As all nominees meet one or more the other criteria, that Council approve the following appointments to the NCPA Audit Committee:

- Mr Guy Martin and Cr Tony Hurn as NCPA Board members - retrospectively; and
- the Panel’s opinion is that Mr Dafydd Llewelyn and Ms Elaine Ratcliffe demonstrate the required level of skill, expertise and experience to meet the requirements as Independent - Audit Committee Members; and

254
the Chief Executive Officer* of Council has delegation to appoint Mr Mark Lague, Manager Financial Services as a nonvoting member in an advisory capacity.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**
NCPA - Charter and Terms of Reference – copy can be provided where requested

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

**Legislative Requirements**

Local Government Act 1999, Schedule 2 Clause 13(2)
LGA Information paper no. 3 – Audit Committees

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

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

**Resource**
Managed within existing officer resources.

**Risk Management**
Adherence to the Audit Committee Terms of Reference is a risk management tool.

For expediency and ensure NCPA Audit Committee can meet scheduled requirements at their October meeting, the applicant 2 appointment has been simultaneously provided as an agenda item for both for Council to the NCPA Board meetings. As mentioned within this report the NCPA Board have already discussed applicant 2 submission and verbally approved the recruitment processes, it is likely this appointment will be endorsed at the September NCPA Board meeting. As Council meeting is prior the NCPA Board meeting the Councils decision is final and the outcome of this recommendation will be communicated to the NCPA Board.

**COMMUNITY CONSULTATION**

Not required under legislation or Council’s Public Consultation Policy. A public notice requesting Expressions of Interest was placed in The Leader newspaper on 17 July 2019.
7.3.2 DEBATE AGENDA - MANAGER COMMUNITY PROJECTS

7.3.2.1 DRAFT MEMORIALS ON COMMUNITY LAND POLICY

B825

PURPOSE
To summarise feedback received from the community consultation process on the draft Memorials on Community Land Policy and for Council’s adoption of the final policy.

RECOMMENDATION
That Council:

(1) adopt the draft Memorials on Community Land Policy as presented in Attachment 1.

(2) where contact details are supplied, notify those that have made formal submissions of the outcome of the consultation process and thank them for their contribution and interest.

REPORT
Introduction
At the Ordinary Meeting on 16 July 2019, Council resolved:

MOVED Cr de Vries that Council:
(1) Endorse the Draft Memorials on Community Land Policy as presented for public consultation under section 202(2) of the Local Government Act 1999 and in accordance with Council’s Public Consultation Policy, subject to alteration to clause 4.1.2 - referenced in (4) below;
(2) Approve the Draft Community Consultation and Communications Plan;
(3) Require officers to submit a further report to Council at the conclusion of the consultation period outlining all submissions received.
(4) Replace clause 4.1.2 - final bullet point to read “Council will use best endeavours to contact relatives in the event that a memorial on community land needs to be removed or relocated.”

Seconded Cr Boothby

CARRIED

Discussion
The Community Consultation process was conducted in accordance with the adopted Community Consultation and Communications Plan (reference 19/39204).

No formal submissions were received via OurBetterBarossa.com.au.
Four submissions were received via email providing feedback on the following themes:

<table>
<thead>
<tr>
<th><strong>Memorial Gardens</strong></th>
<th>Under Clause 4.1.2, The Council sees the Memorial Gardens as a sacred RSL patch. No one else is allowed to utilise these spaces for physical signs of remembrance. Some others in our community see Memorial Gardens as a spot to remember all that have gone before us. This is especially so in a society where churches and cemeteries do not hold the same values as they did in the past - a society where less and less people are practicing Christians or even have a belief.</th>
<th>No specific draft policy amendment recommendation(s) made in submission</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Roadside Memorials</strong></td>
<td>There are now at least two generations in our community who have not lived through a war that claims lives of many young ones. There is more chance that our youth will be killed on the road than there was of their great grandparents or grandparents being killed in a war. Our generation need symbols in our community to remember and reflect on lives lost too young. In the past these were war memorials. These days it is often roadside memorials that make people think and contemplate. To ban additional memorials in memorial gardens shows a lack of compassion for those in our community who need something like this to cope and get on with life their way. Memorials become important historical records. They promote research and understanding of our past. They make people think. The memorial on the corner of Julius Street and Murray Street in Tanunda is of immense social interest. Under the proposed Council policy such a memorial may not be allowed.</td>
<td>Suggests that additional memorials should be allowed in designated memorial gardens</td>
</tr>
</tbody>
</table>
I would like to make a small comment mainly on the subject of roadside memorials. I remember many years ago when this subject was on the front page of the Leader my response at the time was “leave those poor people alone if it makes them feel a little better and it isn’t dangerous what does it matter.” How was I to know at the time that a few years later the subject would so personally affect myself and my family. Almost 6 years ago my daughter who was a nurse was coming home after finishing night shift she was tired and fell asleep she ran off the road and died instantly. We miss her every minute of every day as does every other family who have lost a family member is similar circumstances. I realise that these roadside memorials can’t be placed where they may cause danger to others however I ask you to be lenient in your decision to remove them, no one has any idea until they are in this place.

| Memorials in Community Places | Of the two memorials at Coulthard Reserve, Nuriootpa one is to Arthur and Gladys Reusch. Arthur was “Mr Nuriootpa” in my youth. In my opinion the little plinth is a poor memorial to a man who gave so much to his community. The second one is to Mr Heinz Amtsberg. He had been a model citizen. He volunteered at the Nuri Nursing Home and all manner of things. It is a pity their memorials are not in places more visible to the public. | No specific draft policy amendment recommendation(s) – feedback refers to the appropriateness / visibility of 2 particular existing memorials. |

| Scattering of Ashes | The new policy Clause 4.3 prohibits the scattering of ashes on community land. There are many people who want their ashes scattered in a lovely spot. Many lovely spots are community land. How will Council police such a policy? Will there be Ashes Inspectors? And will they pick them up with tweezers!!!! | No specific draft policy amendment recommendation(s). Questions enforceability. |
| General Maintenance – Angaston Cemetery | Comments regarding weeds, development of an indigenous garden, biodegradable containers, seating. | No specific draft policy amendment recommendation(s). |
| General draft policy feedback | It is extremely well constructed and worded. It is sensitive and shows compassion to those who unfortunately are placed in this situation. I think it is extremely important to maintain communication between the council and the person/s that have lost their loved ones. Just a thought- I find that there are more distractions with all the signs about coming events that are erected around the townships than the roadside memorials. This seems to be a growing thing with signs advertising coming events eg. hot rod show, Tanunda Show, enrolments for schools, barossa markets etc. etc. I feel that this is becoming more and more common and feel that surely these are also a big distraction to drivers. I really think this also needs to be addressed. Thanks for being given the opportunity of responding to this Draft. This shows excellent communication and collaboration with your rate payers. | No specific draft policy amendment recommendation(s). Supports draft policy position. Suggestion to address other roadside distractions. |
Summary and Conclusion
Based on the feedback received, the only specific recommendation to alter the draft policy position was from 1 submission that there should be consideration to allowing additional memorials to be added into existing memorial gardens.

Officers do not consider that there is sufficient community support to alter the draft policy as presented and recommend that Council thanks the community for their feedback on this sensitive topic and adopts the policy as worded.

Attachment 1: Draft Memorials on Community Land Policy Ref: 19/31010

Community Plan / Corporate Plan / Legislative Requirements

Community Plan

- Community and Culture
  2.8 Provide opportunities for the community to participate in local decision-making.
- Community and Culture
  2.12 Contribute to a safer community

Corporate Plan

- How We Work – Good Governance
  6.1 Ensure that the community has access to information regarding discussions held and decisions made by Elected Members.
  6.2 Ensure that Council’s policy and process frameworks are based on principles of sound governance and meet legislative requirements.

Legislation
Local Government Act 1999 Section 221
Road Traffic Act 1961
Highways Act 1926

Financial, Resource and Risk Management Considerations

Financial and Resource Management
Administrative and advertising (463-820) costs for applications can be absorbed from existing operating budget.

Risk Management
The implementation of a Memorials on Community Land Policy will provide consistency across the region and guidance to officers on the receipt of requests and ongoing management of memorials.

Community Consultation
Community Consultation was completed in accordance with Council’s Public Consultation Policy.
THE BAROSSA COUNCIL
MEMORIALS ON COMMUNITY
LAND POLICY

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

Policy Owner: CEO or DCCS
Previous Approval Date(s): 20 Oct 2009

Document Control Employee: Manager Community Projects
Current Approval Date:

HPE Content Manager Ref: 19/31010
Next Review Date:

1. Purpose
The purpose of this Policy is to provide compassionate, consistent and accountable guidance on Council’s position regarding:

1.1 Community requests for the installation of Memorials on Community Land.
1.2 Community installations of Road Side Memorials.
1.3 Scattering of ashes on Community Land.

There is no legislative requirement for Council to have a policy in this area; however various sections of the Local Government Act 1999 require that any alterations (including additions) to Community Land and Roads under Council’s care and control must be authorised by Council.

2. Scope
The Memorials on Community Land Policy provides guidance for the management and placement of all existing and proposed plaques and memorials (including trees) within the Council area, whether they are in or on buildings or other community facilities, pavements or roadsides, parks, gardens, cemeteries, streets or any other area of council owned or managed public open space.

3. Definitions

<table>
<thead>
<tr>
<th>Definition</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Memorial</td>
<td>An object or image including garden beds, trees, park benches, etc. constructed, erected, planted, painted or other indicators commemorating a deceased person.</td>
</tr>
</tbody>
</table>
| Roadside Memorial                | A symbol with the following criteria:  
  - Not more than 1m² in size  
  - Non-reflective  
  - Installed with no concrete footings (i.e. pushed into earth only)  
  - Placed within the road reserve and not on the carriageway or footpath  
  A Roadside Memorial does not include a roadside crash marker (black or red). |
| Community Land                   | All local government land (except roads) that is owned by a council or under a council’s care, control and management and that has not been excluded as Community Land, or had the Community Land |
Classification revoked pursuant to Chapter 11, Part 1, Division 3 of the Local Government Act 1999.

| Road | A public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes:  
  (a) a bridge, viaduct or subway; or  
  (b) an alley, laneway or walkway |
| Road Reserve / Verge | The road verge is the area of land between the back of the kerb or road edge and the adjoining property boundary. |

4. **Policy Statement**

4.1 **Memorials on Community Land**

4.1.1 Memorials on Community Land may be approved for persons who had a significant connection to the Barossa (eg resident, volunteer, community leader) as determined by a report to Council.

4.1.2 The installation of Memorials within Community Land requires the approval of Council. No Memorials depicting personal circumstances are to be located on Community Land, unless approved by Council and must meet the following criteria:

- Be in keeping with any existing master plan or strategy relevant to the site
- Will not adversely impact the existing site use
- Will not compromise the aesthetic or cultural integrity of the site
- Will not compromise either public or personal safety
- Will not be placed in any designated memorial garden
- Applicants are to meet all costs associated with the purchase and installation. Ongoing maintenance thereafter will be at a Service Level determined by Council, as resources permit. Council, at its discretion, may waive the maintenance requirements.
- Replacement or removal of the Memorial due to loss/damage or asset depreciation will be at the discretion of Officers. The longevity and replacement of Memorials is not guaranteed.
- Council may require the family member or applicant to remove, alter or relocate a Memorial at their expense, if it requires maintenance, poses a risk to public or personal safety or is uncompliant with Council’s Policies and Processes, master plan or strategies relevant to the site or Land the Memorial is on. If this cannot be achieved, Council reserves the right to remove, alter or relocate Memorials at its discretion. For example: as Community needs change, so may the preferred use of Council reserves / recreation parks / parks. Existing Memorials give families no guarantee that Council may not sell or redevelop the site at any time in the future. Council Employees will notify affected family members wherever possible prior to removal, alteration or relocation.
The Memorial will not commemorate a person that is already memorialised within The Barossa Council region (except for a memorial within a cemetery managed by The Barossa Council).

The Memorial demonstrates sensitivity and will not cause offense.

Council will use best endeavours to contact relatives in the event that a memorial on community land needs to be removed or relocated.

4.1.3 Application Process

A person wishing to place or construct a Memorial on Community Land should make a written application to Council, addressed to the Chief Executive Officer via The Barossa Council, 43-51 Tanunda Road, Nuriootpa, SA 5355, or via email barossa@barossa.sa.gov.au. The application will be processed by delegated Officers.

Acknowledgement of receipt will be provided within 5 working days and the application will be referred to the Director Corporate and Community Services (DCCS) or delegate.

The application for a Memorial on Community Land (not a Roadside Memorial) will be included in the Council meeting agenda as the Manager’s Debate Report to the next Council meeting. Applicants should be aware that the application letter (including any contact details provided) may be attached to the Manager’s Debate Report, and that the Council meeting agenda is a publicly available document and will be accessible via Council’s website. It is the applicant’s responsibility to notify Council within a reasonable period of time if they wish for contact details to be redacted.

The Council’s decision will be reported to the applicant by the DCCS or delegate in writing within seven (7) working days of the next meeting. Council meeting minutes are also available on Council’s website www.barossa.sa.gov.au.

4.2 Roadside Memorials

4.2.1 Roadside Memorials may be placed on the Roadside or Road Reserve in memory of the person who lost their life at that place.

4.2.2 The presence of Roadside Memorials needs to be treated with sensitivity, as they are of significant importance to families and friends that have lost loved ones.

4.2.3 However they can:

- be upsetting to some members of the community
- be distracting to Road users, thereby creating a safety hazard
- result in visitors stopping at Memorials, potentially creating a traffic hazard especially on points of the road network which have been identified as an area of increased risk.
- add complexity to maintenance activity on the Road Verge by increasing the number of obstructions
- complicate and delay the progress of programmed capital and / or maintenance works due to the need to remove or relocate the Memorial.
4.2.4 Roadside Memorials may be erected in memory of a person/s that has lost their life as a result of a road crash within the Council region and:

- be approached with a flexible, balanced, compassionate approach to individual preferences, road safety considerations, and nearby residents / businesses.
- will be situated as close as practical to the accident location providing that the safety of the public, resources, buildings and fixtures is not compromised.
- shall not obstruct the use of the Road or Road Verge by pedestrians, cyclists or road users.
- has a contact person nominated for inclusion in Council's records.

4.2.5 Time period, appearance, location and installation of Roadside Memorial installations should be:

- temporary in nature, installed for a period of up to 15 months. However, should family or friends of the deceased person wish it to remain in situ for a longer period, this may be negotiated with Council.
- no more than 1m²
- located at least:
  - 1 metre outside the line of any guidepost
  - 2 metres away from the edge of any Road
  - 1 metre from the edge of any public access way or footpath
- not located:
  - where they may obstruct the role of any traffic control item
  - in close proximity to residential dwellings or businesses, without permission from the property owner
  - on landscaped Verges
  - on traffic islands, medians or roundabouts
  - within 30 metres of traffic signals
  - within 30 metres of a curve of the road
  - on any existing Roadside object, structure or within trees or vegetation without permission from Council.
- not to be installed with fixed footings
- not to compromise the health or integrity of any tree or vegetation

4.2.6 Any Roadside Memorial placed which does not meet the criteria above may be removed and stored in accordance with 4.2.10.

4.2.7 If a Roadside Memorial has fallen into disrepair or unreasonably interferes with road management or maintenance activities, in accordance with 4.2.10, Officers will contact the family (where possible) to request that the Memorial be maintained, moved or removed, whatever is appropriate.

4.2.8 Roadworks near Memorials

- Where construction or road works are required to be undertaken and will impact on a Roadside Memorial, including maintenance activities, Officers will remove the Memorial in accordance with 4.2.10.
- The Memorial may be reinstated as close as practical to the original location at the conclusion of the works.

4.2.9 Removal and Storage/disposal

When necessary, either fifteen (15) months after the passing of the person, unless otherwise agreed, or if a Memorial does not comply with this Policy, Officers will attempt to contact the family or friends of the deceased person to arrange for its modification, relocation or removal. In the event that the Roadside Memorial owner cannot be contacted, placing a ‘notice of intent to modify, relocate or
remove’ as per attached template, on the Roadside Memorial will be considered and placed on the Memorial for a period of no less than three (3) months. At the conclusion of this time, the Memorial will be photographed and registered in Council’s Electronic Records Management System in accordance with Council’s Knowledge Management Policy.

Where practical, Memorials will be relocated and stored at a secure location. After a storage period of 12 months, and if the family have not been able to be contacted, a Roadside Memorial may be disposed of.

4.2.10 A Memorial Register will be maintained to document the location, number and contact details of applicants.

4.3 Scattering of Ashes

Requests for scattering of ashes of deceased persons or animals on Community Land will not be approved.

5. Supporting Process

Notice of intent to modify, relocate or remove memorial template Ref: 19/34465

6. Related Policies

Local Government Land By-Law

7. Legislation and References

None

8. Review

This Policy will be reviewed by [the Council / Document Control Employee] in consultation with the relevant stakeholders, within twelve (12) months of each new council or more frequently if legislation or Council’s need changes.

9. Further Information

9.1. This Policy is available on Council’s website at www.barossa.sa.gov.au. It can also be viewed electronically at Council’s Principal Office at 43-51 Tanunda Road, Nuriootpa and all Council branches, during ordinary business hours. A copy of this Policy can be obtained at those venues upon payment of a fixed fee.

9.2. Complaints regarding this Policy or its application can be made to the Customer Support Team on 8563 8444 or barossa@barossa.sa.gov.au at first instance, who will refer you to the most appropriate Employee according to Council’s Customer Service Policy and Complaints Handling Process (see clause 9.1 above for availability).

Signed: ........................................... Dated: .........................................................

[Mayor Michael Lange or Chief Executive Employee under delegation]

10. Policy Version History

<table>
<thead>
<tr>
<th>Version No:</th>
<th>Approval Date:</th>
<th>Description of Change:</th>
</tr>
</thead>
</table>

265
<table>
<thead>
<tr>
<th>Eg. 1.0</th>
<th>20/10/2009</th>
<th>New Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eg. 2.0</td>
<td>16/07/2019</td>
<td>General review, update to new template and addition of Roadside Memorials Policy and Scattering of Ashes</td>
</tr>
</tbody>
</table>
7.3.2 DEBATE AGENDA – MANAGER COMMUNITY PROJECTS

7.3.2.2 NURIOOTPA WAR MEMORIAL SWIMMING POOL PRE-SEASON ASSESSMENT 2019/2020

B9148

PURPOSE
To provide a risk assessment on the current condition of the Nuriootpa War Memorial Swimming Pool (Nuriootpa Pool) and approval of actions required to keep the pool operational for the 2019/2020 summer season.

RECOMMENDATION
That Council

(1) Approve the expenditure of up to $50,000 ex GST from the Nuriootpa War Memorial Swimming Pool Reserve Fund via a quarter one budget adjustment for the works of; pipework intrusion leak repair and repair delaminated tiles.

(2) Require officers to inform the community of the works to allow for opening of the Nuriootpa War Memorial Swimming Pool for the 2019/2020 season.

REPORT
Introduction
The condition and use of the Nuriootpa War Memorial Swimming Pool (Nuriootpa Pool) has been the subject of several reports to Council and briefings at Council Workshops and these provide the background and context to the current Agenda report.

At the conclusion of the successful 2018/19 pool season, officers completed a risk assessment to document and assess the current hazards identified at the Nuriootpa Pool to determine solutions, cost to implement and the potential impact on the upcoming 2019/20 pool season.

At the 4 September 2019 Workshop discussion, Elected Members discussed the requirement for further information to come to a subsequent Council Meeting on:

• The minimum essential items of repair to enable the pool to operate for the 2019/20 season
• The operational savings to the community in the event that the pool were not to reopen in 2019/20.

There was also discussion in relation to the other opportunities for a future water related facility based in Nuriootpa that would in time form a component of The Big Project investments meeting identified needs for family based water and play related services.
Discussion

Essential Items of Repair 2019/20

Council has been made aware of increasing concern with the condition of the Nuriootpa Pool for a number of years and in particular, following the detailed external engineering condition assessment that was carried out by FMG Engineering prior to the 2015/16 season. Whilst the concrete shell remains in sound condition, it is the condition of the associated infrastructure (pipes, plant, tiling, hydraulic and filtration set up etc) that cause the greatest challenges. The decisions taken by Council since that time have endeavoured to balance the demand for the continued use of the pool and the associated costs per user; the rate of deterioration due to the age of the infrastructure; the changes in more contemporary pool engineering and service standards and the costs associated with implementing any significant changes.

A number of activities have been completed to understand and manage the pool’s condition that continues to degrade over time. These activities have included a community survey, introduction of Kids Swim Free initiative during school holidays, replacement of the solar heating system, significant reactive maintenance works on leaks, refresh of associated change room facilities and common areas.

The pool condition at the end of the 2018/19 season was documented via a risk assessment (Attachment 1).

Significant concerns for season open are:

- Finalise leak repair of pipework intrusion (temporary fix in place as pool was filled and due to open for season) – approx. $15,000.
- Repair missing tiles – at least $15,000; however until the pool is emptied it is not clear the exact extent of the tile works. It is noted that tiles will continue to delaminate with cleaning, use and deterioration resulting in the same hazard rating during the season. Contractor has also made officers aware of additional requirement of fencing and/or scaffolding the immediate area of the pool for safety of workers. This will also add an estimate $5,000 of additional hire cost.
- Underground pipework failure – extent of risk difficult to determine as generally only determined through water loss; however could have extreme impact. The extent of water loss can fluctuate as work on leaks continues, but the 2015 condition assessment measured the rate of leakage at 19m³ per day.
- Loss of filter pod – Current 6 x filter pods approximately 20 – 30 years old, one has already failed. If a further one fails the ability to maintain the required water quality would be severely compromised. Cost of repairs circa $30,000 plus added complexity as filter pods inaccessible in current plant room layout and particularly since the recent construction of the flood wall to the rear of the plant room.
- Investment doesn’t address ageing change rooms and their deteriorating condition, and this is understandably a source of ongoing concern to users as one of the most visible aspects of the pool experience that they encounter.
- Major works on pool may trigger need to ensure compliance on water filtration system and separation for water filtration system for toddler pool.
- Water loss from the 2015 condition report is estimated at 19.13 KL per day. Council is charged a community rate service connection only.

Contractors have been approached to provide possible scheduling for pipework leak repair and tile repair. Best efforts will be made to ensure that the best visual outcome for the tile repair is achieved. This may be through either replacement of tiles or application of an epoxy / mortar like solution to cover the area where tiles have been delaminated.
The repair works above are recommended to achieve a minimum, safe standard for community use for the 2019/2020 summer season.

Total envisaged minimum expenditure for repairs 2019/20 - $35,000 ex GST however possible to exceed this once full assessment of tiles completed once pool emptied. The provision of up to $50,000 from the Nuriootpa War Memorial Swimming Pool Reserve Fund will allow for additional repair work if required. Should the cost be less, only the required funds will be transferred from the reserve fund.

It is important to note that if other failures are experienced during the 2019/20 season, officers will inform Council for decision on how to proceed.

If Council chose not to open for the 2019/20 season the cost consideration of not operating is $221,528 ex GST (excluding depreciation and internal allocation costs.)

<table>
<thead>
<tr>
<th>Nuriootpa Pool Visitation as at end 2017/18</th>
</tr>
</thead>
<tbody>
<tr>
<td>9,151 - School Carnival attendances account for 2,274 visits.</td>
</tr>
<tr>
<td>*Numbers do not include special events such as triathlon, film nights which are estimated at an additional 325 visits.</td>
</tr>
</tbody>
</table>

Open 65% of season days – 96 days out of 148 available (due to weather (open over 26 degrees) and leak repair works)

17% of total region aquatic visitations

The Council subsidy per visit as at 2017/18 is $19.32 per visit.

By completing the proposed repair works in the lead up to the 2019/2020 season and continuing to operate as usual will provide an opportunity to have a further open conversation with the community and stakeholders regarding the current status of condition, costs and benefits and the potential for ring fending future annual savings towards an alternative facility such as a water park.

The Nuriootpa War Memorial Swimming Pool accumulates a reserve fund earmarked for future expenditure on the facility and the balance at 30 June 2019 is $160,000.

The overall strategy for Council’s aquatic services is being developed as part of the Draft Aquatic Strategy. This report was tabled to the July Council Meeting but is currently lying on the table pending the outcome of the Big Project prioritisation.

Summary and Conclusion
An updated risk assessment of current and potential hazards at the Nuriootpa War Memorial Swimming Pool has been completed. The minimum anticipated costs of bringing the pool into operation for the 2019/20 season are detailed above as $35,000 ex GST.

Whilst there is the potential for cost savings to arise if the pool were not to be reopened, Officers recommendation is that opening for the coming season if at all possible provides a suitable opportunity for a further full and open discussion with users and the community to be had around the costs of retaining the existing pool verses
the opportunities for investment and ring fencing future Long Term Financial Plan expenditure and reserve funds towards an alternative aquatic facility. If that were to be the decision of Council, Officers will bring forward a suggested strategy for community consultation during the 2019/20 season.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1: Nuriootpa War Memorial Swimming Pool – Risk Assessment (Ref: 19/45308)

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

**Community Plan**

- **Community and Culture**
  2.12 Contribute to a safer community

- **Infrastructure**
  3.1 Develop and implement sound asset management which delivers sustainable services.

**Corporate Plan**

- **Infrastructure**
  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.
  3.4 Ensure Council’s sporting, recreational and leisure grounds and playing arena and associated programs meet the current need of the community to an agreed level of service.

- **Health and Wellbeing**
  4.6 Ensure that community members can participate in cultural, recreational, sporting and learning opportunities.
  4.13 Ensure that Council services and facilities are fit for purpose including safety and access and these considerations are integrated into urban, asset and community planning.

**How We Work – Good Governance**

- 6.1 Ensure that the community has access to information regarding discussions held and decisions made by Elected Members.
- 6.2 Ensure that Council’s policy and process frameworks are based principles of sound governance and meet legislative requirements.

**Legislation**

Local Government Act 1999

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

**Financial and Resource Management**

Works will be managed by Coordinator Facilities Management with support from Manager Community Projects.

The estimated cost (ex GST) of the works are:
- Pipework intrusion leak repair - $15,000
- Repair delaminated tiles - $15,000 + $5,000 in fencing / scaffold hire. However until the pool is emptied it is not clear the exact extent of the tile works.

Total estimated cost - $35,000 to $50,000
The Nuriootpa War Memorial Swimming Pool has a current Reserve Fund balance of $160,000 that can be applied for this purpose.

Risk Management
Risk assessment provided at Attachment 1. Normal contract and contractor management process will manage risk during works.

**COMMUNITY CONSULTATION**
Consultation is not required under Legislation or Council’s Public Consultation Policy unless Council determines otherwise.
**THE BAROSSA COUNCIL**

**CORPORATE RISK ASSESSMENT FORM**

<table>
<thead>
<tr>
<th>EDRMS Record Number</th>
<th>Next Review Date:</th>
<th>Next Review Date of this Task Risk Assessment (4 years)</th>
</tr>
</thead>
</table>

1. **Details**

**Name Task/Project/Function being assessed**

NURIOOTPA WAR MEMORIAL SWIMMING POOL

2. **Risk Assessment Development/Review Team**

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rebecca Tappert</td>
<td>Manager Community Projects</td>
<td></td>
<td></td>
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<tr>
<td>Rob Nies</td>
<td>Community Facilities Coordinator</td>
<td></td>
<td></td>
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<tr>
<td>Craig Wilson</td>
<td>Nuri Pool – Centre Manager (Belgravia Leisure)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. **Related Support Documents**

- Risk Matrix, Likelihood and Consequence Descriptors - 18/42058*
- Risk Management Policy - TBCCGC3100 - 13/47307[v1]

4. **Assessment Grid**

<table>
<thead>
<tr>
<th>Ref</th>
<th>Risk</th>
<th>Risk Identification (Describe the issue in detail, referencing the Consequence and likelihood statements)</th>
<th>Level of Consequence</th>
<th>Level of Likelihood</th>
<th>Level of Risk</th>
<th>Target</th>
<th>What existing controls are in place now</th>
<th>Treatment Option(s) - Describe additional control(s) required to reduce the risk</th>
<th>Residual Level of Consequence</th>
<th>Residual Level of Likelihood</th>
<th>Residual Level of Risk</th>
<th>Person(s) Responsible</th>
<th>Date the control(s) to be implemented</th>
<th>When will the control(s) be reviewed - To determine Residual Risk</th>
<th>The Risk - Accept? Reduce? Substitute? Eliminate?</th>
<th>Risk Owner - Position Ultimately accountable for this risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Equipment Failure - Filter Pod Failure</td>
<td>Pods, manifolds and associated fittings and pipework all ageing. If another filter pod fails (currently 5 of 6 operational), would require pool to be closed due to water quality.</td>
<td>C3</td>
<td>L3</td>
<td>M</td>
<td>L</td>
<td>Monitoring</td>
<td>To fix, would require removal of plantroom wall or roof (however roof has solar heating in place). No options to better mitigate risk. Maintenance that is required at some point is replacing sand media with either sand or glass however increasing risk that failure of pod/s will eventuate at some point.</td>
<td>C3</td>
<td>L3</td>
<td>M</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Ref</td>
<td>Risk</td>
<td>Ref Risk</td>
<td>Risk Identification</td>
<td>Consequence</td>
<td>Likelihood</td>
<td>Target</td>
<td>What existing controls are in place now</td>
<td>Treatment Option(s) - Describe additional control(s) required to reduce the risk</td>
<td>Level of Consequence</td>
<td>Level of Likelihood</td>
<td>Level of Risk</td>
<td>Person(s) Responsible</td>
<td>Date the control(s) to be implemented</td>
<td>When will the control(s) be reviewed - To determine Residual Risk</td>
<td>Residual Level of Consequence</td>
<td>Residual Level of Likelihood</td>
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<tr>
<td>2.</td>
<td>Infrastructure Failure - Pool pipework failure</td>
<td>Ageing underground pipework infrastructure continuing to fail with leaks of varying significance. Main issue is water loss.</td>
<td>C2</td>
<td>L2</td>
<td>M</td>
<td>L</td>
<td>None</td>
<td>Pool upgrade project – Wet Deck and pool liner Cost – approx. budget estimate $1.208M Doesn’t address associated infrastructure concerns (pool plant room, amenities)</td>
<td>C2</td>
<td>L4</td>
<td>L</td>
<td></td>
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<tr>
<td>3.</td>
<td>Plant Room Layout</td>
<td>Incidents due to Manual Handling, accessibility of equipment, trip hazards and old fittings</td>
<td>C2</td>
<td>L3</td>
<td>L</td>
<td>L</td>
<td></td>
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<tr>
<td>4.</td>
<td>Cuts and Abrasions - Pool Tiles</td>
<td>Small tiles (2cm²) no longer accessible. Large job to replace and in past have been replaced with larger tiles that loose aesthetics. Can only hand wash with garden hose as any amount of pressure pops tiles off. Swimmers playing and holding onto pool edges and walls has capacity to pop tiles off.</td>
<td>C4</td>
<td>L1</td>
<td>E</td>
<td>L</td>
<td>None</td>
<td>Pool upgrade project – Wet Deck and pool liner Cost – approx. budget estimate $1.208M Doesn’t address associated infrastructure concerns (pool plant room, amenities)</td>
<td>C1</td>
<td>L5</td>
<td>L</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Solar hot water system</td>
<td>Continuing leaks, increasing each year as pipework begins to age and cleaning required</td>
<td>C1</td>
<td>L2</td>
<td>L</td>
<td>L</td>
<td>None</td>
<td>Manage through system inspection on season start up</td>
<td>C2</td>
<td>L3</td>
<td>L</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Change Rooms</td>
<td>Female Toilets General Amenity Paintwork – floors and cubicles Plumbing issues – pipework blockages Disabled toilet door not wide</td>
<td>C2</td>
<td>L2</td>
<td>M</td>
<td>L</td>
<td>None</td>
<td>Investment required to bring up to contemporary standard</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

273
<table>
<thead>
<tr>
<th>Ref</th>
<th>Risk</th>
<th>Risk Identification (Describe the issue in detail, referencing the Consequence and likelihood statements)</th>
<th>Level of Consequence</th>
<th>Level of Likelihood</th>
<th>Level of Risk</th>
<th>Target -</th>
<th>What existing controls are in place now</th>
<th>Treatment Option(s) - Describe additional control(s) required to reduce the risk</th>
<th>Residual Level of Consequence</th>
<th>Residual Level of Likelihood</th>
<th>Residual Level of Risk</th>
<th>Person(s) Responsible</th>
<th>Date the control(s) to be implemented</th>
<th>When will the control(s) be reviewed - To determine Residual Risk</th>
<th>The Risk - Accept? Reduce? Substitute? Eliminate?</th>
<th>Risk Owner - Position Ultimately accountable for this risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>Pool leak (pipework intrusion)</td>
<td>Leak from 2018/19 season requires completion. Partial repair completed as pool full. Pool continuing to lose approximately 150mm in depth each month. (No formal calculations completed)</td>
<td>C2 L2 M L</td>
<td>Temp repair</td>
<td>Complete fix</td>
<td>C2 L3 L</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Water filtration system – non-separate system, main pool and toddler pool</td>
<td>Any majors works may trigger need to separate systems to become compliant.</td>
<td>C3 L3 M L</td>
<td>None</td>
<td>Separate systems</td>
<td>C1 L5 L</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Limited ability to broaden kiosk offering</td>
<td>Without investment to create a compliant food preparation kitchen area, the offer of food and beverage options remains limited. This is seen as a weakness to encourage increased visits</td>
<td>C1 L5 L L</td>
<td>None</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Issues associated with building weaknesses increases over time</td>
<td>Asbestos in ceilings in kiosk / entranceway and change rooms Gutters – require replacement / repair Security of windows – currently can’t be locked effectively.</td>
<td>C1 L5 L L</td>
<td>None</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Concourse trip hazards</td>
<td></td>
<td>C1 L5 L L</td>
<td>None</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Ref</td>
<td>Risk Identification (Describe the issue in detail, referencing the Consequence and likelihood statements)</td>
<td>Level of Consequence</td>
<td>Level of Likelihood</td>
<td>Level of Risk</td>
<td>Target</td>
<td>What existing controls are in place now</td>
<td>Treatment Option(s) - Describe additional control(s) required to reduce the risk</td>
<td>Residual Level of Consequence</td>
<td>Residual Level of Likelihood</td>
<td>Residual Level of Risk</td>
<td>Person(s) Responsible</td>
<td>Date the control(s) to be implemented</td>
<td>When will the control(s) be reviewed - To determine Residual Risk</td>
<td>The Risk - Accept? Reduce? Substitute? Eliminate?</td>
<td>Risk Owner - Position Ultimately accountable for this risk</td>
<td></td>
</tr>
<tr>
<td>-----</td>
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<td>------------------------------------------------</td>
<td>------------------------</td>
<td>-----------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Reputational Current operational requests still to be completed: • Painting Toddler pool with mural • Shade Shelters • Water toy replacement</td>
<td>C1 L5 L L</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Visitation levels / patronage Cost per visit likely to increase, challenge of promotion and resourcing marketing and sustainability activity</td>
<td>C2 L2 M L</td>
<td></td>
<td></td>
<td></td>
<td>Seasonal promotion to drive visitation through cost effective channels (social media, Belgravia social media also) This has been identified as an area that the Friends Of Group could assist with</td>
<td>C1 L2 L</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

### 5. Business Continuity Management Consequences

Do these risks have Business Continuity Management consequences?  
- [ ] No  
- [X] Yes – If Yes, description of BCM consequences

### 6. Risk documentation to be developed or reviewed

<table>
<thead>
<tr>
<th>Risk Document Name</th>
<th>HPE Content Manager Record Number of Risk Document Name</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</table>

### 7. Internal Office Use

<table>
<thead>
<tr>
<th>Has the appropriate Risk Register, Organisational or Strategic, been updated with the risks identified in this assessment?</th>
<th>Yes</th>
<th>No</th>
</tr>
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<tbody>
<tr>
<td>Risk Register ID(s):</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Has all identified treatment option[s] been entered into CAPA Register?</th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>CAPA Register ID(s):</td>
<td></td>
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### Policy Link:

<table>
<thead>
<tr>
<th>Policy Link:</th>
<th>Risk Management Policy</th>
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### Form Owner:

<table>
<thead>
<tr>
<th>Form Owner:</th>
<th>Manager OD/ Risk</th>
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<tbody>
<tr>
<td></td>
<td>Previous Approval Date(s): 17/11/2015</td>
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### Document Control Officer:

<table>
<thead>
<tr>
<th>Document Control Officer:</th>
<th>Risk Advisor</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>Current Approval Date: 28/06/2019</td>
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</tbody>
</table>
7.4.1 DEBATE AGENDA – DIRECTOR WORKS AND ENGINEERING SERVICES

7.4.1.1 BAROSSA TRAIL – PROPOSED AMENDMENT TO SCOPE OF WORKS AND BUDGET FUNDING B9793

PURPOSE

The Barossa Council has received a letter (attached), dated 8 August 2019, from Mayor Karen Redman, Town of Gawler, seeking support for the Barossa, Light and Lower North Cycle Tourism (Greater Adelaide Cycleway) project which will connect the Stuart O’Grady bike path with the Barossa Trail (formerly Jack Bobridge Track). Council to consider the request for a joint grant funding submission for 60% of the project costs to be funded from the 2020/21 and 2021/22 budgets.

RECOMMENDATION

That Council:
1. Responds to Mayor Karen Redman, Town of Gawler, confirming Council’s commitment to support a joint application to the State Government’s Regional Growth Fund Competitive Pool for approximately $678,000 financial assistance towards the delivery of the Strategic Cycling Connections Project, (being $336,000 towards Council’s cost elements and $342,000 towards the Town of Gawler’s cost elements).
2. Notes that if the application is successful in obtaining funding from the State Government’s Regional Growth Fund Competitive Pool for the Strategic Cycling Connections project, Council’s financial contribution to the project approximately $504,396, will need to be prioritised for funding within Council’s 2020/21 and/or 2021/22 Annual Budgets accordingly.
3. Approves a Budget Adjustment to reduce the FY2019/2020 Unallocated Road Resale budget by $351,470 transferring to, and increasing, the 2020/21 budget by $351,470 for the Barossa Trail project.

REPORT

Background

Completing the construction of the Barossa Trail from its current trailhead at Anne Milroy Lane to Sunnydale Avenue, a distance of 2km, will ultimately link two existing cycle paths, the Stuart O’Grady Trail (Gawler to Adelaide through the Adelaide Plains) and the Barossa Trail (linking Gawler to Tanunda).

This project has been identified as a key future infrastructure development in Regional Development Australia’s Barossa Region Cycle Tourism Strategy 2017. Improving the
cycle trail network links will greatly improve the trail experience and deliver greater economic benefits, predominately from tourism.

Council, in partnership with The Town of Gawler, previously submitted an application to PIRSA for the 2018/19 Regional Growth Fund for $718,628 with Council and The Town of Gawler contributing $348,587 and $437,875 respectively, the total project cost being $1.5m. This application was unsuccessful. Town of Gawler received feedback that this application narrowly missed out on proceeding to Stage 2 of the assessment process noting this application was based on the minimum 50% Council contribution. Council was also unsuccessful with a similar joint grant application, led by the Town of Gawler, to the Building Better Regions Fund in November 2018.

**Introduction**

The construction cost for extending the Barossa Trail from Anne Milroy to Sunnydale Avenue was estimated at approximately $630,000 in 2018.

An updated construction cost is now estimated at $840,661 including allowance for indexation across three financial years 2019/2020 to 2021/2022 (from the 2018 estimate), contingency and project management costs. Construction of the full project is much higher than anticipated, likely due to a number of factors including escalation of civil works construction costs in recent years and specific terrain and stormwater drainage constraints associated with the path alignment.

**Discussion**

It is understood that Council remains committed to the completion of the Barossa Trail extension project and will continue to work towards securing the required funding for its completion.

The project is not currently funded within the 2019/20 budget, however, there is an amount of $351,470 currently in the unallocated road reseal budget that has been carried over from 2018/19 Barossa Trail connection budget.

The PIRSA Regional Growth Fund Competitive pool requires a minimum 50% contribution of project costs, however, based on feedback from the previous grant submission and to be more competitive it is recommended to increase Council’s co-contribution to 60% (approximately $504,396) and seek 40% funding from the State.

<table>
<thead>
<tr>
<th></th>
<th>ToG (60% of TCG costs)</th>
<th>TBC (60% of TBC costs)</th>
<th>PIRSA Contribution</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town of Gawler path</td>
<td>513,036.60</td>
<td></td>
<td>342,004.40</td>
<td>855,041.00</td>
</tr>
<tr>
<td>Barossa Council path</td>
<td>504,396.60</td>
<td>338,264.40</td>
<td></td>
<td>840,661.00</td>
</tr>
<tr>
<td>Total</td>
<td>1,017,433.20</td>
<td>680,268.80</td>
<td></td>
<td>1,697,702.00</td>
</tr>
<tr>
<td>%</td>
<td>60%</td>
<td>40%</td>
<td></td>
<td>100%</td>
</tr>
</tbody>
</table>

If successful, Council’s contribution will be funded from the 2020/21 and/or the 2021/22 budgets as the project can be delivered over 24 months.

As an alternative, there is the option to consider using the unallocated amount of $351,470 for the upgrading and sealing of township roads within the region in lieu of supporting the completion of the Barossa Trail.
There is also the additional option to bring forward unallocated Roads to Recovery funding of $96,000 each year for the next 4 years (approximately $385,000 in total).

To assist and inform Council on the road priorities, officers have developed a draft road upgrade prioritisation list, the first page of which, listing the first 30 roads, is attached.

To develop the draft road prioritisation listing each road was scored by planning zone, existing housing density and service level (tourism, social and commercial use) and based on existing data from the Infrastructure Asset Management Plans.

Based on this criteria the top priorities are:

1) Short Row, Angaston (Jubilee Avenue to end)
2) Bushman Street, Tanunda (Macdonnell Street to end)
3) Bela Court, Lyndoch (Lyndoch Valley Road to end)
4) Altmann Street, Moculta (end to Linke Street)
5) Goldfields Road, Cockatoo Valley (various sections)
6) Fife Street, Angaston (Surface change to Lindsay Street)
7) Altmann Street, Moculta (Linke Street to Albert Presser Street)

Should Council seek to fund road upgrades Officers would need to bring a report back to Council once scoping and cost estimates are completed for the selected priorities.

Finally, there is also the option that if the Regional Growth Fund application is unsuccessful Council can look to fund the Barossa Trail completion without grant funding. This would require prioritising this project over other road infrastructure projects in future years.

**Summary and Conclusion**
Taking into consideration the opportunity to partner with the Town of Gawler to seek grant funds to complete the Barossa Trail it is recommended that Council support a joint application that will assist both Councils to deliver the connection from the Barossa Trail to the Town of Gawler.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**
Attachment 1 – Letter from Mayor Karen Redman, dated 8 August 2019

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

**Natural Environment and Built Heritage**
1.6 Support tourism development that is sensitive to the natural environment and sustainable.

**Infrastructure**
3.5 Advocate for and seek out funding opportunities that support the development of community, health and other facilities and infrastructure from both state and federal government.
Business and Employment

5.1 Work closely with State Government, Federal Government and stakeholders to support economic growth, development and job creation.

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

Legislative Requirements
Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
Additional funds, of an estimated $152,926 will be required to meet the 60% co-contribution amount ($351,470 from carried forward plus $152,926 additional funding) in budget years 2020/21 and/or 2021/2022.

COMMUNITY CONSULTATION
No community consultation has taken place on the draft road upgrade prioritisation list, this has been developed to inform Council and is based on existing data.
8 August 2019

Mayor Bim Lange
43-51 Tanunda Road
PO Box 867
NURIOOTPA SA 5355


Dear Mayor Lange

SEEKING SUPPORT FOR BAROSSA, LIGHT AND LOWER NORTH CYCLE TOURISM (GREATER ADELAIDE CYCLEWAY) PROJECT

I am seeking the Barossa Council’s ongoing partnership, commitment and financial contribution to the Barossa, Light and Lower North Cycle Tourism (Greater Adelaide Cycle Way) Project which will connect the Stuart O’Grady bike path with The Barossa Trail (formerly Jack Bobridge Track). As you are aware this project, to connect the gap between these regionally significant paths, remains at large.

The Town of Gawler has been progressing a grant submission to the State Government’s Primary Industries and Regions SA Regional Growth Funding Program based on “in-principle” support of The Barossa Council administration to partner in the grant application. I am informed that you will soon formally consider this matter in respect to confirming your Council’s support to partner with the Town of Gawler for this grant funding opportunity. This project provides a wonderful opportunity to not only provide a significant continuous cycle way from the Adelaide Plains through to Angaston, but a direct cycle linkage between Gawler and the Barossa.

Being able to deliver a continuous and significant cycle route would result in connecting, for the first time, four distinct communities of the region; Adelaide Plains, Virginia, Gawler and Barossa. The economic benefits would be recognised widely through this broader region. As you can appreciate, the pace and nature of cycling takes users to many diverse and new places and promotes all businesses along the way. This project would directly increase economic activity, local employment opportunities for Gawler and the Barossa region through cycling, increased expenditure on food, wine, experiences and nature based tourism as well as subsidiary business development.

The project is also supported by the Regional Development Australia Barossa (RDAB) who have recognised the potential of this project including increased healthy and active communities and the positive impacts on our visitor economy (which cycle tourism is a key component of).
Indeed your Council’s Barossa Region Cycle Tourism Strategy (2017) specifically identifies the need to link the Stuart O’Grady bike path to the Barossa Trail to make the region ‘cycle ready’ and capture the associated economic benefits from tourism that this will bring.

For this project to succeed, and ever be delivered, both the Town of Gawler and The Barossa Council need to show strong leadership through collaborating across our local government boundaries. Our regions will not benefit from the same social, amenity, safety, access and tourism benefits by a piecemeal approach to delivery of this final link. Without a collaborative approach I fear we will never realise the benefit of significant grant funding opportunities to assist deliver this project. The grant seeks a substantial contribution of $680k for our respective communities from the State Government with each Council funding approximately $500k each. (Total project value $1.7M)

Ultimately once this missing link has been delivered, the full potential of the significant works already undertaken by both the Town of Gawler and The Barossa Council on cycling infrastructure can be realised. Once completed further leverage opportunities for us to continue to work together in considering exciting and regionally significant tourism projects promoting cycling and our distinctive regions.

I have greatly appreciated your Council’s partnership in prior unsuccessful grant funding submissions in both December 2017 and August 2018. I know how passionate you are on this matter and hope your Council can once again commit to supporting this project. I would greatly appreciate your Council’s continued support in working towards delivering this project.

Yours sincerely

Karen Redman
Mayor

Direct line: (08) 8522 9221
Email: Mayor@gawler.sa.gov.au

Encl
# Top 30 Roads

<table>
<thead>
<tr>
<th>Asset ID</th>
<th>Township</th>
<th>Road Name</th>
<th>Road ID</th>
<th>From</th>
<th>To</th>
<th>TOTAL SCORE</th>
<th>Town / Rural</th>
</tr>
</thead>
<tbody>
<tr>
<td>8959</td>
<td>Angaston</td>
<td>Short Row</td>
<td>0501820005</td>
<td>Jubilee Avenue</td>
<td>end</td>
<td>56.3</td>
<td>Town 1</td>
</tr>
<tr>
<td>8968</td>
<td>Tanunda</td>
<td>Bushman Street</td>
<td>0503220015</td>
<td>Macdonnell Street</td>
<td>end</td>
<td>54.3</td>
<td>Town 2</td>
</tr>
<tr>
<td>8972</td>
<td>Lyndoch</td>
<td>Bela Court</td>
<td>0404580005</td>
<td>Lyndoch Valley Road</td>
<td>end</td>
<td>53.1</td>
<td>Town 3</td>
</tr>
<tr>
<td>8972</td>
<td>Moculta</td>
<td>Allmann Street</td>
<td>0103880005</td>
<td>end</td>
<td>Lyne Street</td>
<td>52.8</td>
<td>Town 4</td>
</tr>
<tr>
<td>9464</td>
<td>Cockatoo Valley</td>
<td>Goldfields Road</td>
<td>0407910010</td>
<td>Surface change - Sheeted</td>
<td>Speck Road</td>
<td>50.5</td>
<td>Rural 5</td>
</tr>
<tr>
<td>9462</td>
<td>Cockatoo Valley</td>
<td>Goldfields Road</td>
<td>0407910015</td>
<td>Speck Road</td>
<td>Green Gully Road</td>
<td>50.5</td>
<td>Rural 6</td>
</tr>
<tr>
<td>9478</td>
<td>Cockatoo Valley</td>
<td>Goldfields Road</td>
<td>0407910020</td>
<td>Green Gully Road</td>
<td>Sims Rush Lane</td>
<td>50.5</td>
<td>Rural 7</td>
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<tr>
<td>9477</td>
<td>Cockatoo Valley</td>
<td>Goldfields Road</td>
<td>0407910025</td>
<td>Sim's Rush Lane</td>
<td>Woodlands Road</td>
<td>50.5</td>
<td>Rural 8</td>
</tr>
<tr>
<td>8615</td>
<td>Angaston</td>
<td>Fife Street</td>
<td>0501610002</td>
<td>Fife Street - Surface Change</td>
<td>Lindsay Street</td>
<td>49.9</td>
<td>Town 9</td>
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<tr>
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<td>Moculta</td>
<td>Allmann Street</td>
<td>0103880005</td>
<td>Linke Street</td>
<td>Albert Presser Street</td>
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<td>Town 10</td>
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<tr>
<td>8995</td>
<td>Angaston</td>
<td>Brook Lane</td>
<td>0501840005</td>
<td>Jubilee Avenue</td>
<td>end</td>
<td>49.2</td>
<td>Town 11</td>
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<tr>
<td>8965</td>
<td>Nuriootpa</td>
<td>Old Mill Road</td>
<td>0508900000</td>
<td>Falkenberg Road</td>
<td>Falkenberg Road + 520m</td>
<td>49.2</td>
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<tr>
<td>9580</td>
<td>Stockwell</td>
<td>Railway Terrace</td>
<td>0101330000</td>
<td>41m from Tucker Parade</td>
<td>end</td>
<td>48.6</td>
<td>Town 13</td>
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<tr>
<td>9580</td>
<td>Angaston</td>
<td>West Terrace</td>
<td>0501580005</td>
<td>Murray Street</td>
<td>Kent Street</td>
<td>48.6</td>
<td>Town 14</td>
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<tr>
<td>9559</td>
<td>Mt Crawford</td>
<td>Mount Road (Cemetery access)</td>
<td>0507010020</td>
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<td>Warren Road</td>
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<td>8988</td>
<td>Mount Pleasant</td>
<td>Railway Terrace (Oval / CFS access)</td>
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<td>330m Williamstown Road</td>
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<td>Allendale Road</td>
<td>47.9</td>
<td>Rural 17</td>
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<td>Mount Pleasant</td>
<td>Staples Street</td>
<td>0508940005</td>
<td>Railway Terrace</td>
<td>Road Reserve</td>
<td>47.5</td>
<td>Town 18</td>
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<td>Mount Pleasant</td>
<td>Isaac Street</td>
<td>0505740005</td>
<td>122m from Melrose Street</td>
<td>Tungkillo Road</td>
<td>47.4</td>
<td>Town 19</td>
</tr>
<tr>
<td>8996</td>
<td>Stockwell</td>
<td>Railway Terrace</td>
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7.4.1 DEBATE AGENDA – DIRECTOR WORKS AND ENGINEERING SERVICES

7.4.1.2 MOUNT PLEASANT MAIN STREET UPGRADE - STAGED WORK PRIORITY
B8301 – 19/52449

Author – Manager Engineering Services

PURPOSE
Clarification is required regarding the next priority location for construction works associated with the Mount Pleasant Melrose Street streetscape upgrade project.

RECOMMENDATION
That the next priority construction stage location for the Mount Pleasant main street project be the upgrade of Melrose Street between Saleyard Road and Memorial Avenue on the eastern side – Option A.

REPORT

Background
The “Mount Pleasant Main Street, Streetscaping, Traffic Management and Landuse Masterplan”, dated March 2006, was prepared by Sinclair Knight Mertz (SKM) Engineers and Outerspace Landscape Architects, focussing on Melrose Street in the area between Tungkillo Road to the south and Glen Devon Road to the north. Refer attached Masterplan document.

The final Masterplan was the result of consultation between The Barossa Council, key local stakeholders and the broader community and provides an overall vision and plan for the staged revitalisation and activation of the town centre main street precinct. The Masterplan was formally adopted by The Barossa Council at its July 2006 meeting.

Council has been progressively allocating a budget of $80,000 for the Mount Pleasant main street upgrade works over a number of financial years. These funds have been carried forward each financial year where not spent. Additionally, in 2016 Council secured $80,000 in funding from the State Government Open Space and Places for People grant scheme, matching the Council commitment for that financial year. These funds were expended on construction works in Melrose Street from Saleyards Road to creek crossing, east side in the 2018/19 financial year.
In summary, the following upgrade work has been completed since adoption of the Mount Pleasant Main Street Masterplan:

- Public Toilet facility upgrade – behind The Town hall (2006),
- CWA Memorial Gardens – landscaping upgrade (2007),
- Memorial Avenue – kerb, gutter and parking improvements (2007),
- Melrose Street, east side, from Phillis Street to Memorial Avenue – kerb, gutter, café protuberance and footpath upgrade (2009),
- Melrose Street, west side, from Memorial Gardens to Talunga Park Road – kerb, gutter and footpath upgrade (2010),
- Melrose Street, east side, from Saleyards Road to creek crossing – kerb, gutter and footpath upgrade, including removal of the double step to single step kerb and parking improvements (2019),
- Saleyard Road / Herriot Road - Intersection layout upgrade (2019),
- Melrose Street, west side, from creek crossing to Talunga Recreation Park – kerb, gutter and footpath upgrade (2019).
- Footbridge replacement, across Torrens River from Town Hall to Old Talunga Recreation Park facility, including compliant disability access (2019).

Additionally, other drainage upgrade work has been completed over this time in Phillis Street, Hospital Road, Hocknull Place, Isaac Street and other places in the Mount Pleasant Township.

**Introduction and Discussion**

The next priority stage of construction works for the Mount Pleasant Main Street upgrade is now being assessed with a number of possible options expressed to Council by the local community and other stakeholders. Refer attached locality plan:

**Option A - Between Saleyard Road to Memorial Avenue, east side.**
- New kerb and gutter, block paved footpath and parking improvements.
- Location is adjacent the Police Station and connects Saleyard Road to Memorial Avenue – approximate distance of 200 metres.
- The proposed scope of work will replace the double step kerb arrangement with a single step kerb including local pavement regrading, removing a recognised hazard to vehicles when opening doors and also pedestrians when stepping to and from the footpath / road surface.
- Identified as part of Stage 2 in the SKM Main Street Masterplan implementation strategy.

**Option B - Between creek crossing near Joseph Street to Talunga Park Road, west side.**
- New kerb and gutter, block paved footpath and parking improvements.
- Location is adjacent the Mount Pleasant Hotel Motel and connects the recently completed footpath works south of the creek crossing to the township centre – approximate distance of 90 metres.
- The proposed scope of works will improve the amenity in the locality and replace some awkward property access culvert crossings with more conventional crossovers.
- Identified as part of Stage 3 in the SKM Main Street Masterplan implementation strategy.
In terms of the next stage of construction works, Council staff suggest that priority be
given to the above mentioned Option A scope, whilst the Mount Pleasant Community
Association (Inc) have suggested that priority be given to the Option B scope.

Upgrade at the Option A location will remove the inconvenient double step kerb
arrangement with a single step kerb including local pavement regrading, mitigating
a recognised risk hazard to vehicles when opening doors and hitting the high step-up
and also to pedestrians when stepping to and from the footpath / road surface. This
priority is also consistent with the staging proposal outlined in the original Mount
Pleasant streetscape upgrade masterplan.

Summary and Conclusion
Council staff recommend that the next stage of the Mount Pleasant streetscape
project be the upgrade of Melrose Street kerb, gutter, footpath and parking between
Saleyard Road and Memorial Avenue, east side (Option A), with risk mitigation
benefits.

The next following stage would reasonably be upgrade at the location between the
creek crossing near Joseph Street to Talunga Park Road, west side (Option B), with
amenity improvement benefits.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1 - Mount Pleasant Main Street, Streetscaping, Traffic Management
and Landuse Masterplan, prepared by SKM, dated March 2006.
Attachment 2 - Melrose Street Upgrade – General Locality Plan.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Community Plan

Infrastructure

3.1 Develop and implement sound asset management which delivers sustainable
services.
3.7 Ensure infrastructure meets the needs of people and provides for all abilities
access.

Legislative Requirements
Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
Melrose Street is under the care and responsibility of the DPTI.

All costs associated with the Mount Pleasant Mainstreet Upgrade Project are the
responsibility of The Barossa Council and will need to be funded within the annual
Council budget.

Council has allocated $80,000 in the 2019/2020 budget for Mount Pleasant Main Street
Works. It is also expected to increase this by approximately $126,000 when savings are
carried over from the 2018/2019 financial year. This will be formalised by way of a
Quarter 1 budget adjustment.
Option A has the advantage of remediating an existing vehicle damage and pedestrian access risk hazard.

**COMMUNITY CONSULTATION**

The Council approved “Mount Pleasant Main Street, Streetscaping, Traffic Management and Landuse Masterplan”, dated March 2006, was prepared by SKM with broad community consultation between The Barossa Council, key local stakeholders and the broader community at the time.
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**executive summary**

The Barossa Council engaged SKM in conjunction with Outerspace Landscape Architects in March 2005 to prepare a Streetscaping and Traffic Management Master Plan for Mount Pleasant. The focus of the plan was Melrose Street in the area between the Tungkillo Road and Glen Devon Road. This Master Plan follows consultation with Council, key local stakeholders and the broader community in order to understand the main issues and discuss ideas for improvement. It provides Council with an overall vision and plan for the staged development of the Mount Pleasant Main Street.

Implementation of this Master Plan will provide a number of positive outcomes for Council, local residents, traders and visitors. The major improvement opportunities that have been identified in this Master Plan are as follows:

- Improve the function and form of the main street through consistent and attractive design elements;
- The creation of a pleasant main street urban environment which is a comfortable, safe, attractive and accessible to the Mt Pleasant community and is in keeping with the heritage character of the town;
- Provision of improved vehicular and pedestrian links through the area;
- The development of passive recreation areas and improvement of the state of vegetation along the main street in order to enhance the ‘village’ feel of the town;
- Promote an environment that is conducive to trading and business opportunities;
- Promoting a place that encourages commuters passing through Mount Pleasant to stop, look around and enjoy the town;
- Improve the gateway entrances to the town; and
- Recommend that there be further specific site analysis on areas close to the town centre where there may be potential for reinforcing land uses around the town centre (eg: rezoning and urban infill).
introduction

Mount Pleasant is an attractive regional town situated in the upper end of the River Torrens Valley on the main route from Adelaide to the Barossa. The town has great historic significance and has many buildings that are heritage listed. It functions as a gateway to the Barossa Valley, hosts many local and regional events and therefore is significant to the tourist industry.

Melrose Street (also known as the Main Street by locals) forms part of the A11 and is the main road taking heavy traffic from the Barossa wineries as well as serving its role as a tourist route and also the main commercial area for region. The road is owned and maintained by Transport SA.

Mount Pleasant historically is made up of three subdivisions along the main road and was first built between the mid 1850's through to the mid 1960's. The north section was originally created by a subdivision of Totness by Henry Giles in 1859. Henry Glover laid out the central section known as Mount Pleasant in 1856 and the southern section known as Hendryton was subdivided by John Hendry in 1865. The town's development has been strongly influenced by the River Torrens alignment as well as the Birdwood to Angaston Road.

Mount Pleasant is the venue for a major regional agricultural event held each year at the showgrounds to the south west of the town, which attracts many hundreds of visitors. This venue also forms part of staged road race events and other regional shows held each year.

The Barossa Council recognises the importance of Mount Pleasant as a regional service centre and an important tourist attraction and also recognises the important historical aspects of the town. In order to nurture and improve the physical aspects of the Main Street that relate to Mount Pleasant's role and function, Council engaged Sinclair Knight Merz and Outerspace Landscape Architects to undertake the task of preparing a Streetscaping, Traffic Management and Land Use Master Plan. The Master Plan is based upon consultation with Council, the Main Street Committee and the local and wider regional community.

study objectives

The objective of the Streetscaping and Traffic Management Plan was to provide Council with a master plan for the general upgrade and improved functionality of Melrose Street. This will provide the local community with the basis of a design for an enhanced and visually appealing streetscape environment, which does not detract from the historical significance of the town. The upgrading will also provide visitors with facilities and areas of local interest and help Mount Pleasant better cater for and capitalise on the large events held in the town.

The study was required to incorporate the views of the local community through various consultation exercises. The key objectives of the study were to:

- develop options for streetscape and traffic management improvement of Melrose Street to assist the centre capitalise on the strength of the tourism industry by providing accessible facilities;
- develop a cost effective strategy to enable Council to implement suitable upgrades to Melrose Street and determine the priority of works as and when funds become available;
- capture the unique characteristics of Mount Pleasant including heritage architecture, the Model Railway and equine industry activities;
- provide a safe and efficient traffic environment for all modes of traffic;
- provide adequate parking facilities to suit the town centre activities;
- capture the benefits of recent undergrounding of electricity and provide attractive street furniture and planting; and
- respond to community wishes and expectations through a visible and inclusive consultation process and ensure ownership of the Master Plan by the Mount Pleasant community;
- document background research regarding economic, community, land use and environmental issues that may inform future land use and zoning approaches in the town centre; and
- generally examine existing land use patterns with a view to strengthening and reinforcing the township core retailing and commercial area.
the study team

This study was carried out by the joint project team of Sinclair Knight Merz and Outerspace Landscape Architects.

The team membership was designed to be multidisciplinary so that the project outcomes were not unduly biased from an engineering or landscape architectural perspective.

All team members participated in consultation activities with the community so that every team member had a wide appreciation of all the issues. This approach has ensured that the design recommendations in this report have been considered by all relevant professions involved in reviewing the built and social fabric of Mount Pleasant Main Street. This includes strategic planning, engineering, social planning and landscape architect input.

The team members involved in the project were:

SKM
- Ben Stapleton – Project Manager, Engineer
- Kylie Fergusen – Senior Planner
- Wesley Colier – Traffic Engineer
- Peter Hamnett – Environmental Planner
- Alison Cusack – Environmental Planner
- Hannah Bateman – Cadet Planner

Outerspace Landscape Architects
- Patrick Graham – Landscape Architect
- Beth Mason – Landscape Architect

The project team would like to thank Council Officer Michael Lange, Louis Monteduro, Councillor Michael Seager, the Mount Pleasant Main Street Committee and the community who provided valuable input into this plan.
community, environmental and economic context

Melrose Street is the main hub of commercial activity for the town of Mount Pleasant and the region, having two public hotels, a butcher, Bank, Cafe, Post Office, Chemist, General Store, Bakery/Café, Mini-Mart, Antique Store and various other retail outlets which make up the Town Centre. The Council Offices, Memorial Hall and Police Station are also situated along the main street. Towards the northern and southern ends of the Main Street the area is more strongly residential in character.

Image and identity

The majority of private dwellings along Melrose Street are set back from the main road, and the road is lined with mature plane trees in areas designated for parallel parking spaces, giving an impression of space and openness along the road corridor. North of the Talunga Hotel, the commercial land uses are more dominant and setbacks are less.

In general, the image and identity of Mount Pleasant Main Street is of a rural regional service centre with an open, rural and vegetated character and a strong heritage theme. This image and identity of the Main Street is strongly influenced by:

- The nature of trees and planting;
- The heritage buildings, construction types and materials;
- The large width of the main road;
- The proximity to the River Torrens;
- A strong hub or “node” of activity in the main commercial area;
- The large areas of open space and recreational sports grounds to the north of Melrose Street.
- Presence of rural commercial activities (such as Elders and hardware store) as well as more “urban” activities (such as banks and shops); and
- The strong visual and functional presence of the Whistle Stop Café.

community and economic context

Mt Pleasant township has approximately 600 residents. Household sizes are generally small and the township is experiencing a decline in the number of younger residents living permanently in town. The local primary school currently has about 50 students, with recent decreases in enrolments being attributed both to the decline in the younger population and to the establishment of primary private schools in the region. Most children of high school age attend school at Birdwood, Tanunda or Faith College. Many young people living in the township are employed locally.

Overall, a high proportion of the working population commute to work places outside of the township. Interestingly, a number of businesses operating out of Mt Pleasant have employees who commute to the township from elsewhere, including Adelaide, Nairne and Gawler.

Recent demographic changes have included an influx of residents of retiring age into the township and a decrease in the itinerant population who occupy the township’s caravan park. These changes have brought a decrease in the number of rental properties in the township and an increase in the proportion of owner occupiers. The average length of residence has also decreased and the township is now experiencing an elevated rate of turnover between property owners. As a consequence of increased numbers of retirees, one of the challenges for the town is to continue to have a healthy mixture of young, single, families, aged and retirees. The social mix of a town is important to ongoing community spirit and strong feelings of connection and belonging.

Mt Pleasant has traditionally been a small regional centre servicing the surrounding rural district. As events such as the Mount Pleasant Show, Rally SA and Mt Pleasant Grand Cru Horse Trials have grown in popularity, the town has experienced growth pressure. This relates in part to a small but consistent demand for housing, as well as demand during the busy tourist events on shops and businesses in the main street.

Whilst Mt Pleasant is not seen as a town to accommodate large residential increases, there may be opportunities for some increased infill and higher densities to maximise the use of the existing services and infrastructure and provide greater housing choice. The demand on shops, businesses and recreation areas also places pressure at times on car parking supply in the main street.

As a rural regional service centre, Mt Pleasant commercial and retail activity relies primarily on local and regional households plus day tourists. There are a variety of business premises located in the Main Street which generally are experiencing sound business turnover. The existence of a post office, a hospital, council offices, real estate agents, light industry, cafes and historical places of interest add to the economic vitality of the town. There is a presence of light industry which is concentrated around Railway Terrace, although there is also a large undeveloped light industrial area at the northern entrance to the town.

Given the decline in the younger residential population and the increasing number of new retirees moving to the town, increasing housing choice would assist to provide opportunities for a more balanced socio-economic and demographic mix of local residents.

Whilst some of the businesses are experiencing relatively poor
growth, generally the economic activity is reasonable, and with sustained residential growth in appropriate locations as well as sustained tourism activity, the existing economic climate can be further nurtured.

environmental context

The township of Mt Pleasant is bound in all directions by the Watershed Zone. This Zone exists in part to assist to protect the water resources of the Mount Lofty Ranges Watershed. The existence of the Watershed Zone places limitations on the expansion of the town beyond its current extent. Current government policy outlined in the draft Outer Metropolitan Planning Strategy does not contemplate significant future growth in this location however there may be potential opportunities to undertake minor rezoning realignment in order to achieve infill, environmental management and sustainable town growth objectives.

trees & planting

Melrose Street is lined on either side by large, imposing, trees (mainly plane trees with some ash trees), thus creating an avenue effect to the street. It gives the road a traditional country heritage feel, creating a strong connection to the town’s European history and provides shade. The nature of pruning the trees has a strong influence on the look, feel and function of the street trees and more generally the community sense of place about the Main Street. Pruning of many of the trees over time has created a visually poor outcome. The road pavement generally has been taken up and over the base of the trees and is lifting where root growth has occurred.

footpaths

In the town Centre, Melrose Street, exhibits a variety of footway types. Some sections of the footpaths are sealed and the remaining footways are unsealed and of gravel type construction. There is very little visual and functional definition between the footpaths and the road. This is especially the case on the western side, south of the Talungr Hotel and north towards the Pound. The sealed sections exhibit varying degrees of undulation due to root intrusion and failure and could be considered potential trip hazards.

traffic

Melrose Street forms part of the main route from Adelaide to the Barossa (A11) and is used by the heavy commercial traffic from the wine regions in the Barossa as well as catering for commuters and tourists along its route at the township of Mount Pleasant.

The road is of varying widths between 5.8 and 6.8 metres and is a two lane two way sealed road with sections where the shoulders are unsealed. The section north of the Memorial Hall exhibits signs of the unsealed shoulder being used frequently by passing traffic. This creates noise and dust. In general the road surface is in average condition with sections of patching, rutting and undulation.

The intersection of Saleyards Road and the Main Street is located at the centre of the Main Street and is the area of greatest road safety concern. The main street alignment bends at this point and the presence of significant trees restricts sight distance. The alignment of Harrington Road is not ideal and is used as a short cut.

Cycling routes tend to run parallel to Melrose Street however there are a number of preferred crossing locations at Tungkillo Road, McCormack Road, Saleyard Road and Philips Street. Specific recommendations for improvement have been presented in the ‘Strategic Bicycle Plan for The Barossa Region’, 1999-2000. This report assumes that the specific recommendations for bicycle improvements is dealt with separately.

signage and furniture

There is little tourist information signing along the route, making it difficult for visitors to realise they are in Mount Pleasant and that there are places of interest to stop and visit.

activity areas

Mount Pleasant’s main activity areas during the weekday are usually in and around the Memorial Park, Steam and Whistle cafe, Bank, Chemist, General Store, Post Office and Minimart. During the evening activity is more centred on the two hotels, (the Talung Hotel and Totness Inn). The other main activity area for Mount Pleasant is the Oval and Showgrounds, which hold various local and regional events throughout the year, held mainly at the weekends.

drainage

The Lyndoch and Mount Pleasant Stormwater Drainage Studies, 2004 indicates a range of specific improvements required to address areas of known flooding concerns. This report assumes that these issues will be dealt with separately.
the study methodology

project inception
Project Inception, Site Inspection, Data Collection

The project team initially met with Council representatives and the Main Street Committee. This meeting:
- Confirmed the scope, methodology and program;
- Identified budget, community concerns, current agreements, and preferred outcomes; and
- Provided relevant data and plans which included both previous and recent consultation reports and base plans.

background studies and strategic context

Following this meeting a comprehensive site inspection of the study area was undertaken. This involved visually assessing the road; character mapping of the landscape and key elements including land uses, lights, trees, footpaths, kerbs, seating and paving; and multi-disciplinary team member input into key issues and ideas.

From the information gathered an Opportunities and Constraints Report was produced which provided to Council in April 2005 which described the main findings from the data analysis and site inspection. This was provided to Council and a summary of the key findings is contained in this report.

Additional site area and literature investigations were undertaken to assess the existing land uses and opportunities for improved design and land use outcomes. These involved:
- Consideration of Development Plan zone boundaries related to Mount Pleasant Main Street and immediate locality;
- Review the key social, economic and environmental contexts and issues relating to the commercial and retailing nodes of activity. Further analysis of relevant ABS data plus any other significant relevant documentation (eg. from Berossa Regional Economic Development Board etc. Council’s Strategic Plan etc.);
- A general review of functional and visual relationships between zones (including considerations of general character, use by the community and visitors, noise, traffic movements and patterns, amenity issues and presence of obvious “nodes” of activities);
- A general observational review of functional and visual relationships between land uses and buildings (note will be nature of land use, condition of buildings, room for potential growth on site or into adjacent sites);
- A general review of demand and supply of commercial and retail activities – a visual examination supported by local knowledge regarding level of demand as evidenced by occupancy rates, amount of obvious investment into properties and services, and trade patterns.

consultation & draft plan
Development and Preparation of Concept Designs and Plans and Community Consultation

Discussions were held with key stakeholders including Council staff, Main Street Committee, and Transport SA representatives.

A plan for community comment was prepared that defined functional design requirements such as road and footpath design, car parking options, streetscapesing elements and themes.

The plan was placed on display for one full day of community consultation to gather feedback from members of the community. The ‘shopfront’ was held on Friday 13 May 2005 outside the Post Office on Melrose Street. Over fifty community members provided comment on the plan and many others dropped in. The interest from the community would support that the ‘shopfront’ was well received by the community and offered them a very accessible and meaningful way to have input into future plans for their town.

The ‘shopfront’ also enabled the project team to display and test ideas and concepts of design materials and suggested enhancements at various locations.

master plan preparation
Preparation of the Master Plan Report & Development of Cost Estimates & Sizing of Works

Based on community feedback and other consultations the concept design Master Plan was refined.

The final Master Plan recommendations contain:
- A plan to reinivate Melrose Street in a sensitive manner in keeping with the existing streetscapes and heritage architecture of the town. It also improves access, safety and connectivity in the town and highlights features of the town which are valued and unique to Mount Pleasant including reaffirming its regional connections and tourism role;
- Recommendations regarding further land use investigations that will identify specific locations for potential further residential infill development;
- Documentation of the design process and recommended materials;
- A full colour design of the proposals; and
- Estimates of cost (± 25% given the status of the design development) and a recommended implementation strategy.
consultation with main street committee

A meeting was held with the Main Street Committee to explore ideas and information about key issues and opportunities along the Main Street. It is acknowledged that these issues in part were raised and discussed during a previous main street consultation process several years ago that also involved the Main Street Committee.

image and identity
Focus of improvements to the Main Street should consider viable areas such as:
- near Steam and Whistle café and Women’s Association;
- area by the footbridge;
- former cart turnaround area near Totness Inn;
- the Pound at Glen Devon Road;
- public toilets;
- intersection with Salesyards Road;
- riverscape to north west of corridor;
- old flour mill site; and
- caravan park.

trees and planting
- bollards and surface treatments around base to protect and enhance existing plane trees

footpaths
- paving preference is for a modular type;
- footpaths generally are uneven and in poor condition;
- improve pedestrian crossing facilities near Steam and Whistle and near to Pharmacy / ANZ bank; and
- introduce protection for verandahs with bollards.

traffic
- high volumes of heavy vehicles which create noise and unsafe environment;
- road not wide enough for passing heavy vehicles which creates rutting on unsealed shoulders;
- intersection of Salesyards Road and Main Street has poor sight distance and creates a potentially unsafe environment for pedestrians crossing the road;
- unsafe vehicle movements such as u-turning on blind bend in centre of town;
- improve coach parking near CWA / Hall; and
- install a new bus shelter that Council has ordered.

street furniture
- general preference for street furniture which is not “too fancy”; and
- easy to maintain.

utilities
- underground remaining powerlines, particularly in front of the oval

activity areas
- memorial garden is too shady and needs opening up and brightening with flowers etc; and
- memorial avenue - tree replacement program has been implemented with 12 new street trees representing the 12 fallen soldiers. Seating and paved area to be considered by the memorial.
consultation with the broader community

A variety of consultation approaches was taken by the study team to maximise awareness of the project and provide opportunities for interested people to have input. In general the consultation revealed that the local community is passionate about their town and want to see streetscape improvements.

Articles were written in both “The Leader” and “The Herald”. Flyers were sent to all residents in Mount Pleasant as well as key businesses, community groups and interested parties providing detail on the project and ways in which people could provide comment.

Additionally the team held a general “shopfront” Friday 13th May 2005 which provided people an opportunity to look at draft master plan ideas and discuss their thoughts and concerns with the project team. They were also given the opportunity to fill in questionnaires about their specific thoughts on design elements such as types of seating, paving and plantings. Over 50 questionnaires were completed on the day. Many more questionnaires were taken away for residents to ponder and reply.

image and identity

A majority of respondents expressed a preference for a sympathetic “heritage” look, giving a traditional feel to Melrose Street.

trees & planting

There was strong support for:

- professional tree pruning advice and action to improve the condition and appearance of established street trees;
- more regular maintenance and pruning of trees;
- replacement of dying trees with plane or “English” varieties;
- removal of the Ash trees; and
- provision of more flower boxes and perennial plants for the street.

footpaths

- Many concerns were raised about the poor safety, amenity and uneven surfaces and that there is no visible overall connecting pattern to footpath treatments;
- strong support for footpath improvements including general support for modular pavers but no strong preference for type; and
- would like see the existing footpaths extended to the limits of the town in both directions.

traffic

- general acceptance that the town needs passing traffic to bolster trade;
- some residents suggested the existing posted road speed limit should be reduced to 50 km/hr between Glen Devon Road and Tungkillo Road. Some of the elderly residents especially, did not feel confident at crossing the road with the existing speed limit in place;
- the safety of pedestrians crossing the road (eg, opposite the Steam and Whistle Cafe and the ANZ bank/pharmacy) was considered an issue;
- the need to widen the existing road width towards Glen Devon Road so as to prevent the heavy vehicles from having to drive on the unsealed shoulders when passing each other from opposite directions;
- provide a bus stop shelter;
- improve disabled access when crossing the road and at access points to buses from the footpath;
- generally satisfied with existing parking arrangements however some suggestion that parking restrictions be introduced at certain locations on Melrose Street and that some additional off street parking be found.

street furniture

- generally satisfied with recently upgraded street lighting however some concern about trees blocking out some of the illumination at points along the road making it difficult for motorists to see pedestrians when crossing the road.
activity areas

Improvements to facilities to attract and serve the local community and those visiting the area including:

- upgrading of the public toilet facilities and including disabled access arrangements;
- improving signage on approaches to the town and also information signing located at key points in the town, providing history and information about Mount Pleasant and the Sarossa;
- more shops and accommodation to capitalise on the visiting and passing trade; and
- upgrading of the existing caravan and camping facilities.

other

The following are a selection of other comments that were highlighted during this shop front exercise:

- undergrounding of the rest of the overhead electricity supply;
- upgrading of existing walking and riding trails;
- upgrade and convert the Old Flour Mill into a historic site of interest and commercial area;
- a full town bypass route be designed for heavy trucks only; and
- upgrading of the children’s play area and facilities at the rear of the Memorial Garden.

example of Avenued effect created by the tree planting along Melrose Street

short term car parking?
opportunities

An Opportunities and Constraints analysis was completed based on information obtained via consultation with key stakeholders and the assessment of the corridor and was presented in a report dated 11th April 2005. This section summarises the key opportunities, constraints and issues that were identified during the background research and consultation associated with the proposed works.

image and identity

- improve the function and form of the corridor;
- keep and enhance the ‘Avenue’ effect of the road whilst keeping a rustic ‘historic village’ feel / look to the road; and
- provide “gateway” entry treatments at both ends of the development area to inform visitors that they have arrived in Mount Pleasant.

trees and planting

- improve canopy shape and health of existing street trees through pruning policy and management;
- open up views and access to River Torrens where appropriate, reducing woody weeds while providing suitable fencing to riverbank;

footpaths

- provide new footpaths and upgrade existing to allow for better access, especially for disabled and elderly residents;
- provide east-west pedestrian and cycle links wherever possible;
- upgrade the aesthetics of the footbridges;
- upgrade footway / parking area outside heritage buildings ie Police Station;
- ability to capitalise on previous undergrounding of overhead power lines through the centre of town and the possibility of the undergrounding of the rest of the overhead power lines;
- introduce a small visitor car park behind the Mount Pleasant Council Offices; and

traffic

- improve intersection geometry at Saleyards Road so that traffic can enter and exit from side roads in a safer manner;
- improve the parking and bus parking facilities so as to provide safe access points for coaches;
- introduce other traffic controls to reduce damage to private property by vehicles doing u-turns and right turns at inappropriate locations along the road;
- possibility of widening sections of the existing road so as to be able to cope with increasing truck demand. We understand that the road is below minimum Transport SA (TSA) standards in places for the type of classification which will require Council to discuss further with TSA;
- additional parking controls / restrictions to enable Council and Police to better control anti-social behaviour problems associated with after hours drinking etc;
- improved local and destination signage;
- possibility of introducing a lower speed limit than the current 60kmh; and
- upgrade existing bus stop facilities.

activity areas

- create a feature of the coach turning area, which is currently used as a car park for the Totness Inn Hotel at the east end;
- develop the existing Pound site into a community area / tourist stopping place;
- improve the public toilet area by introducing additional lighting etc; and
- possibility of upgrading the existing camp site facilities to make Mount Pleasant a destination rather than a stop over.

land use and zoning

- currently there are various parcels of land that are not used to their highest and best use and may be impeding sustainable and logical infill development of the town.

- There is an opportunity to review zone objectives and land parcel usage in the vicinity of main street to ensure they support and complement the objectives of this master plan. This opportunity is not related to large scale town expansion, but to sensible, small scale infill and minor manipulation of the zone boundaries so that the growth of Mount Pleasant occurs at equi distances from the centre which will maximise existing facilities and infrastructure.

- consider whether there are opportunities for small adjustments to zone boundaries to enhance main street development opportunities.

- consider whether there may be opportunities to encourage higher density housing or commercial uses.

- A large tract of land zoned light industry is located at the northern gateway to Mount Pleasant. Whilst this is undeveloped, it may currently be viewed as impeding the opportunity to improve the physical appearance and gateway function of this area. Reconsidering the industrial zoning of this land may be an opportunity to enhance the gateway function of the township.
constraints

trees & planting
- trees located along the corridor have been damaged by pruning, others overhang the road and may have protected tree status;
- trees too close together to provide adequate parking for coaches; and
- community desire to retain plane trees despite some inappropriate characteristics such as seasonal dropping of leaves;
- current level of landscape maintenance relatively low.

footpaths
- existing footway levels restricting adequate inclusion of disability and access treatments to conform to Australian Standards;
- access to properties required to be retained; and
- restricted road reserve width and undulating verges limiting extent of footpath, particularly at east end of town.

traffic
- road management, widening and traffic calming opportunities restricted because it is maintained by Transport SA;
- road space availability for provision of turning movements of vehicles in and out of properties and around corners;
- narrow road widths, ranging from 5.6m (2 lane, 2 way) upwards, varying along its length;
- need to maintain access to ongoing business operations; and
- traffic access to Showground area limited by location.

street furniture
- restrictions associated with placing furniture and trees in the vicinity (under) overhead or underground power lines.

utilities
- presence of overhead power lines at extremities of town.

drainage
- safety issues associated with fast flowing open drain channels or access to culverts;
- uneven drain channels lead to surface water retention in some areas;
- maintenance of existing flood capacity.

management
- existing available budget unclear and limitations of available funds likely to limit extent of works.
- land ownership, as the project options may require access to privately owned land in places.

land use and zoning
- the existence and the current locality of the watershed protection zone is a significant constraint to infill opportunities. Whilst the protection of water quality should be a prime objective of Mount Pleasant, zoning constraints to development which would not create a significant risk to water quality may undermine logical and sustainable future growth options.
- conservation of character and identity: the style, form and character of future development, including higher density housing, will need to complement the existing character and identity of Mount Pleasant Main Street.
- the existing undeveloped Light Industry Zone at the northern entrance to Mount Pleasant will impact on the future appearance of the gateway function to the township.
land use and traffic movement recommendations

residential areas
- Conduct further investigations to determine suitability of land for residential or commercial infill options. Investigations should:
  - analyse size of individual land parcels,
  - ownership,
  - abutting land uses,
  - current demand and supply factors for those land uses,
  - impact on shape of built form in the town that any new development maximises further opportunity to use existing services and infrastructure (generally an equal distance from the centre of the town is the most sensible option).

These investigations should occur as a priority in the following locations:
- around the Residential (Watershed) Road in the vicinity of Tungkillo Road and Hicks Road; and
- around the Rural (Watershed) Zone in the vicinity of Mount Pleasant - Sanderson Road.

Light Industry
- In light of the gateway function of the northern entrance to the township, conduct further investigations to determine suitability of light industry zoning in this area.
- Investigations should determine current demand and supply issues relating to light industry in the region, compatibility of the light industry zoned land with industrial requirements (consider slope, requirements for water disposal and potential water quality issues, vegetation, access to roads and infrastructure); compatibility of the zoning with adjacent land uses; compatibility with the area’s function as the gateway to the town; and opportunities for identifying suitable land for light industry elsewhere in the region.

traffic
Work to the existing road was deemed necessary but not the priority according to the survey. The road is managed and maintained by Transport SA (TSA) and final design recommendations will need to have TSA approval. There may also be opportunity for TSA to fund some aspects of the proposed works.

Within the town centre and central activity area there is a need for some minor improvements to the general layout with the inclusion of the following:
- widen the existing road on the north east side of town to prevent vehicles driving on sealed shoulder;
- move the lane edge line where sealed shoulders/car parking is provided to match road width created by road widening (nominally 3.2-3.5m);
- seek funding from TSA to regulate and realign the road to improve the road surface condition;
- buildouts to be formed around the base of the trees to allow for better maintenance and for deterring roots causing upheave to the pavement. The buildouts will also serve as roadside pedestrian refuges thus providing a safety zone;
- timber bollards to be provided to add a sense of definition to parking areas and the road corridor;
- introduce minor traffic management measures to reduce possibility of vehicle / pedestrian accidents at the intersection of Melrose, Saley and Herriott Roads;
- this study generally supports in principle a reduction in posted speed limit on Melrose Street to 50 km/hr for the section between the footbridge and the Memorial Hall; and
- build outs to enable a reduction in road crossing width at three locations along the road which will also act to passively slow vehicle speeds. The locations are the minimart, ANZ Bank/Pharmacy and Steam and Whistle café.
design recommendations

The concept design recommendations are based on an approach that:

- Values and incorporates key findings from community and stakeholder consultation, recognising that it is the local, regional and visitor community that creates and nurtures the role and function of the main street;
- Provides classic and traditional materials in keeping with the historical, service centre and tourism function of the town;
- Keeps traffic management recommendations to localised areas;
- Provides easy to maintain design solutions; and
- Provides design solutions that are in keeping with the existing rural and natural feel of the street.

image and identity

The entrances to the town will be improved to effectively announce visitors’ arrival to Mount Pleasant.

- Entry statements will be installed that are both aesthetic as well as providing a prominent form of signage to welcome visitors.
- two entry statements will be located: one at the Pound at the corner of Melrose Street and Glen Devon Road at the eastern end, and another at the turn-around on Melrose Street west of the town.
- the entries will be in the form of low entry walls of local stone, with prominent lettering announcing the town name and directional signage. The wall will be enhanced with planting including plants selected from the proposed planting palette, and elements such as bush rocks and gravel.

trees & planting

Provide new plantings as well as maintenance and protection of existing Plane trees to enhance the traditional streetscape character.

- the existing plane trees lining Melrose Street should be pruned professionally to encourage good shape and form. It is recommended that Council takes over maintenance of all trees within the town to achieve a uniform appearance.

- This may require Council having an agreement with ETSA to take over pruning of the trees under power-lines. Plane trees will also be protected from parking cars with a gravel treatment to the base of the tree and two bollards to either side on the road side.
- new plantings will occur at either end of town in the entry statements as well as at selected areas of high activity such as the Memorial Park. Totness Inn turn-around will also be planted to develop a pedestrian area by the river, also defined with fencing, bollards, and seating.
- vegetation may include both exotic ‘traditional’ plants as well as aesthetic yet hardy native species chosen for their colour, form and flowering qualities

footpaths

The provision of paved footpaths and pedestrian gathering areas in Mount Pleasant will provide a much needed “facelift” to Melrose Street, as well as addressing the existing issue of uneven footpath surfaces.

Footpath paving will increase pedestrian ease of movement, as well as aiding in strengthening and unifying the town by developing continuity in streetscape character.

- paved footpaths are proposed along Melrose Street on the southern and northern sides of the road from the footbridge to the Memorial Hall.
- footpaths between Railway Terrace to the footbridge, and Memorial Hall to Glen Devon Road will be chip sealed with either a white or an earthy coloured gravel, allowing continuous access between each end of town.
- a rectangular charcoal coloured paver has been selected to compliment the existing heritage façade of the town, laid in a traditional herringbone pattern. A contrasting “desert sand” coloured header course will add subtle definition to the pavement edge.
- the paver is stylish but also simple and economical, allowing for maximum extent of paved surface along the length of the main street.
- It is a readily available paver ensuring continuity when further paving is undertaken.
street furniture
- upgrade existing road signage and information signs to provide visitors and locals traffic better information (particularly for the Police Station); and
- tourist signage to identify individual sites, properties or locations and will provide historical information.

activity areas
The central shopping area on Melrose Street may be defined from the butchers to the Council chambers; generally where the majority of both local and visitor business is conducted.

The enhancement and unification of the central shopping area will ensure an appealing focal point to attract visitors and to improve locals’ experience of the town.
- the improvements will maintain a heritage character in-keeping with the design intent of creating a ‘village’ feel in the town;
- paved footpaths will be provided to both sides of the road, from the footbridge to Memorial Hall, to enhance the physical and aesthetic experience of the town centre and improve pedestrian and vehicle safety;
- street furniture such as seats and bins will be provided at identified places to complement the existing streetlights and heritage aesthetics;
- extend the footpath into the grassed area to encourage movement from the Steam and Whistle Cafe into the park, as well as new plantings to the entrance of the park. Consider upgrading the existing playground facilities, on both sides of the river;
- establish a greater connection between the park and the adjacent carpark, as well as improvements to public toilet facilities;
- the popularity of the Steam and Whistle Cafe as a tourist destination should be drawn upon and enhanced with a footpath extension to the front of the building, bollarding, street furniture and possible cafe seating, to encourage activity to continue onto the pavement;
- footpath improvements to the northern side of the road will maintain connectivity for pedestrians to the town centre; and
- upgrading of the Toilettic Inn turnaround area to provide a secondary focal point for visitors by the provision of new timber fencing, bollards, road/pavement sealing and planting.

build out proposed at Steam and Whistle

proposed modifications to entry of Memorial Garden
STREET AND PARK PLANTING

**TREES**
- Platanus acerifolia (sycamore)
- Pyrus calleryana 'Bradford' (crab apple)
- Eucalyptus camaldulensis (red gum)
- Allocasuarina verticillata (sheoak)
- Caliopsis gracilis (musk cypress)

**SHRUBS**
- Callistemon citrinus (golden wattle)
- Rhus typhina (shrub oak)
- Acacia myrtifolia (fragrant wattle)
- Bursaria spinosa (shrub buckwheat)
- Pultenaea densiflora (shrub pea)

**TUSSOCKS & GROUNDCOVERS**
- Kniphofia uvaria (red hot poker)
- Linum perenne (blue flax)
- Enpyraema tomentosa (royal purple)
- Mrypotum panulatum (creeping buttercup)
- Themeda triandra (bunchgrass)
STREET FINISHES

SURFACES

- Paving - charcoal square paver with header course
- Paving - charcoal infill paver with contrasting 'desert sand' coloured header
- Gravel mulch around trees and chip seal for informal paths and access
- Stone wall
- Bush rocks

FURNITURE

- Timber seat
- Timber bin
- Timber bollard
- Drink fountain
- Timber signage

Oakleigh Public Golf Course
1.1 kms
Pro Shop
Public Pitches Available

outserspace landscape architects
SKM
implementation strategy

Given the uncertainty of the available and committed funds for this project, it is recommended that the implementation of the master plan be staged commensurate with funding opportunities and budget cycles. Staging should also be consistent with priority needs that have been identified by the community and stakeholders.

The estimated costs provided are indicative of 2005 industry costs of construction and are not designed to be used as a fixed and firm cost. These prices will be subject to annual incremental changes in the cost of materials and labour. They are intended to serve as an indicative estimate and have not been costed in detail.

The estimate of total cost of the whole works is in the region of $780,000 (excluding GST) and is of the order of accuracy of +/- 25%.

In developing the cost estimate we have made the following allowances:

- 8% mobilisation and preliminaries
- 7% design
- 5% cost penalty due to regional location
- 25% contingencies

The estimates have not allowed for:

- Council project management costs
- Underground service relocations or modifications
- Undergrounding the remaining overhead power lines has not been included in this Master Plan
- Regulation and rescaling of Melrose Street as this is considered an action which would be undertaken by Transport SA as part of their regular maintenance program

Cost efficiencies will be gained through the implementation of a number of stages at the same time.

implementation costs and staging

<table>
<thead>
<tr>
<th>stage</th>
<th>description</th>
<th>estimated cost (excl. GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Detailed land use study of land surrounding the main street, particularly around the Mount Pleasant Health Services Site and around the Residential (W) zone in the vicinity of Tungkillo Road. This will inform council as to whether rezoning to accommodate more residential development is possible or appropriate prior to a PAR.</td>
<td>$10,000</td>
</tr>
<tr>
<td>2</td>
<td>Plan Amendment Report (PAR) to amend Development Plan policy to reflect recommended zoning changes. This could be undertaken as a township specific PAR or in conjunction with a council-wide PAR.</td>
<td>$35,000</td>
</tr>
<tr>
<td>2</td>
<td>Reconstruct footpath with new paving on the eastern side of Melrose Street between the footbridges near Joseph Street to Phillips Street, including the buildout at the Steam and Whistle Cafe which includes kerbing, signage, street furniture and bollards.</td>
<td>$175,000</td>
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<tr>
<td>3</td>
<td>Reconstruct footpath with new paving on the western side of Melrose Street between the footbridges near Joseph Street to opposite Phillips Street, including buildouts around the trees and includes kerbing, signage, street furniture and bollards.</td>
<td>$155,000</td>
</tr>
<tr>
<td>4</td>
<td>Traffic Management and minor drainage improvements at the intersection of Talunga Park Road, Saleyard Road and Hewett Road. This will involve kerb buildouts, road markings, pram ramps and resolve an existing surface water retention problem.</td>
<td>$15,000</td>
</tr>
<tr>
<td>5</td>
<td>Widen sealed section of existing carriageway from Phillips Street to Glen Devon Road by approx. 0.3-0.5 m (potential funding opportunity from TSA).</td>
<td>$30,000</td>
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<tr>
<td>6</td>
<td>Upgrade the Memorial Gardens on the western side of Melrose Street adjacent to the Soldiers Memorial Hall entrance. This will include for taking down the existing wall, creating a more open space, planting of new trees and the reconstruction of the entrance to the park.</td>
<td>$8,000</td>
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<tr>
<td>7</td>
<td>Chip seal to form new sealed footpath on the eastern side of Melrose Street between Phillips Street to opposite the intersection of Glen Devon Road. This will include for formation, excavation, regulating and chip sealing with white or earthy coloured gravel approximately 2 metres in width.</td>
<td>$55,000</td>
</tr>
<tr>
<td>8</td>
<td>Chip seal to form new sealed footpath on the eastern side of Melrose Street between the footbridges near to Joseph Street to opposite the intersection of Railway Terrace. This will include for formation, excavation, regulating and chip sealing with white or earthy coloured gravel approximately 2 metres in width.</td>
<td>$60,000</td>
</tr>
<tr>
<td>9</td>
<td>Chip seal footpath on the western side of Melrose Street between the footbridges near and Joseph Street to the intersection of Railway Terrace. This will include for formation, excavation, regulating and chip sealing with white or earthy coloured gravel approximately 2 metres in width.</td>
<td>$80,000</td>
</tr>
<tr>
<td>10</td>
<td>Chip seal footpath on the western side of Melrose Street between the intersection of Glen Devon Road and the Soldiers Memorial Hall. This will include for formation, excavation, regulating and chip sealing with white or earthy coloured gravel approximately 2 metres in width.</td>
<td>$55,000</td>
</tr>
<tr>
<td>11</td>
<td>Upgrade of the Totness Hotel car park opposite the Totness Hotel. The work will comprise of forming a chip sealed car parking area, bollards, picnic benches and seating, signage, weed clearance from the paddock. The replacement of the low timber fencing. This includes extending the fencing north east towards the Pound.</td>
<td>$45,000</td>
</tr>
<tr>
<td>12</td>
<td>Upgrade of the culvert footbridge situated on the western side of Melrose Street near to Joseph Street.</td>
<td>$11,000</td>
</tr>
<tr>
<td>13</td>
<td>Entry Statements at the intersection of Glen Devon Road at the northern end of Mount Pleasant and at the turnaround near Williamsdown Road at the southern end of Mount Pleasant. This will involve building a wall made from local stone and ornamental wording mounted on the wall. The entry statements at the northern end. This will also include base level planting.</td>
<td>$20,000 ($10,000 each)</td>
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</tbody>
</table>

Total | $774,000 |
7.4.1 DEBATE AGENDA – DIRECTOR WORKS AND ENGINEERING SERVICES

7.4.1.3

NATIVE VEGETATION COUNCIL – REGULATION ADVICE NOTIFICATION – 85 WILLIAMSTOWN ROAD SANDY CREEK
960/331/2014 19/44810

Author – Manager Engineering Services

PURPOSE
A Native Vegetation Council “Regulations Advice Notification” document for tree removal associated with the Eringa Development land division at 85 Williamstown Road, Sandy Creek, requires signing and sealing by The Barossa Council. Refer attached document.

RECOMMENDATION
That the Mayor and Chief Executive Office be authorised to execute the Understanding of Regulation Advice, associated with the Eringa Development at 85 Williamstown Road, Sandy Creek, by signing and affixing the common seal to the Deed.

REPORT

Background and Discussion
Eringa Development has recently completed construction of a community title land division at 85 Williamstown Road, Sandy Creek (Council development number 960/331/2014). Refer attached General Layout Plan.

The construction of the land division entrance necessitated the removal of seven trees and 0.04 hectares of open shrub land and native grassland in the Williamstown Road verge. Any clearance of native vegetation requires the approval of the Native Vegetation Council under the Native Vegetation Act 1991.

Williamstown Road is under the care and responsibility of the DPTI, however, the Williamstown Road verge area, including maintenance of stormwater drainage and vegetation, is under the care and responsibility of The Barossa Council.

As the affected vegetation is located in the roadside verge, the Native Vegetation Council require the concurrent approval of The Barossa Council for its removal.

Summary and Conclusion
It is recommended that Council sign and seal the “Understanding of Regulation Advice” in order for Eringa Development to satisfy the requirements of the Native Vegetation Council, Schedule 1, Regulation 12(34).
## ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1 - Land Division General Layout Plan
Attachment 2 – Regulation Advice Notification, including Regulation Advice Plan and Understanding of Regulation Advice.

## COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

### Community Plan

- **Infrastructure**

  3.1 Develop and implement sound asset management which delivers sustainable services.

  3.7 Ensure infrastructure meets the needs of people and provides for all abilities access.

### Legislative Requirements
- **Native Vegetation Act 1991**

## FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
All costs associated with the proposed tree removal and Native Vegetation Council approval process are to be borne by the developer, Eringa Developments.

## COMMUNITY CONSULTATION
Nil.
Native Vegetation Council

Reference: NVC 2019/3098/960
Contact: Lee Heard
Telephone: 8207 7720

1st August 2019

Greg Barraclough
Eringa Development
56 Pym St
Dudley Park SA 5008

REGULATION ADVICE NOTIFICATION

Regulation 12(34) – Infrastructure

Dear Greg,

I refer to your application on behalf of the Eringa Development to clear up to 7 trees and 0.04 ha of open shrubland and native grassland to develop a slip lane in the road reserve on the Williamstown Road, Sandy Creek opposite the community plan development of 6 lots on C41424 L21-26 (CT8211/367), and adjacent F89223 A8 (CT5487/120), F171660 A209 (CT5725/628) in Hundred of Barossa.

The Native Vegetation Council (NVC) considers that the proposed clearance of up to 7 trees and 0.04 ha satisfies the requirements of Native Vegetation Schedule 1, Regulation 12(34) (Attachment 1). The NVC therefore endorses the use of Schedule 1, Regulation 12(34) under delegated authority subject to:

1. No clearance to occur until any relevant planning approval for the road has been sought and obtained;

2. No clearance to occur until all landholder permission has been obtained for the area;

3. Clearance to be confined to the area shown on the attached Regulation Advice Plan 2019/3098/960;

4. Clearance areas are to be defined with barriers, pegs, flags or temporary fencing to ensure that native vegetation outside the area is not damaged;

5. Vegetation cleared and any soil excavated is to be stockpiled in cleared areas and not to be dumped in native vegetation;

6. No construction activities including storage of vehicles, machinery or stockpiles are to occur in areas of native vegetation including under the canopy of retained trees/shrubs;

7. Any vegetation pruning is to be conducted in accordance with the Australian Standard for Pruning Amenity Trees AS 4373-2007; and

8. Payment of $16,507.31 ($15,713.96 for clearance GST exclusive and $793.35 for the administration fee GST inclusive) to the Native Vegetation Fund to be made within one month of invoice date. (Note the invoice will
not be sent until the attached form "Understanding of Regulation Advice" is signed and returned).

9. The endorsement shall be valid for a period of 2 years from the decision date, after which time a new endorsement will be required.

Please arrange for an authorised representative of the landowner The Barossa Council and the applicant Eringa Development to complete the attached form, "Understanding of Regulation Advice" on page 4 (including signature and date; a scanned copy is OK), to confirm that you/they fully understand the Advice and Conditions detailed in this letter. No clearance is to occur until this form is signed and returned.

Please feel free to contact Lee Heard on 8207 7720 if you have any questions.

Yours sincerely,

[Signature]

Adam Schutz
Delegate
Native Vegetation Council
Attachment 1

Native Vegetation Regulations 2017
Regulation 12(34) – Infrastructure

Division 5—Risk assessment

12—Risk assessment
(1) Subject to this Division, native vegetation may be cleared in any of the circumstances set out in Schedule 1 Part 4, Part 5 or Part 6.
(2) The operation of this regulation extends to native vegetation that is growing or is situated on land that is subject to a heritage agreement or a management agreement if a provision of the relevant Part of Schedule 1 setting out circumstances in which vegetation may be cleared specifies that the provision applies to such vegetation.

16—Clearance for other activities
(1) Clearance of native vegetation for the purposes of activities of a kind specified in Schedule 1 Part 6 is permitted only if it is undertaken in accordance with—
   (a) the written approval of the Council; or
   (b) a standard operating procedure determined or approved by the Council for the purposes of this provision.
(2) Authorisation to clear native vegetation under subregulation (1) is subject to—
   (a) a condition—
      (i) that the clearance of native vegetation is to be undertaken in accordance with a management plan, approved by the Council for implementation, that results in a significant environmental benefit; or
      (ii) that the person undertaking the operations is to make a payment into the Fund of an amount considered by the Council to be sufficient to achieve a significant environmental benefit in the manner contemplated by section 21(6) or (6A) of the Act, as determined by the Council; and
   (b) such other conditions as the Council thinks fit.
(3) Clearance of native vegetation for the purposes of activities of a kind specified in Schedule 1 Part 6 is permitted only if any conditions that apply to the approval are complied with.

Schedule 1, Part 6

34—Infrastructure
(1) Clearance of vegetation—
   (a) incidental to the construction or expansion of a building or infrastructure where the Minister has, by instrument in writing, declared that the Minister is satisfied that the clearance is in the public interest; or
   (b) required in connection with the provision of infrastructure or services to a building or proposed building, or to any place,
   provided that any development authorisation required by or under the Development Act 1993 has been obtained.
(2) In this clause—
   infrastructure includes—
   (a) flood mitigation works; and
   (b) an airstrip; and
   (c) a shipping channel; and
   (d) a public reservoir.
Note: Please read the Regulation Advice Notification to acknowledge that you have understood the Advice made by the Native Vegetation Council, then sign and return this form by post or email to:

Send to: Lee Heard, Native Vegetation Branch, Department for Environment and Water, GPO Box 1047, Adelaide SA 5001

Scan & Email: lee.heard@sa.gov.au

<table>
<thead>
<tr>
<th>UNDERSTANDING OF REGULATION ADVICE</th>
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<tbody>
<tr>
<td><strong>File:</strong> 2019/30998/960</td>
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</tbody>
</table>

I/We clearly understand the Native Vegetation Council’s Regulation Advice Notification and the conditions associated with clearance.

Name of Landowner(s): The Barossa Council..................

Signature of or seal of Landowner and authorised signatory:

.................................................................

.................................................................

Date: ...........................................................

Name of Company: Eringa Development...............

Signature of or seal of Company and authorised signatory:

.................................................................

.................................................................

Date: 6/5/2019..............................................
Native Vegetation Clearance Application
Regulation 12(34) Infrastructure
Eringa Development Williamstown Road, Slip Lane, Sandy Creek

REGULATION ADVICE PLAN
TO FORM PART OF THE ADVICE TO THE
NATIVE VEGETATION COUNCIL
APPLICATION NO. 2019/3098/960
HUNDRED of Barossa
Road Reserve Adjacent F8923 A8 & F171660 A209
Certificate of Title Vol 5487 Folio120 & Vol 5725 Folio628

- Conditional Consent
  Slip Lane Clearance Envelope - 0.4ha
  approx. dimensions width 2.5m x length 160m

- Property/Section Boundary
- Road

Produced for: Native Vegetation Council
By: Native Vegetation Branch
Department for Environment and Water

Imagery: NorthernAM LR_26-27Feb2018_30cm

Date: 1/08/2019
Version: 01
Datum: GDA94
SO: LH

Scale: 1:929

315
COUNCIL
WORKS AND ENGINEERING SERVICES
DIRECTOR’S REPORT
17 SEPTEMBER 2019

7.4.1 DEBATE AGENDA – DIRECTOR WORKS AND ENGINEERING SERVICES

7.4.1.4
PROPOSED EVENT SUPPORT – 2019 GONE FISHING DAY
B5475 19/53936

PURPOSE
The OzFish Barossa Valley Chapter together with RecFish SA are planning to co-host an official National Gone Fishing Day event at the Warren Reservoir on Sunday 20 October 2019 and are requesting Council support to ensure the event runs smoothly.

RECOMMENDATION
That, Council support the 2019 Gone Fishing Day event at the Warren Reservoir by providing two portable toilets, traffic cones and additional waste bins for the duration of the event on Sunday 20 October 2019.

REPORT

Background
National Gone Fishing Day (GFD) is a symbolic day for recreational fishers to celebrate their favorite pastime. Fishers are encouraged to grab their rods and reels, their mates and take the opportunity to celebrate National Gone Fishing Day at the Warren Reservoir. Organisers hope to attract up to 300 fishers on the day.

Summary and Conclusion
Council Officers wish to continue to work in collaboration with RecFish SA, SA Water and Forestry SA to support and promote the community use of the Warren Reservoir that was opened to the public for recreational purposes in January 2018.

As the event is located on SA Water land and accessed via DPTI roads, SA Water will liaise with the event coordinator and stakeholders including DPTI, SAPOL and the Ministers Office to ensure the necessary permits and traffic management is in place for the day.

Council provided similar support for the 2018 event which was reported to have been a great success. The provision of portable toilets, traffic cones for assistance with traffic management and additional general waste and recycling bins for the duration of the 2019 event will assist organisers to cater for the expected crowds on the day.
ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

- Natural Environment and Built Heritage
- Community and Culture
- Infrastructure
- Health and Wellbeing
- Business and Employment

Corporate Plan

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

3.5 Advocate for efficient use of community resources through shared infrastructure and innovative solutions

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

5.4 Contribute to tourism industry capacity building through the facilitation of tourism infrastructure development, including eco and recreational tourism

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial and Resources

Officers consider the estimated cost to support the event to be approximately $1,000 which will be funded through the approved Works Administration – Warren Reservoir budget.

Risk management

Council officers seek to support organisers to ensure the event can successfully cater for the expected participants by providing additional infrastructure on the day.

COMMUNITY CONSULTATION

Not required
7.4.1 DEBATE AGENDA – DIRECTOR WORKS AND ENGINEERING SERVICES

7.4.1.5
PROPOSED ROAD CLOSURES - 2019 ANGASTON CHRISTMAS PARTY
B9032 – 19/52450

Author – Manager Engineering Services

PURPOSE
A request has been received from Steve Falland on behalf of the Angaston Community and Business Alliance (ACBA) to assist with the traffic management arrangements associated with staging the 2019 Angaston Christmas Party on Friday 29 November 2019.

RECOMMENDATION
That the Commissioner of Police be advised that Council endorses the road closure of;

- Murray Street, Angaston between Middle Street and South Terrace, Angaston, and Penrice Road, Angaston between Murray Street and 9 Penrice Road, a distance of approximately 120 metres, and
- Middle Street, Angaston between Murray Street and Newcastle Street, and Tyne Street, Angaston between Murray Street and Newcastle Street, and South Terrace, Angaston between Murray Street and Kent Street, and Kent Street, Angaston between West Terrace and Sturt Street

Between 5.00pm and 9.30pm on Friday 29 November 2019 for the purpose of the 2019 Angaston Christmas Parade.

REPORT
Discussion
Application has been received from ACBA as organisers of the 2019 Angaston Christmas Party who wish to host a free celebration of fun and family between 5.00pm and 9.30pm at Memorial Park on Friday 29 November 2019.

The parade component of the event will require parade participants to assemble in Middle Street and travel along Murray Street to South Terrace and return to the Kent Street car park for dispersal.

Summary and Conclusion
The proposed road closure is pursuant to Section 33 of the Road Traffic Act 1961.
Council officers deem the closure necessary as a risk mitigation strategy to maintain the safety of participants and the general public.

Organisers have requested an earlier commencement of 4.30pm, however, officers maintain a 5.00pm start, as already approved for the 2019 Tanunda and Mount Pleasant celebrations, is appropriate to allow local traders maximum trading time on the day.

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

**Community Plan**

- Community and Culture
- 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**

The in-kind cost and implementation of the road closure of approximately $1875.00 is to be met by Council via Council's Road Closure – Support budget.

**Risk Management**

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

Council staff will closely monitor the road closure and reopen the road/s as soon as practical after the conclusion of the event.

**COMMUNITY CONSULTATION**

The community will be advised of the closure by public advertisements to be placed in the Leader and The Herald newspapers and also via placement of the SAPOL notice on Council’s website.
7.4.1 DEBATE AGENDA – DIRECTOR WORKS AND ENGINEERING SERVICES

7.4.1.6
PROPOSED ROAD CLOSURES – 2019 AUSTRALIAN MASTERS GAMES (ROAD CYCLING)
B9032 19/48953

Author – Manager Engineering Services

PURPOSE
Australian Masters Games (Road Cycling) organiser Max Stevens has applied to The Barossa Council for support with the staging of the 2019 Road Cycling component of the Australian Masters Games in Williamstown.

RECOMMENDATION
That the Commissioner of Police be advised that The Barossa Council endorses the closure of the following roads:

Eva Street, Williamstown between William Dyer Drive and Bruce Rundle Drive, and William Dyer Drive, Williamstown between Eva Street and Bruce Rundle Drive, and Bruce Rundle Drive, Williamstown between William Dyer Drive and Eva Street between 9.00am and 4.00pm on Friday 11 October 2019
to stage the 2019 Australian Masters Games (Road Cycling) events, being the Williamstown Criterium Course.

REPORT

Background
Council was approached earlier in 2019 seeking in principle support for the 2019 Australian Masters Games (Road Cycling) to be staged in Williamstown on 9, 10 and 11 October. In principle support was given following the presentation of a report to Council 19 March 2019 – Attachment 1.

Summary and Conclusion
The Australian Masters Games Criterium event is race over a “closed circuit” of 1.23km, the circuit (attached) is not open to public vehicles during racing unless there is an emergency, in which case all racing will be stopped. Residents within the closure will be provided with a mobile telephone number to call in the case of an emergency.
Organisers have been liaising with DPTI and SAPOL during the planning of the event.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**
Attachment 1- Council Report 19 March 2019
Attachment 2 – Traffic Management Plan – Criterium Course

**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 implementation of the road closures is to be met by organisers. Council will provide sponsorship for the community notification process that will include advertising in the local media.

**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 newspapers and also via placement of the SAPOL notice on Council’s website.
COMMUNITY CONSULTATION
As required under the Local Government Act and Council’s Public Consultation Policy (the Policy), the draft agreement will be subject to public notification to enable comment in accordance with section 4.4 of the Policy.

7.3.2 MANAGER COMMUNITY PROJECTS - DEBATE

7.3.2.1 CYCLING AUSTRALIA - MASTERS ROAD NATIONAL CHAMPIONSHIPS AND AUSTRALIAN MASTERS GAMES - REQUEST TO HOST EVENTS
B9265 19/12612

MOVED Cr Boothby that Council:

(1) Does not provide support for the proposed Cycling Australia Masters Road National Championships cycle events within the Williamstown township on 3-6 October 2019; however continues to work with event organisers for the potential of hosting a race in 2020.

(2) Supports in principle the proposed Australian Masters Games - Cycling event within the Williamstown township on 9-11 October 2019.

(3) Require officers to bring a report to Council if there are any road closure requests required.

Seconded Cr Johnstone CARRIED 2018-22/143

PURPOSE
To consider the request to host two cycling events during October 2019 within the township of Williamstown.

REPORT

Background
Since 2010, our region has hosted many cycling events. The Tour Down Under is of course the most largely recognised; however other smaller events have also taken place on our streets. Such events include charity rides, triathlons and cycling club rides. There was a period from about 2010 – 2015 where cycling club rides were held in and around the streets of Williamstown. The event organiser of these rides is now involved with Cycling Australia and the Australian Masters Games.

Discussion
Council has received requests for two cycling events proposed for Williamstown in October this year (Refer Attachment 1). The following table provides key information on each of the events.

<table>
<thead>
<tr>
<th>CYCLING AUSTRALIA – MASTERS ROAD NATIONAL CHAMPIONSHIPS</th>
<th>AUSTRALIAN MASTERS GAMES - CYCLING</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 3 – 6 2019 (Thursday to Sunday)</td>
<td>October 9-11 (Wednesday – Friday)</td>
</tr>
<tr>
<td>Possibility for rotated regional event to come back to Barossa. Previous events: East Gippsland, Gold Coast and Ballarat</td>
<td></td>
</tr>
<tr>
<td>500 Riders, 85% eastern states</td>
<td>200 riders</td>
</tr>
<tr>
<td>Event consists of 3 or 4 days: Criterium (to be held on the Sunday) utilising Williamstown residential streets</td>
<td>Event consists of 3 or 4 days: Road Race – Needles Road, Yettie Road, Williamstown Road</td>
</tr>
</tbody>
</table>

The Barossa Council 19/15598 Minutes of Council Meeting held on Tuesday 19 March 2019
| Time trial – 12km Yettie Road, Williamstown Road race | Time Trial – Needles Road, Yettie Road, Williamstown Road
Criterion (to be held on the Friday) utilising Williamstown residential streets |
---|---|
| Rolling Road Closures – residents escorted as required via MOTO escort. | Rolling Road Closures - residents allowed access in and out via event organisers. |
| All traffic management implemented by event organisers. Stop / Go and speed restrictions. | Financial Sponsorship Requested: None |
| Financial Sponsorship Requested: $40,000 for 4 days, $30,000 for 3 day event. Plus in-kind for community notification process. | In-kind for community notification process. |

The Cycling Australia – Masters Road National Championships especially has the potential to boost the local economy, with 500 participants, an average staying 5 nights and spending $198 per day, indicating a potential $495,000 economic injection. Previous participant surveys conducted by race organisers also indicate that riders are interested in returning to the region for other travel in the future.

However, the hosting fee of $40,000 is significant and not part of the 2019/20 budget recommendations at this stage. Securing corporate sponsorship for events has not been an approach Council has adopted in recent years. Officers recommend that should Council be interested in hosting this event and using this methodology, organisers are notified that to provide time to secure corporate sponsorship to offset the fee, involvement is postponed until 2020.

The Australian Masters Games – Cycling event, does not include a hosting fee. However, the impact on the residential area in Williamstown being proposed is potentially significant and without consultation, it is unclear how open the community would be to this proposal. Due to the short timeframe, officers have organised an informal consultation process via mybetterbarossa.com.au and have promoted via Facebook. Officers will also liaise with the Williamstown Action Group. Indicative results from written submissions at the time of releasing this agenda report is that 21 respondents were supportive of the events, and 10 respondents were not supportive. The final results of feedback received will be provided at the Council meeting.

Whilst for both events the time trial and road race classifications propose to use mainly Yettie Road, Williamstown Road and Needles Road, the criterium events use William Dyer Drive, Eva Street and Bruce Rundle Drive, each residential side streets. Event organisers have been open to working with officers to determine the best and most appropriate routes to minimize any negative impacts on residents. It is noted to achieve this will require some in-kind assistance via Manager Community Projects.

**PROPOSED ROUTE MAPS**

**AMG Williamstown Time Trial**

![AMG Williamstown Time Trial Map](image_url)
The two events will see benefit to local Williamstown and surrounding businesses; however traffic interruption will be present for 7 days over a 10 day period. Due to this and the hosting fee, officers recommend that only the Australian Masters Games – Cycling Event be supported this year and that officers work with event organisers for the Cycling Australia Road Nationals event in 2020.

Should Council support the events, a formal road closure report may be tabled, if required, for Council's consideration once the routes are developed and confirmed.

Summary and Conclusion
Cycling Australia and Australian Master Games have requested to hold two cycling events in Williamstown in October 2019. The Cycling Australia event calls for a hosting fee of $40,000. The Australian Master Games has no fee associated.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: Request for sponsorship – Cycling Australia (19/9767)

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Community Plan

Community and Culture
2.6 Support a vibrant and growing arts, cultural, heritage and events sector.
Corporate Plan
2.6 Provide, promote and support community arts and cultural events, programs, attractions and services.
6.7 Implement strategies for the community to be actively engaged in Council decision making through sound information and communication.

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial Management Considerations
There is no budget identified for the hosting fee of $40,000 for a full 4 day event. The event organiser can offer a 3 day event for $30,000. Corporate sponsorship should be pursued to offset the hosting fee; however there is limited time to achieve this prior to making a decision on the 2019 event.

Resource Considerations
Exploring opportunities for corporate sponsorship will be an additional task for officers and a task that is not generally actioned.

Risk Management Considerations
Event Management will be the responsibility of the Event Organisers and demonstrated through Council’s Event Application Process.

COMMUNITY CONSULTATION

Formal community consultation under Council’s Public Consultation Policy is not required; however officers have offered the Williamstown community, businesses and residents, an opportunity to provide feedback on the proposal via promotion on facebook, inviting comments at ourbetterbarossa.com.au. Due to the short time period to provide this opportunity, data from this feedback will be collated and presented to the Council at the meeting. Indicative results from written submissions at the time of releasing this agenda report is that 21 respondents were supportive of the events, and 10 respondents were not supportive.

7.3.2.2
STOCKWELL RECREATION PARK – DRAFT MASTER PLAN – FEEDBACK FROM COMMUNITY CONSULTATION – 30 JANUARY 2019 TO 1 MARCH 2019
B6671 19/13023

MOVED Cr de Vries that Council:
(1) Receives and notes the report containing the outcome of community consultation on the Draft Master Plan for Stockwell Recreation Park dated 16 August 2018 Trim Ref: 18/57097.
(2) Endorses the Draft Master Plan for Stockwell Recreation Park subject to the change of location of the BMX track away from Mckan Road, and noting that it may be subject to future amendment and budget consideration as required.
(3) Requires Officers to work with the Working Group and Architects to prioritise, phase and cost the Master Plan to provide data for The Big Project Feasibility Report and provide a future report to Council.
(4) Requires Officers to provide an update on the outcome of the consultation to the Stockwell Community Association and the people that provided written, formal feedback and where contact information has been provided.

Seconded Cr Schilling  CARRIED 2018-22/144

PURPOSE
To summarise feedback received from the community following Council’s resolution on 18 September 2018 regarding the draft Stockwell Recreation Park Master Plan (refer Attachment 1) and provide recommendations for action.

The Barossa Council 19/15598 Minutes of Council Meeting held on Tuesday 19 March 2019
Council

Works and Engineering Services

Director’s Report

17 September 2019

7.4.1 Debate Agenda – Director Works and Engineering Services

7.4.1.7 Yetti Road Williamstown Kerb and Gutter Upgrade and Road Reseal – Budget Adjustment

B8541

Purpose

Council approval is sought to undertake a Budget Adjustment to provide additional funds from the FY2019/20 Road Reseal Unallocated Budget to the Yetti Road kerb and gutter upgrade and Yetti Road reseal projects.

Recommendation

That Council approve a budget increase of $155,187 for the Yetti Road kerb and gutter upgrade and Yetti Road reseal projects to be funded from the FY2019/20 Road Reseal Unallocated budget.

Report

Background

As part of the 2018-19 Budget, Council allocated $250,000 to construct underground drainage on Yetti Road, between Queen Street and Johnson Street, Williamstown.

These underground drainage works were completed in April 2019 at an actual cost of $213,239 with the project savings of $36,760 to be carried over to 2019-20 as a Q1 2019-20 Budget Adjustment.

As part of the 2019-20 Budget, Council allocated $250,000 to construct kerb and gutter on Yetti Road, between Queen Street and Adams Road.

Thus, assuming carryover funding is approved as part of Q1 2019-20 Budget Adjustments, $286,760 is available in 2019-20 to deliver kerb and gutter upgrade works.

As part of the 2019-20 Budget, Council allocated $28,053 to undertake a road reseal (14/7mm spray seal) on Yetti Road between Queen Street and Johnson Street, Williamstown.

Introduction

Works and Engineering staff have received three quotes on 26 August 2019 from Barossa Regional Procurement Group (BRPG) Civil Works Panel contractors to undertake kerb and gutter upgrade works on Yetti Road, between Queen Street and Adams Road.
Works and Engineering staff and BRPG Road Resurfacing contractor, Downer assessed Yettie Road from Queen Street to Adams Road in July 2019 and determined that this entire section of Yettie Road requires profiling of the existing road seal to remove surface undulations and reinstatement of the road surface with a thin layer of asphalt.

Downer provided a cost estimate to undertake this road surface treatment on 28 August 2019. This extension in scope and resurfacing Yettie Road from Johnson Street to Adams Road plus the change from Spray Seal to Asphalt has contributed to the additional project cost estimates.

**Discussion**
The summary of costs to undertake the above works compared to current budget allocations is as follows:

<table>
<thead>
<tr>
<th>Project</th>
<th>Cost Estimate</th>
<th>Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yettie Road Kerb &amp; Gutter Upgrade Project</td>
<td>$310,000</td>
<td>$286,760</td>
</tr>
<tr>
<td>Yettie Road Resurfacing from Queen Street to Adams Road</td>
<td>$160,000</td>
<td>$28,053</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$470,000</strong></td>
<td><strong>$314,813</strong></td>
</tr>
<tr>
<td>Additional Budget Allocation required</td>
<td></td>
<td><strong>$155,187</strong></td>
</tr>
</tbody>
</table>

The total unallocated road reseal budget is $634,534, further to this, savings from completed 2018/19 capital projects are forecast and will also be reviewed during Q1 budget reviews once final invoices are reconciled against purchase orders.

**Summary and Conclusion**
It is recommended that the following Q1 2019-20 Budget Adjustments are approved by Council:

- $23,240 transfer from Road Reseal Unallocated (601260-870-969) to Yettie Road Kerb and Gutter upgrade (311942-848-969); and
- $131,947 transfer from Road Reseal Unallocated (601260-870-969) to Yettie Road Seal (312497-870-969).

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**
Nil.

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

Infrastructure
3.1 Develop and implement sound asset management which delivers sustainable services.

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

Q1 2019-20 Budget Adjustments proposed:

- $23,240 transfer from Road Reseal Unallocated (601260-870-969) to Yettie Road Kerb and Gutter upgrade (311942-848-969); and
- $131,947 transfer from Road Reseal Unallocated (601260-870-969) to Yettie Road Seal (312497-870-969).

**COMMUNITY CONSULTATION**

A letter drop has been recently provided to adjacent residents along Yettie Road from Queen Street to Adams Road, Williamstown providing project details and expected timeframes.
7.5.1 DEBATE AGENDA – DEVELOPMENT SERVICES REPORT

7.5.1.1

APPOINTMENT - BUILDING FIRE SAFETY COMMITTEE

PURPOSE

To endorse the South Australian Country Fire Service (CFS) Delegate and Proxies to The Barossa Council Building Fire Safety Committee, as required under the Development Act, 1993.

RECOMMENDATION

That Council:

(1) Appoint the following person to The Barossa Council Building Fire Safety Committee pursuant to Section 71(19)(a) of the Development Act 1993:

- Mr Julian Aggiss (Delegate)
- Mr Joel Taggart (Proxy)
- Mr Darren Chapman (Proxy)
- Mr Kevin Churchward (Proxy)
- Mr Phil McDonough (Proxy)
- Mr Peter Xerri, Senior Assessment Officer – Building

The appointments operate from 8 August 2019 until 30 June 2020.

REPORT

Background

The Development Act 1993 designates the Council as the Appropriate Authority for investigating whether commercial building owners are maintaining a proper level of building fire safety for the protection of all occupants of their buildings.
Introduction

Section 71(19), of the Development Act sets out the membership requirements for an Appropriate Authority. The Appropriate Authority for this area is The Barossa Council Building Fire Safety Committee. This Committee contains the required membership of persons with prescribed qualifications, a member of the Metropolitan and Country Fire Service, and other persons with expertise in the area of fire safety.

Discussion

Correspondence has been received from the South Australian Country Fire Service, advising of recent staffing changes within the CFS, and subsequent appointments of CFS Delegate and Proxies to The Barossa Council Building Fire Safety Committee (refer attached).

The appointment of Peter Xerri (Council's Senior Assessment Officer, Building) remains unchanged.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment One: Advice from South Australian Country Fire Service

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Community Plan

Infrastructure

Health and Wellbeing

How We Work – Good Governance

Corporate Plan

3.9 Ensure Council facilities and assets are accessible, safe and maintained to an agreed level of service.

4.12 Enforce safe and healthy housing/commercial premises conditions that are within Council control or elevate to the State when required.

4.13 Ensure that Council services and facilities are fit for purpose including safety and access and these considerations are integrated into urban, asset and community planning.

6.5 Implement compliant and contemporary risk management initiatives.

Legislative Requirements
Section 71 of the Development Act, 1993

<table>
<thead>
<tr>
<th><strong>FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The Building Fire Safety Committee operates within an ongoing allocated budget.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>COMMUNITY CONSULTATION</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The appointment of Delegates and Proxies does not require consultation under the Development Act or by Council’s Public Consultation Policy.</td>
</tr>
</tbody>
</table>
Dear Sir / Madam

RE: BUILDING FIRE SAFETY COMMITTEE – CFS DELEGATES

I wish to inform you that following recent staffing changes, the following CFS Staff will be the CFS Delegate and Proxies for the Barossa Building Fire Safety Committee as from 8 August 2019.

DELEGATE

<table>
<thead>
<tr>
<th>Name / Address:</th>
<th>Phone:</th>
<th>E-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Julian Aggiss</td>
<td>08 8115 3372</td>
<td><a href="mailto:Julian.aggiss@sa.gov.au">Julian.aggiss@sa.gov.au</a></td>
</tr>
<tr>
<td>CFS Development Assessment Service</td>
<td>0408 586 567</td>
<td></td>
</tr>
<tr>
<td>Level 5, 60 Waymouth Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ADELAIDE SA 5000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

PROXIES

<table>
<thead>
<tr>
<th>Name / Address:</th>
<th>Phone:</th>
<th>E-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joel Taggart</td>
<td>08 8115 3372</td>
<td><a href="mailto:Joel.taggart@sa.gov.au">Joel.taggart@sa.gov.au</a></td>
</tr>
<tr>
<td>Darren Chapman</td>
<td>08 8115 3372</td>
<td><a href="mailto:Darren.chapman@sa.gov.au">Darren.chapman@sa.gov.au</a></td>
</tr>
<tr>
<td>Kevin Churchward</td>
<td>08 8115 3372</td>
<td><a href="mailto:Kevin.churchward@sa.gov.au">Kevin.churchward@sa.gov.au</a></td>
</tr>
<tr>
<td>Phil McDonough</td>
<td>08 8115 3372</td>
<td><a href="mailto:Phil.mcdonough@sa.gov.au">Phil.mcdonough@sa.gov.au</a></td>
</tr>
</tbody>
</table>

Please be advised that at this stage, these CFS staff will remain as either the Delegate or Proxies until 30 June 2020.

Please do not hesitate to contact Joel Taggart, Manager Development Assessment Service on 8115 3361 or via email joel.taggart@sa.gov.au to discuss this matter further.

Yours sincerely

ANDREW STARK
ACTING CHIEF OFFICER
SA COUNTRY FIRE SERVICE

cc: Joel Taggart
    Julian Aggiss
    Darren Chapman
    Kevin Churchward
    Phil McDonough
COUNCIL
DEVELOPMENT AND ENVIRONMENTAL SERVICES
ENVIRONMENTAL SERVICES REPORT
17 SEPTEMBER 2019

7.5.2 DEBATE AGENDA – ENVIRONMENTAL SERVICES REPORT

7.5.2.1
CONSIDERATION AND ADOPTION OF COMMITTEE RESOLUTIONS
B7500

Author: Director, Development and Environmental Services

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

RECOMMENDATION
(1) That Council having reviewed the Minutes of Barossa Bushgardens S41 Committee Meeting held 17 July 2019 and 14 August 2019, that the Minutes be received and noted.

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

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: Minutes - Barossa Bushgardens S41 Committee Meeting held 17 July 2019 and 14 August 2019.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan
Natural Environment and Built Heritage

Corporate Plan
Natural Environment and Built Heritage
1.1 Collaborate with relevant authorities to ensure a regional and holistic approach in the management of natural resources.
1.2 Support native eco systems that support native flora and fauna.
1.3 Ensure environmental and agricultural sustainability and historic significance of the region is retained.

Legislative Requirements
Local Government Act and Regulations
Development Act and Regulations

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**
Identified within the body of the Minutes, and is included within the endorsed Council Budget.

**COMMUNITY CONSULTATION**
Not required by Council.
MINUTES OF THE MEETING OF
THE BAROSSA BUSHGARDENS S41 COMMITTEE

To be held in the Council Committee Room on

Wednesday 17 July 2019 commencing at 1:05 pm

1. WELCOME

The Chair welcomed everyone, and opened the meeting at 1.05 pm.

2. PRESENT

R Johnstone, B Lillecrapp, T Waldhuter, E Morgan, L Mason
Staff: G Mavrinac, N Rea, P Payne, M Thom (Minute Secretary)

3. APOLOGIES

K Schilling, K Thompson, J Maitland and A Fairney

4. GUESTS

Nil.

5. DECLARATION OF INTEREST BY MEMBERS

Nil.

6. CONFIRMATION OF MINUTES FROM PREVIOUS MEETING

Moved: L Mason  Seconded: T Walhuter
That the minutes of the Barossa Bushgardens S41 Committee meeting held on 10 April 2019 be received and confirmed.

CARRIED
## 7. BUSINESS ARISING FROM PREVIOUS MINUTES (ACTION LIST)

### 7.1 ACTION LIST

<table>
<thead>
<tr>
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<td>Draft audit complete; need 2-3 car parks adjacent gardens and resolve path surfaces for wheelchair access around central area.</td>
<td>Further disability access requirements need to be improved and audited. Capital budget was allocated in 18-19 for disability parking. Funds carried forward for 19-20.</td>
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<td>Finalised Plans (noting the need for wet weather protection) to be referred to DAI Advisory Group prior to a decision being made.</td>
<td>In order to finalise site selection for disability parking, G Mavrinac to arrange in-house a masterplan mud map of the overall site, which shall be presented at the next committee meeting.</td>
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<td>Pending. P Payne has obtained a permit for seed collection in the region but awaiting DEW advice regarding assisting the Kaiser Stuhl Conservation Park.</td>
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</table>
with storage and propagation in return for an allocation of seeds.

P Payne advised that a meeting with DEW representatives was held 14 February 2019, and once the outcomes are finalised, a report will be presented to the S41 Committee.

13 June 2018

The Committee note the need for operations of the Wholesale Nursery to be reviewed, and recommendations re irrigation in report by T Bateman be considered for implementation.

A Work Plan taking the recommendations from T Bateman’s two audit reports to be prepared as a matter of priority.

P Payne advised that a Work Plan is underway, focusing on priorities. More detail to be provided at the next meeting on specific tasks that have been completed from the two audits.

Ongoing.

P Payne awaiting information. The Work Plan to be presented to Management Committee meeting for consideration.

P Payne

13 February 2019

Develop a Policy and supporting Process documentation for Weed Management, incorporating Herbicide Use and any requirements set out in the relevant Community Land Management Plan or other existing Council Policy and Processes. To be presented at the next meeting.

Development of a policy On-Hold pending inclusion into Council’s Work Health and Safety Management Framework. In the interim, use of herbicide to be limited. Action to be brought back to the Management Committee for further discussion/direction.

P Payne/N Rea
<table>
<thead>
<tr>
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<tbody>
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<td>N Rea</td>
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</tbody>
</table>
| 13 February 2019 | Review to be undertaken of Brochures and marketing material (hard copy and electronic format)  
N Rea to prepare a draft of a range of brochures, and present to June 2019 S41 Committee meeting. | Pending. | N Rea |
| 13 February 2019 | Water meters to be tamper-proofed and labelled accordingly (access to Labyrinth Group and Seeding Natives Inc.)  
A Fairney to install a lock on ball valve, to be keyed alike with Bushgardens keys.  
A Watering protocol (with documented procedures) to be developed before the next watering season. | Pending. |  
Lock has not been installed as yet. |
| 10 April 2019 | Provision of assistance to drought affected landholders.  
N Rea to prepare a report to the S41 Committee on possible drought assistance to landholders. | Pending – N Rea | N Rea |

**COMPLETED ACTION LIST**

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Resolution/Action</th>
<th>Status</th>
<th>Actioning Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>17 October 2018</td>
<td>The Nursery Sub-Committee to prepare and present a Business Case/Work Plan and</td>
<td>Action to be recorded as completed. Agreed not to be progressed</td>
<td>P Payne/N Rea</td>
</tr>
<tr>
<td>Meeting Date</td>
<td>Resolution/Action</td>
<td>Status</td>
<td>Actioning Officer</td>
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<tr>
<td></td>
<td>costing for the proposed new demonstration gardens, and bring back to the Committee for consideration. Preparation of the Business Case/Work Plan is still to be finalised.</td>
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<td></td>
<td>The application for Grant funding through Open Garden SA to develop a Community Garden was unsuccessful.</td>
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<tr>
<td></td>
<td>A Business Case, details of costings and a Site Plan need to be formalised before work goes ahead.</td>
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<td></td>
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</tbody>
</table>

**Recommendation**
That the Committee receive and note the progress of decisions from previous meetings.

**Decision**
Moved: L Mason Seconded: T Walhuter
That the recommendation be adopted. CARRIED

8. **CORRESPONDENCE**

**Recommendation**
That the Committee receive and note the incoming and outgoing correspondence.

**Decision**
Moved: T Walhuter Seconded: B Lillecrapp
That the recommendation be adopted. CARRIED

9. **RISK MANAGEMENT**

9.1 **Work Health and Safety**

The Committee advised that there were no items to report.

**Recommendation**
That the Committee receive and note the report.
Decision

Moved: L Mason            Seconded: T Waldhuter
That the recommendation be adopted.                  CARRIED

10. CONSENSUS AGENDA

10.1 Chairperson’s Report

Recommendation
That the Committee receive and note the Chairperson’s verbal report.

Decision

Moved: L Mason            Seconded: E Morgan
That the recommendation be adopted.                  CARRIED

10.2 Strategic Plan Progress Report

Recommendation
That the Committee receive and note the report.

Decision

Moved: B Lillecrapp            Seconded: T Walhuter
That the recommendation be adopted.                  CARRIED

10.3 Tours

ACTION       That a summary table be prepared to provide a protocol of occurrences (eg number of volunteers, visitors) at the Bushgardens, which can then be reported to Council. (To be discussed at Management Committee meeting)

Recommendation
That the Committee receive and note the report.

Decision

Moved: T Walhuter            Seconded: L Mason
That the recommendation be adopted.                  CARRIED

10.4 Partner Projects

Recommendation
That the Committee receive and note the report.
Decision
Moved: T Waldhuter            Seconded: L Mason
That the recommendation be adopted.  CARRIED

11. FOCUS AGENDA
Nil.

12. DEBATE AGENDA

12.1 Finance

Recommendation
That the Committee receive and note the report.

Decision
Moved: B Lillecrapp            Seconded: E Morgan
That the recommendation be adopted.  CARRIED

12.2 2019-20 Budget

Recommendation
That the Committee receive and note the budget for 2019-20 as approved by Council.

Decision
Moved: T Waldhuter            Seconded: L Mason
That the recommendation be adopted.  CARRIED

12.3 Strategic Plan (2019 Update) Priority Actions

ACTION
That the Management Committee discuss marketing and future opportunities for sales at the Bushgardens.

Recommendation
That the Committee endorse the priority actions as identified for the 2019-20 financial year.

Decision
Moved: B Lillecrapp            Seconded: T Waldhuter
That the recommendation be adopted.  CARRIED
13. **URGENT OTHER BUSINESS**

G Mavrinac advised the Committee that Council received a report to draft a Memorial Policy, which shall have implications for the Bushgardens. The new policy will be consolidated with the current bushgardens policy, which will subsequently be rescinded. The policy shall go out for public consultation and the Committee would be asked to review accordingly.

**Recommendation**
That the Committee receive and note the verbal report.

**Decision**
Moved L Mason Seconded T Waldhuter
That the recommendation be adopted.  
CARRIED

14. **NEXT MEETING**

Wednesday 14 August 2019 commencing at 1.00pm.

15. **CLOSURE OF MEETING**

The Chair declared the meeting closed at 2.59pm

Confirmed

Date: __________________________ Chairman: __________________________
MINUTES OF THE MEETING OF
THE BAROSSA BUSHGARDENS S41 COMMITTEE

held in the Council Chambers on Wednesday 14 August 2019 commencing at 1:00pm

1. WELCOME

The Chair welcomed everyone, and opened the meeting at 1:07pm.

2. PRESENT

Members:
R Johnstone Chairperson
Cr K Schilling Member
B Lillecrapp Member
T Waldhuter Member
E Morgan Member

Staff:
G Mavrinac Director Development and Environmental Services
K Thompson Team Leader Environmental Services
P Payne Nursery Manager
C Kruger Minute Secretary

3. APOLOGIES

L Mason Member
A Fairney Member
N Rea NRC Coordinator

4. GUESTS

Nil.

5. DECLARATION OF INTEREST BY MEMBERS

Nil.

6. MINUTES FROM PREVIOUS MEETING

Recommendation

That the Committee
1. Receive and note the minutes of the meeting held on 17 July 2019 be confirmed as a true and correct record of the proceedings of that meeting.
Decision

Moved: T Waldhuter
Seconded: B Lillecrapp
That the recommendation be adopted.

CARRIED

7. MATTERS ARISING FROM PREVIOUS MINUTES

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<td>Friends of Kaiser Stuhl Conservation Park will be collaborating with Barossa Bushgardens for seed collection, with the Bushgardens assisting with storage and propagation in return for an allocation of seeds.</td>
<td>An update will be provided at next S41 Committee Meeting.</td>
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**Recommendation**

That the Committee receive and note the progress of decisions from previous meetings.

**Decision**

Moved: B Lillecrapp  
Seconded: T Waldhuter
That the recommendation be adopted.

8. **CORRESPONDENCE**

**Recommendation**

That the Committee receive and note incoming and outgoing correspondence.

**Decision**

Moved: E Morgan  
Seconded: T Walduter  
That the recommendation be adopted.

9. **RISK MANAGEMENT**

9.1 **Work Health and Safety**

**Recommendation**

That the Committee receive and note the report.

**Decision**

Moved: T Waldhuter  
Seconded: K Schilling  
That the recommendation be adopted.

10. **CONSENSUS AGENDA**

11. **ADOPTION OF CONSENSUS AGENDA**

**Recommendation**

That the Committee receive and note the information items contained in the Consensus Agenda and that any recommendations contained therein be adopted.

**Decision**

Moved: E Morgan  
Seconded: B Lillecrapp  
That the recommendation be adopted.
12. **FOCUS AGENDA**

12.1 **Friends of Barossa Bushgardens Relationship**

R Johnstone provided a recap of the role of the Friends of The Barossa Bushgardens.

**ACTION:** Representatives of Friends of Barossa Bushgardens to be invited to attend next S41 Committee Meeting.

12.2 **Barossa Bushgardens Masterplan**

**ACTION:** G Mavrinac to continue designing the draft Master Plan in consultation with Council’s Engineering Department, with considerations of pedestrian and disabled access, lighting, signage and the potential for a second building.

13. **DEBATE AGENDA**

13.1 **Finance**

**Recommendation**

That the Committee:

1. Receive and note the report.
2. Request that the Friends of the Barossa Bushgardens provide $2,379.00 (GST inclusive) as a contribution to finalise the Thyne Reid Grant.

**Decision**

Moved: T Waldhuter                Seconded: E Morgan

That the recommendation be adopted.  

CARRIED

13.2 **Gator Funding**

**Recommendation**

That the Committee:

1. Receive and note the report.
2. Request that the Friends of the Barossa Bushgardens provide up to $5,000 (GST inclusive) subject to confirmation as a contribution towards the purchase price of a Gator vehicle.

**Decision**

Moved: T Waldhuter                Seconded: B Lillecrapp

That the recommendation be adopted.  

CARRIED
13.3  Bushgardens Toilets

Recommendation

That the Committee:
1. Receive and note the report.
2. Obtain a quote for the recommended upgrade to the toilet facilities and present back to the Committee for further consideration at the next meeting.

Decision

Moved: E Morgan  Seconded: B Lillecrapp
That the recommendation be adopted.

CARRIED

14.  URGENT OTHER BUSINESS

Open Spaces Places for People Grant Funding

Recommendation

That the Committee receive and note the verbal report.

Decision

Moved: K Schilling  Seconded: B Lillecrapp
That the recommendation be adopted.

CARRIED

15.  NEXT MEETING

Wednesday 9 October 2019 commencing at 1.00pm.

16.  CLOSURE OF MEETING

The Chair declared the meeting closed at 3:12pm.

Confirmed

Date: ...........................................  Chairman: ..................................................

351
IMPLEMENTATION OF TIMED PARKING SPACES

B3262

Author: Manager, Regulatory Services

PURPOSE

To consider the implementation of timed parking spaces in selected locations.

RECOMMENDATION

That Council:

1. Notes the content of the report and resolves to implement two 15 minute timed parking spaces between 8:00am and 5:00pm from Monday to Friday, in the identified location in Murray Street in Tanunda only; and

2. Agrees to review and monitor the two other locations detailed in this report for a period of 6 months; and

3. Agrees to monitor the impact of implementing the additional parking restrictions for a period of 6 months; with a further report being presented to Council on the matter later this financial year.

REPORT

Introduction

Officers have received several requests in relation to the implementation of timed parking areas to increase the turnover of vehicles in specific areas of Tanunda, Lyndoch and Mount Pleasant.

Discussion

Council administration has often been reluctant to impose timed parking areas unless there is a significant and identified need. The implementation of time parking areas is
considered to have ongoing resource implications for Council in relation to ongoing monitoring and enforcement.

Given the increasing number of requests, formal consideration by Council is necessary. It is important to have regard for a number of matters including resourcing, setting a precedent and any changes in service levels and/or priorities.

The basis for these requests are to increase the turnover of vehicles by restricting the permitted parking time in selected locations to 15 minutes. The intent is to increase the likelihood of a parking space being available for customers directly adjacent the business.

Council has limited examples of timed parking areas. An existing area on Elizabeth Street in Tanunda was implemented a number of years ago and continues to require regular patrols in order to ensure compliance.

Should Council decide to implement timed parking zones, installation will be in accordance with the relevant Australian Standard.

It will make it an offence under the Australian Road Rules for a driver to exceed the nominated time. Each instance may incur an Expiation Notice with a prescribed fee of $55.00. This fee is defined by the State Government and subject to change.

**Location 1**
Murray Street, Tanunda
Adjacent Tanunda Post Office

Request to implement 15 minute parking in two spaces in this location to increase the turnover rate of vehicles, prevent vehicles parking for extended periods and increase the likelihood of customers of businesses in the immediate area finding a car park during business hours on weekdays.

In 2016, the population of Tanunda was 4546 with an average age being 46 years.

An existing public car park behind the Visitor Information Centre is within 80 metres. However, the number of businesses and higher volumes of traffic in Murray Street Tanunda may support a change if desired.
Location 2
Barossa Valley Way, Lyndoch
Adjacent Lyndoch Valley Meats

Request to implement 15 minute parking in two spaces in this location to increase the turnover rate of vehicles, prevent vehicles parking for extended periods and increase the likelihood of customers finding a car park directly adjacent the business during business hours on weekdays.

In 2016, the population of Lyndoch was 2000 with an average age being 41 years.

Some privately owned parking areas exist in the locality with a limited number of on-street parking spaces. However, it is considered that during business hours, the majority of main street parking spaces in that immediate area are currently used for short term parking.
Location 3
Melrose Street, Mount Pleasant
Adjacent Mount Pleasant Post Office.

Request to implement 15 minute parking in two spaces in this location to increase the turnover rate of vehicles, prevent vehicles parking for extended periods and increase the likelihood of customers finding a car park directly adjacent the business during business hours on weekdays.

Information received indicates that the Mount Pleasant Post Office provides a number of services to the community of Mount Pleasant, particularly since the closure of the local Bank. Reports suggest that elderly customers are often unable to find a park close to the Post Office.

There are concerns that this may be exacerbated once a neighbouring business opens. In 2016, the population of Mount Pleasant was 1020 with an average age being 47 years.

An existing public car park at the Mount Pleasant Soldiers Memorial Hall is within 60 metres of the Post Office.
Conclusion

As outlined in the report, implementing additional timed parking restrictions is expected to have ongoing resource impacts for Council and may also set a precedent for other areas.

Council has several options, some of which are summarised in the form of recommendations below. Council administration has recommended Option 2 due to the proximity to the Tanunda Post office, higher traffic volumes and number of main street businesses. However, Elected Members are at liberty to determine otherwise.

Option 1
That Council notes the content of the report and determines not to proceed to implement additional timed parking spaces at this time.
**Option 2**

1. That Council notes the content of the report and resolves to implement two 15 minute timed parking spaces between 8:00am and 5:00pm from Monday to Friday, in the identified location in Murray Street in Tanunda only; and

2. Agrees to review and monitor the two other locations detailed in this report for a period of 6 months; and

3. Agrees to monitor the impact of implementing the additional parking restrictions for a period of 6 months; with a further report being presented to Council on the matter later this financial year.

**Option 3**

1. That Council notes the content of the report and resolves to implement 15 minute timed parking spaces between 8:00am and 5:00pm from Monday to Friday, in all identified locations; and

2. Undertakes a review of service levels in relation to parking management and the resources required to effectively monitor and better manage matters under the Australia Road Rules.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Nil

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

Community Plan

- Community and Culture

2.12 Contribute to a safer community.

Legislation

- The Road Traffic Act 1961
- The Australian Road Rules

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

Financial Considerations
The financial considerations relate to the ongoing resourcing and monitoring these areas.

Should Council resolve to implement timed parking in these areas, the impacts may increase over time in line with the increased focus on parking by Council and the community.

Whilst difficult to estimate, a guide of 9 hours per fortnight has been used if all three areas were implemented. This includes associated monitoring and patrols by officers, issuing, processing and maintenance of Expiation Notices as well as other
correspondence and administrative functions. This is based on 5 hours for operational officers and 4 hours for administration and customer support officers per fortnight and equate to approximately $8,200 in time and wages.

Officer wages are already included within Council’s existing budget. Implementing additional initiatives will create an increased workload within existing resource levels.

The implementation and installation of all required signage will be from within existing budget provisions.

Resource Considerations

In considering this report, Members should turn their mind to the ongoing implications of implementing timed parking restrictions (and also any other increase in parking management services).

It is envisaged to create resourcing impacts for Council due to the obligation and expectation to regulate these areas. It may also create a precedent for other businesses to request timed parking in specific areas and thereby increasing the situation further.

Historically, the allocation of officer’s time to parking enforcement has been minimal.

From a budgeting perspective only, the allocation to the Public Order and Safety Service Level is for all operational and administrative duties associated with By-laws, A-frame signage, events and liquor licencing. Local Government matters including outdoor dining, mobile food vendors, community banners, roadside advertising; and parking.

This equates to approximately 0.46FTE of current resourcing which is spread across 4.0FTE staff, equating to around 17.5hrs per week (4.3 Hours per week/per officer).

Anecdotally, there is a growing interest and an increased focus on parking management from the community. As such, the resource considerations also expands into the levels of service that Council wishes to provide.

In addition to the matters raised. The Barossa Community Store has also informally approached management in relation to officers commencing patrols of disability parking spaces within their private parking areas.

Ultimately if Council resolves to offer a greater service to the community in relation to parking management, adequate resourcing will need to be considered. Officers currently respond to a range of parking related matters. A snapshot has been provided of the number of parking management requests received in recent years.

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Number of requests</th>
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<tbody>
<tr>
<td>2015/2016</td>
<td>78</td>
</tr>
<tr>
<td>2016/2017</td>
<td>123</td>
</tr>
<tr>
<td>2017/2018</td>
<td>151</td>
</tr>
<tr>
<td>2018/2019</td>
<td>155</td>
</tr>
</tbody>
</table>
COMMUNITY CONSULTATION

Consultation is not required under policy or legislative requirements.
7.5.4 DEBATE AGENDA – REGULATORY SERVICES REPORT

7.5.4.2 REVIEW OF THE LOCAL NUISANCE AND LITTER CONTROL ACT 2016
B3262

Author: Manager, Regulatory Services

PURPOSE

To consider and endorse a submission in relation to a review of the Local Nuisance and Litter Control Act 2016.

RECOMMENDATION

That Council:

1. Notes the content of the report and potential legislative change to the Local Nuisance and Litter Control Act 2016; and

2. Endorses the content of the draft Submission being provided to the Environment Protection Authority.

REPORT

Introduction

Correspondence has been received from the Environment Protection Authority (EPA) advising that the Local Nuisance and Litter Control Act 2016 (the Act) is under review. The EPA are inviting submissions in relation to any proposed or suggested changes.

Discussion

In July 2017, the Act came into full operation. At the time it was a completely new piece of legislation, which imposed requirements and increased the responsibility on Local Government in managing matters of local nuisance.

Council continues to feel the impacts of the legislation in managing a range of matters associated with noise, odour, air quality, dust and nuisances associated with owned animals; amongst other things.
Some of these matters were traditionally the responsibility of the EPA and/or previously outside of Council’s jurisdiction.

A copy of the correspondence and Discussion Paper are provided as Attachment 1 to this Report.

Officers have prepared a draft Submission for Council’s consideration in relation to the review of the Act, and is included as Attachment 2.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 2 - Correspondence from the EPA
Attachment 2 - Draft – Submission to the EPA

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

Heart and Wellbeing

Address nuisance and environmental risk such as animals, vermin, pest control, illegal dumping on public land and fire prevention.

Legislation

Local Nuisance and Litter Control Act 2016
Local Nuisance and Litter Control Regulations 2017

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial Considerations

The future financial considerations relate to the ongoing resourcing and monitoring of matters under the Act.

Resource Considerations

If these proposed changes are implemented it may have further resource implications for Local Government in administering the Act.

COMMUNITY CONSULTATION

Consultation is not required under policy or legislative requirements.
Review of the *Local Nuisance and Litter Control Act 2016* discussion paper

Issued July 2019

EPA 1115/19: This discussion paper outlines issues being considered in a review of the Local Nuisance and Litter Control Act 2016.

1 Introduction


The LNLC Act provides the community with a more effective and consistent local service for the management of nuisance complaints and heightened deterrence for littering and illegal dumping.

The LNLC Act provides a modern legislative scheme for litter control in South Australia including tiered offences depending on the type of litter (small versus large quantities, dangerous and hazardous litter); improvements in the use of surveillance for evidence gathering in the case of illegal dumping (linking an offence to the registered owner of a vehicle); allowing non-government organisations to undertake compliance activities (subject to approval); and for public reporting of littering and illegal dumping.

The first anniversary of the full commencement of the LNLC Act was 1 July 2018. This milestone provides a useful prompt to undertake a minor review of the operation of the LNLC Act. Feedback from councils, the community, and other stakeholders indicate that there is potential to fine-tune elements of the legislation. This minor review will consider the functionality of the legislation and the effectiveness of the legislation within the context of whether the scope of the legislation is appropriately addressing nuisance complaints, littering and illegal dumping issues in the community.

This paper discusses issues that have been identified as requiring review. In addition to comment on the issues presented in this paper, the Environment Protection Authority (EPA) welcomes any further feedback from stakeholders on the legislation. All issues raised during consultation will be considered by the EPA and responded to through a report on the consultation. Following the consultation period a report will be submitted to the Minister for Environment and Water, Hon David Speirs MP for his consideration. The EPA will assist the Government with any amendments that they seek to progress.

Comments on the review are due by **Friday, 4 October 2019**.
Review of the Local Nuisance and Litter Control Act 2016

Comments may be forwarded by mail or email to:

Review of the Local Nuisance and Litter Control Act 2016
Environment Protection Authority
GPO Box 2607
ADELAIDE SA 5001
Email: epainfo@sa.gov.au (mark subject as Review of Local Nuisance and Litter Control Act)

Emailed submissions are preferred.

All submissions received by the EPA during the consultation period will be acknowledged and treated as public documents unless provided in confidence, subject to the requirements of the Freedom of Information Act 1991, and may be quoted in reports.

2 Implementation of the Local Nuisance and Litter Control Act 2016

As part of consultation with the Local Government Association (LGA) during development of the LNLC Act, the EPA agreed to provide a range of support services designed to assist local government with the transition to managing local nuisance issues. A service level agreement (SLA) was entered into for the provision of support services for environmental nuisance matters.

Under the terms of the SLA the EPA, since commencement of the LNLC Act, has provided:

- one staff member to manage and coordinate implementation of the LNLC Act in close consultation with the LGA and individual councils
- access to operational staff to directly assist councils in the areas of operational administration, application of compliance standards and dealing with difficult issues
- equipment to assist councils to respond to nuisance issues
- training to council staff
- a suite of fact sheets, guidelines and standard operating procedures for use by councils;

The EPA has attended all regions of the state and provided training to 330 council staff in relation to local nuisance, in addition to 220 council staff trained in litter provisions of the LNLC Act.

Councils continue to be in regular contact with the EPA. The types of issues addressed have ranged from basic training and information around roles and responsibilities and introduction of the LNLC Act, through to more complex issues including field-based assistance and training in use of noise meters.

3 Local nuisance discussion points

The local nuisance provisions of the LNLC Act allow councils to manage various nuisance issues in their community. Nuisances covered by the legislation include environmental nuisances (eg smoke and noise), insanitary conditions and more general amenity nuisances (eg unsightly premises). These nuisances were previously addressed using the Environment Protection Act 1993 (EP Act), Local Government Act 1999 or the South Australian Public Health Act 2011. Since the commencement of the local nuisance elements of the LNLC Act on 1 July 2017 there have been various minor issues raised with the EPA. These issues are outlined in the sections below and comment is invited as to whether change is required, and if so, what changes would be most suitable.

3.1 What is and is not local nuisance?

The LNLC Act describes the meaning of local nuisance in section 17 with the ability to further refine the definition of what is and is not local nuisance through Schedule 1 of the LNLC Act. The definition was refined following consultation feedback from councils on the draft Bill which had light and heat within the meaning of local nuisance. These were removed to ensure the starting point for regulation of nuisance was manageable by councils and not too broad. Further
consideration of the addition of light and heat at a later date once the Act had been implemented was noted in the consultation report for the draft Bill. As an alternative the Act provides the ability to prescribe specific types of nuisance that might include light or heat in the regulations with the agreement of local government to do so. An example of this is ‘vibration’, prescribed in Part 2 of Schedule 1.

A number of determinations as to what is not local nuisance are also included in Part 3 of Schedule 1 of the LNLC Act. These listings fall within three categories. The first category of listings is where the issue of nuisance is adequately managed under alternative legislation. This is where an activity is approved under other legislation, the approval or conditions of the approval adequately minimise or prevent nuisance impacts, and those conditions are complied with.

An example of this is a development authorisation with conditions of approval related to time of operation that effectively limits noise to reasonable business hours [covered by Clause 5(d)]. In this circumstance the noise from the day time operation would need to be considered reasonable for the approved activity. This ensures that the development system takes precedence in determining the appropriateness of a land use for a certain location. By comparison, if an approved development had no relevant noise controls in place through condition of approval or had conditions relating to noise control but these conditions were not being complied with, both the Development Act 1993 and LNLC Act could be applied to gain compliance.

The second category of listings is where another Act contains a resolution or complaints process for nuisance issues. An example of this is the Strata Titles Act 1988 that contains remedies for nuisance within a strata management group. A further example of this type, the Liquor Licensing Act 1997, is discussed in detail later in this paper as to whether the provisions of that Act are appropriate to cover all forms of nuisance or are better limited to entertainment type nuisances from established premises.

The third category of listings is where the nuisances are considered a reasonable feature in the community. These include noise from a school or kindergarten, or emergency vehicle sirens.

4 Review of current inclusions and exclusions

4.1 Local nuisance management and liquor licensing

The Liquor Licensing Act 1997 (section 106) provides a complaints process for most forms of nuisances from premises licensed under that Act. So as to avoid conflict between this legislation and the LNLC Act, any form of nuisance that can be dealt with under the Liquor Licensing Act is excluded from being regulated under the LNLC Act through Schedule 1 (‘things that are not local nuisance’). As a result, councils have no ability to apply the LNLC Act for most forms of nuisance, and complaints can only be managed by the Office of Liquor and Gambling, under the Liquor Licensing Act.

4.1.1 Bricks and mortar licensed premises

In the context of bricks and mortar licensed premises this means nuisance noise from air conditioners or other plants on the property that would be addressed under the LNLC Act by councils on any other type of commercial premises cannot be addressed. While the process under the Liquor Licensing Act can address nuisances that are not specific to licensed premises the LNLC Act provides a more timely response in these scenarios. Council officers would be more familiar with addressing them than officers from the Office of Liquor and Gambling, who would generally deal with music and patron noise issues.

4.1.2 Outdoor events with a liquor licence

There are also issues with the application of the exclusion to the management of outdoor events. Firstly, the application of the exclusion in circumstances where only part of an event space has a liquor license is problematic. The exclusion only applies to the area that is licensed and therefore the remainder of the event is able to be dealt with under the LNLC Act. This creates problems where council compliance staff are unable to address complaints about nuisances emanating from a licensed area of an event.
A further issue specific to outdoor events is caused because they are inevitably annual or one-off and of a short duration. For outdoor events that are licensed (in part or full), the process under section 106 of the Liquor Licensing Act does not provide for immediate compliance intervention and therefore provides limited deterrence and compliance options in these circumstances. Section 106(3a)(b) provides that no conciliation meeting or other hearing may be held on the complaint until the period of 14 days has elapsed from the day that the licensee is served with a copy of the complaint. This leaves the community with no reasonable avenue to address a nuisance.

**Possible solutions**

These issues could be easily resolved by amending the exclusion in the LNLC Act to better reflect the specific types of nuisance that are envisaged to be dealt with under the Liquor Licensing Act 1997 being noise associated with the service of alcohol, such as entertainment and patron noise from ‘bricks and mortar’ licensed premises. This would ensure that common nuisances that are not linked to the service of alcohol and those associated with outdoor events (not associated with bricks and mortar venues) are able to be managed under the LNLC Act.

As an example, a noisy compressor at a hotel is no different to a noisy compressor from a supermarket, has no relationship with the service of alcohol, and should be regulated in the same manner. Events, that will usually have council involvement (eg food inspections, road closures, etc) can also be managed by council in a more responsive manner that meets community expectations if such an amendment were to be made. The Liquor Licensing Act may also benefit from greater clarity as to types of nuisance that its nuisance process is designed to deal with.

**Questions:**

1. Should noise and other nuisances, other than those related to entertainment and patrons, that are common to licensed and non-licensed premises be dealt with under the LNLC Act?
2. Should the LNLC Act be amended so that outdoor events can be subject to the local nuisance provisions despite the fact that some or all of the event space also requires a liquor licence?
3. Would there be benefit in amending the nuisance provisions of the Liquor Licensing Act 1997 to better align with the LNLC Act?

**4.2 Interaction with other legislation**

The LNLC Act sets out a number of exclusions related to different Acts in Part 3 of Schedule 1 where the issue of nuisance is adequately managed under the alternative legislation or where another Act contains a resolution or complaints process for nuisance issues. Comment is sought as to whether the current suite of exclusions related to legislation is sufficient or whether there are other Acts that also address local nuisance issues and should be considered for exclusion.

**Question:** Is the current suite of exclusions related to other legislation that deals with local nuisances sufficient or are there other Acts that also address local nuisance issues that should be considered for exclusion under Part 3 of Schedule 1?

**4.3 Animals living in their ‘natural’ habitat**

Noise, odour or waste from animals living in their natural habitat are declared as not being local nuisance under Schedule 1, Clause 5 of the LNLC Act with the exception to this being where animals have been actively encouraged, by feeding, to gather in a particular area. The term ‘natural’ is not defined in the Act and takes its common meaning being (Macquarie Dictionary): ‘1. existing in or formed by nature; not artificial: a natural bridge’.

A query was made by a local government officer to the EPA as to whether this definition may extend to the naturalised habitat of mice, rats and pigeons in human structures. Based on the definition above such naturalised habitat should not be considered the same as natural habitat (mice, rats and pigeons in human structures can be considered a local...
nuisance) however comment is sought on whether any improvement such as a set definition is necessary.

Question: Is there any need to set a definition for natural habitat?

### 4.4 Noise from sporting activities – motorsports

Noise or other nuisance from sporting or associated activities at sporting venues is declared as ‘not local nuisance’ and therefore excluded from regulation under the LNLC Act, on the basis that sports venues are widespread, provide an important community function, and noise, in particular, is incidental to the playing of sport at the venue.

Motorsports is a form of sport that produces considerably more noise than other sports. Motorsports venues, and the noise generated, are mostly already regulated through other legislation (Development Act 1993, EP Act and South Australian Motorsport Act 1984).

All new and upgraded motorsports venues require a development approval to operate. Development approvals should include conditions to control noise impacts such as limited hours of operation. If a motorsports venue is proposed within 3 km of residential premises not associated with the premises the development application must be referred to the EPA who has the ability to direct refusal or apply conditions to limit impacts. If a motorsports venue is less than 200 metres from a residential premises not associated with the venue it requires a licence under Schedule 1, Activity 8(5) of the EP Act.

If motorsports venues were removed from the exclusion for noise and associated nuisances from sporting or associated activities at sporting venues the majority of venues would still not be regulated under the LNLC Act. This is because the Act does not apply to EPA licensed premises or development authorisation approved activities (as discussed earlier) that have conditions to minimise nuisance from the activity (see section 5 and Part 3 of Schedule 1 of the LNLC Act). This reflects the design of the LNLC Act so as not to apply duplication of regulation on activities that are effectively regulated for nuisance impacts under other legislation.

The only motorsports venues that would be able to be regulated by the LNLC Act in this scenario is where development authorisations are lacking conditions that minimise noise impacts on neighbouring residents and those older venues with existing land use rights that do not have a relevant approvals or conditions of approval. The LNLC Act could be used to apply similar controls as would be applied to a new or upgraded facility through the development system with the use of a nuisance abatement notice. Currently the Environment Protection Act 1993 may still be used to regulate such issues.

Question: Should the exclusion for noise and associated nuisances from sporting or associated activities at sporting venues be amended to remove motorsports venues from the exclusion allowing such activities to be regulated under the LNLC Act only in cases where they are not already regulated under a development approval or EPA licence?

### 4.5 Possible new ‘things that are local nuisance’

#### 4.5.1 Light as an agent of local nuisance

Light and heat were included in the definition of local nuisance when the Bill for the LNLC Act was first consulted on in 2015 but subsequently removed prior to the Bill being introduced into Parliament due to feedback from councils that the definition in the Bill was too broad. Since the Act has commenced there have been a number of councils who have indicated that being able to deal with light nuisance under the Act would be useful.

Light is, considered a statutory form of nuisance under Queensland and ACT legislation, is also considered a statutory form of nuisance in the United Kingdom. Light nuisance in a domestic setting is generally easy to resolve through better screening and redirection of lighting or use of timers. Light from larger sources (eg sporting fields and commercial premises) may prove more difficult but, as with all other nuisances regulated by the Act, light nuisance would operate within the due diligence defence provisions in section 27 of the Act where reasonability of actions to ameliorate a nuisance is a relevant consideration. For example, it would be unreasonable for a sporting venue to remove its lights but may be reasonable to adjust direction, upgrade to technology with less light spill or apply a curfew on their use.
Question: Should light be included as an agent causing local nuisance that can be regulated under the Act and if not, what issues would prevent its inclusion?

### 4.5.2 Noise from vehicles – revving, alarms, off-road motorbikes

The LNLC Act currently excludes noise from vehicles other than vehicles operating within, or entering or leaving, business premises and from waste transport vehicles on roads and road-related areas. This is because it is impractical to apply regulation to general traffic noise, including noisy vehicles on roads, at a specific locality because the vehicles that are causing the noise (and the nuisance) are transiting the location irregularly and cannot, individually, be identified as the source of the nuisance associated with the locality. South Australia Police have powers under the *Australian Road Rules* (rule 291) to deal with individual vehicles that are identified on roads as being unreasonably noisy.

Following the implementation of the legislation it is apparent that there are examples where nuisance is emanating from an identifiable individual vehicle at a specific locality that the exclusion may currently apply to. The examples identified to date are revving of engines on residential premises, running of food refrigeration vehicles on domestic premises overnight, faulty car alarms, and recreational use of off-road motorbikes (not associated with primary production activities).

Question: Should the exclusion relating to noise from vehicles be amended to ensure nuisance from vehicles that is not associated with use on roads is able to be regulated as local nuisance and are there any other examples that should be considered?

### 4.6 Possible new ‘things that are not local nuisance’

#### 4.6.1 Dust from unsealed roads

Some councils receive complaints regarding dust nuisance generated from unsealed roads. There are tens of thousands of kilometres of unsealed roads throughout South Australia, and it is not practical and would be cost prohibitive to seal all roads and maintain them. Councils are able to assist with nuisance dust where the issue is considerable by erecting signage regarding dust nuisance or reducing speed limits in impacted areas. The LNLC Act attributes responsibility for nuisance by applying to a person carrying on an activity that results in nuisance, or through failure to act. To ensure that councils are not deemed responsible for nuisance dust from unsealed roads through a perverse interpretation of ‘failure to act’ as a result of not sealing a road it is suggested that dust from unsealed roads should be prescribed as ‘not local nuisance’.

Question: Should dust from unsealed roads be considered ‘not local nuisance’ for the purposes of the Act and if not, what circumstances would justify allocation of responsibility to a council?

#### 4.6.2 Noise from public infrastructure – application to vibration and extent of the exclusion

Noise from public infrastructure works is prescribed as ‘not local nuisance’ under Schedule 1 of the LNLC Act. It is prescribed so that infrastructure works which benefit the public are not unduly regulated where the nuisance is unavoidable. While dust can be attenuated, noise is often extremely hard to minimise when working on public infrastructure. Examples include evening or overnight roadworks or water infrastructure maintenance where a certain amount of noise is unavoidable and must be carried out overnight to avoid traffic disruption.

It is evident that public infrastructure earthworks such as the examples given may also result in some level of vibration impact caused by compacting of road base associated with the works. The vibration impact would be minimal in most circumstances and it is proposed to prescribe that vibration from public infrastructure works is not local nuisance. Dilapidation reports (used to assess the state of a building before and after an activity that produces vibration to identify any damage and provide evidence for claiming of damages) may also be available as an alternative to regulation prior to commencement of major public infrastructure projects.
A further issue that has arisen is the extent of the exemption for noise from public infrastructure. While there are roadworks, water pipe repairs and the like that may need to occur late at night and with limited advance notice to fix an issue and avoid disruption to traffic (as discussed earlier). There are other examples of public infrastructure works that may not necessarily need to be conducted at night or in the early morning other than for convenience. One example is concreting works associated with a public hospital redevelopment. Under the terms of the exclusion there are no limits to the nuisance caused to neighbouring properties from this activity whereas the same activity on another site would be regulated by the LNLC Act.

The benefit of applying the Act to such scenarios is that where there is a valid need an exemption (under section 19) can be sought and, as part of that process, neighbours can be informed by the applicant and complaint mechanisms put in place by the applicant such that the council should receive less complaints.

**Questions:**

- Should the exclusion of noise from public infrastructure be extended to also exclude vibration from public infrastructure?
- Should the exemption for public infrastructure be limited to activities where nuisance cannot reasonably be avoided or managed?

### 4.6.3 Early morning concrete pours in hot weather

An occasional source of noise complaints in the community is the early morning commencement of concrete pours associated with construction within residential areas. Early morning pours are done either due to the size of the pour or to accommodate extreme weather conditions that might affect the structural integrity of the concrete. Heat-related issues can be overcome to some extent with curing additives, and sealants applied after the pour. Whilst there are alternative approaches available, this form of nuisance is usually a one-off event, has technical merit and warrants consideration of allowing early starts through some form of exemption where extreme heat is forecast. It would be important to set limits on what constitutes a reasonable early start time and to ensure the forecast temperature is easily verified by compliance staff so that it is not abused by operators over summer months.

**Questions:**

- Should provision be included to allow for early morning concrete pours during extremely hot weather?
- If allowance was made, what are relevant considerations regarding applying limitations such as temperature and start time?

### 5 Waste collection vehicles – application beyond roads and road-related areas [section 5(5)]?

The LNLC Act is designed so that the majority of activities licensed by the EPA are excluded as they are already regulated directly by the EPA under the EP Act. The exceptions to this are activities that are undertaken associated with a vehicle, including: earthworks drainage, dredging and waste transport.

This is for two reasons. Firstly, that litter from such vehicles is better dealt with under the provisions of the LNLC Act and to exclude these vehicles would have made the operation of a public litter reporting program more difficult in that checks would need to be made against a list of licence plates which would need to be kept up to date. The second reason is that the general public should have confidence in reporting nuisances to the appropriate regulator in that neighbours of an EPA licensed site would generally know to make complaints to the EPA whereas a complainant aggrieved by a nuisance from a mobile activity would be unlikely to know that the activity is licensed by the EPA.

The wording of the current exclusion is limited to ‘roads and road-related areas’, as defined in the Road Traffic Act 1961. While the common meaning of these terms might seem to limit the application to public roads and nearby areas, the definitions extend their meaning to include private property areas that are publicly accessible to pedestrians, bicycles and
motor vehicles. The way that the exclusion is written means that, in the case of waste transport vehicles, the LNLC Act generally applies to nuisance generated by them except when operating on private property that is not accessible to the public, as noted above. This creates a regulatory arrangement that is very difficult to communicate and creates unnecessary difficulty when assessing alleged nuisance from waste transport vehicles that are operating on private property.

Question: Should the LNLC Act apply to waste transport vehicles operating on private property as well as when operating on roads and road-related areas?

6 Improve subjective assessment of nuisance or introduce objective measures of compliance

Subjective assessment is provided for in section 50 of the LNLC Act to allow authorised officers to assess the presence of nuisance using their own senses. This may include aural assessment of noise, visual assessment of dust or smoke nuisance, and odour assessments. Regulations (regulation 4) under the Act provide guidance on various considerations when making a subjective assessment of the presence of nuisance. The broader experience of the EPA in assisting councils with the implementation and administration of the Act is that subjective assessment is being used effectively to assess nuisance complaints, will improve with experience, and could be further improved by further training from the EPA in subjective assessment.

Sensory evidence, or subjective assessment, is not new when dealing with nuisances throughout Australia. In South Australia it is already provided for under provisions identical to those in the LNLC Act, under section 139(4) of the EP Act. Tasmania, Queensland and Victoria all allow subjective assessment by councils of nuisance. In Victoria, they prohibit the use of domestic air conditioners overnight where noise is audible within a habitable room of another residential premises. Audibility of noise is a very straightforward use of subjective assessment whereas determining the reasonability of an audible noise is less so.

While there are provisions in the Act that support subjective assessment, there is nothing in the Act, as is also the case with the EP Act that prevents the taking of objective measurements as part of determining whether there is sufficient evidence that an offence may be occurring.

One issue that may arise, in the area of noise nuisance, is where a subjective determination of noise nuisance is made relating to a complaint where the noise is of a nature that is borderline with regard to causing nuisance and a further objective measurement (taken after the subjective determination by the alleged offender or a third party) may appear contradictory. For this reason, all noise complaints of a borderline nature should be assessed with an element of objective measurement to ensure that compliance requirements are reasonable and effective. Subjective assessment is still useful for very obvious offences and for obviously unreasonable complaints.

Under the EP Act, the Environment Protection (Noise) Policy 2007 (Noise Policy) provides objective guidance on what is considered to meet the general environmental duty (section 25 – reasonable and practicable measures) relating to noise. In essence, this sets noise standards for compliance with the general environmental duty.

The LNLC Act has similar to the general environmental duty under section 27 – defence of due diligence. Assessment of noise against the Noise Policy to assist in determining whether the defence of due diligence is likely to be applicable is appropriate in cases where the noise is of a borderline nature. However, a similar approach could be incorporated into the LNLC Act or Regulations to provide clarity around the use of such an approach.

Current guidance to local government could be updated to incorporate a process chart that councils can use straightforward noise nuisances (high end, low end, and matters of fact/time related) with subjective assessment alone, and for making a subjective determination (not limited to subjective assessment) of borderline or other complicated noise nuisance issues that incorporates an objective assessment using the Noise Policy or a similar scheme established under the Act to provide certainty in assessments. Such a procedure could also be incorporated into the Regulations to build on the guidance provided by regulation 4.
There are other options that could be considered to improve the application of the subjective assessment approach within the legislation. Non-legislative approaches could include further training of local government staff or the development of a standard operating procedure that could be adopted by councils.

A further legislative option specific to key domestic noise sources such as air conditioners, would be to apply a similar approach as Victoria where audibility of certain noise sources from habitable rooms of a residential premises during night-time hours, except under exceptional circumstances such as extreme weather, is prohibited.

Questions:
Would any of the options discussed improve the assessment of noise nuisance under the LNLC Act?
Are there any other suggestions to improve the assessment of noise nuisance under the LNLC Act?

7 Litter discussion points

7.1 Allowing councils to clean up and recover costs after if a hazard exists

The LNLC Act does not prevent councils from urgent clean-ups of littered material, however it does not allow for cost recovery in these circumstances. The Act provides that a Litter Abatement Notice may be issued to the person responsible for the litter that requires, among other things, that they clean it up. Such a notice would also include a timeframe for the clean-up to occur. If the notice is not complied with then the council may clean up the material and charge the person responsible for the cost of that clean-up.

This scenario is fair and reasonable in most situations as it provides procedural fairness to the alleged offender. When there is material littered that causes a hazard whether a health or environmental hazard or a physical hazard (eg in the middle of a road) it may be a reasonable community expectation that the material is cleaned up immediately. This may not always be able to be done by the offender as the offender may not even be known to authorities early on.

The Act does provide for the court to order costs be paid by the convicted party for such matters (section 45) but only where there is a conviction. The civil penalty provisions of the Act (section 34) do not provide a specific remedy in this regard as the maximum civil penalty is the maximum penalty for the offence plus any illegally obtained economic benefit. It could be argued that part of the penalty applied could be used to offset the cost of clean up or alternatively, that the clean-up cost was an avoided cost of economic benefit to the alleged offender and recoverable. An option to explore could be a retrospective order of costs for such a scenario where an offender is identified but a conviction, for whatever reason, is not pursued. This could possibly be achieved through an extension to section 48 where councils may currently recoup technical and administrative costs.

Question: Should a retrospective costs order be made available to councils where immediate clean-up of litter is required because it is causing a hazard?

7.2 Bill posting – car parks and expiations

Under the LNLC Act a person must not post a bill on property without the consent of the owner or occupier of the property. This covers posting of bills on buildings, cars and other property but it is unclear as to whether, where bill posting is occurring on vehicles within a carpark, whether the carpark constitutes ‘on property’ or whether it only applies to the cars. This is important as a car park owner may be aggrieved by the posting of bills on their land but may not have recourse to deal with it themselves. The ability to address the bill posting would rest with the owner of a car in the carpark. This may need improvement as it is the owner of the carpark that will be responsible for removing the resulting litter and, where offensive material is being distributed, may suffer reputational damage.

The Act currently only provides for a court imposed penalty for persons that authorise bill posting. Court proceedings are a considerable cost to councils and alleged offenders and an expiation will provide deterrence from reoffending in many instances. An expiation amount for section 23(2) would overcome this issue.
Question:
Should car park owners be able to commence proceedings for distribution of bills on their premises?
Should there also be an expiation for the offence of authorising bill posting?

7.3 Illegal dumping

Illegal dumping is a considerable issue in the community and the LNLC Act introduced a number of tools to assist councils with compliance and cost recovery. Such initiatives include the following:

- Vehicle owner responsibility provisions that allow for surveillance of illegal dumping hotspots and for reports of vehicles being used for illegal dumping to be better followed up for possible prosecution.
- Higher penalties and expiations for acts of illegal dumping.
- Specific penalties for asbestos dumping.
- Ability to order clean-ups where the offender is known.
- Ability to undertake the clean-up and charge the offender where the offender does not comply with a litter abatement notice.

Question: Are there any suggested changes to the LNLC Act that would assist in tackling illegal dumping?

7.4 Trolleys

Trolleys that are dumped outside of shopping centres constitute littering under the LNLC Act. The offence applies to the person doing the littering, not the owner of the trolley. Council officers are rarely present to witness the act of littering and there is little in the Act to resolve the problem effectively. The act of littering does not extinguish ownership rights for these articles.

There are a number of approaches that could be considered further to assist councils with the management of trolleys in their area. Many of these were raised at a ‘Shopping Trolley Summit’ hosted by the City of Marion in July 2018. Extension of the litter abatement notice provisions such that they can be issued to the owners of trolleys requiring collection or preventative measures to be implemented is one way that this might be achieved.

The ACT has a scheme in place to better manage trolleys dumped in the community. It should be noted however that the ACT government provides all local government services as there are no councils in the ACT. In any other State or Territory the programs established for trolleys in the ACT would be administered by local government.

The ACT scheme is summarised below:

- the creation of offences against the improper use of shopping trolleys including removal of trolleys from shopping centres
- a retailer must place signage warning people against taking shopping trolleys outside a shopping centre precinct;
- requirement upon a retailer that they keep trolleys on their premises with an exemption from this requirement if a trolley containment system is in place (eg deposit or wheel locks)
- the provision of identification on shopping trolleys to assist their collection if abandoned
- a proactive trolley collection scheme that allows the government to respond to a trolley problem in a specific area.

Some councils across Australia have introduced local bylaws to manage the issue. For example, Alice Springs Town Council’s bylaws allow council officers to fine people caught abandoning trolleys, impound trolleys collected from council land, charge the owner of the trolleys a release fee, require the owner to collect the trolleys, and to dispose of the trolleys if not collected. In the context of this review, such provisions could be written into the LNLC Act as general provisions that councils could utilise at their discretion. Alternatively it could be left to councils to create their own bylaws in this area.
One issue that needs consideration when applying stricter controls on the use of trolleys outside of shopping centres is the potential for social disadvantage for those without a car or the means to buy their own personal trolley to transport shopping to their home. This issue was highlighted in a report by the ACT Human Rights Commissioner in response to the ACT trolley controls\(^1\). A further issue is whether such changes might promote additional car use, however this impact would be minimal.

Questions:

- Are general litter provisions sufficient to manage abandoned trolleys and if not, what would be the preferred approach for local government and why?
- Have councils considered use of existing bylaw making provisions in the *Local Government Act 1999* to regulate the abandonment of trolleys on council roads?
- How do you suggest the issue of social disadvantage and trolley use is addressed?

8 General discussion points

8.1 Abatement notices – linkage to land

One of the main tools for addressing nuisance from fixed machines such as air conditioners and pool pumps is a nuisance abatement notice. Nuisance from a fixed machine requires ongoing management to avoid further nuisance so controls such as limiting hours of operation or requiring the maintenance of an acoustic barrier may be appropriate elements of a notice. It has been identified by local government that change of ownership of a property with a problematic fixed machine that has controls applied within a notice is not able to be transferred to the new owner of the property and a new regulatory process would need to be undertaken to apply the controls to the new owners. It has been proposed that the LNLC Act be amended to allow councils to register nuisance abatement notices against land where the source of the nuisance at a property requires ongoing regulation.

Question: Should the LNLC Act be amended to allow councils to register a notice on land when it is considered that the source of a nuisance on a property requires ongoing regulation?

8.2 Improving cost recovery

Cost recovery is an important element of any regulatory function performed by government. The LNLC Act contains a number of cost recovery provisions, generally linked to contraventions of the legislation that are directed at recovering costs from offenders. Where such measures are not being utilised or are not completely effective the residual cost is, by default, recovered through general rates as a service provided for the benefit of the broader community. Advice is sought from stakeholders regarding other potential mechanisms that could be considered to further enhance cost recovery provisions of the Act aimed at the offender.

Question: What other mechanisms for cost recovery should be considered for the LNLC Act?

8.3 Which court is best placed to deal with nuisance, litter and illegal dumping?

The Environment, Resources and Development (ERD) Court specialises in environment protection and has a greater, and likely more consistent, knowledge of matters such as nuisance, litter and illegal dumping. The ERD Court acts as the Magistrates Court in its criminal jurisdiction, and there is therefore no substantive difference in procedure between the

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ERD Court and the Magistrates Court. The only minor difference in practice in that the ERD Court tends have more pre-trial listings (ie a pre-trial conference followed by a directions hearing).

At present, in the ERD Court, the matters are heard in a central location. In the Magistrates Court, the matters can be heard either in Adelaide or in a regional court. While there is no requirement that a matter must be heard in a location where the offence took place, considerations of the balance of convenience (including, most relevantly the location most convenient to the defendant) would come in to play. As a result, matters could end up being listed in Port Augusta, Ceduna, Mount Gambier or elsewhere. While this would make use of the legislation by the EPA potentially more costly, it would provide greater access to regional councils to pursue prosecutions.

The Magistrates Court also has the facilities to arrange payment options for fines so offenders can go from the court to the cashier to finalise penalty payments. All metropolitan Magistrates Courts have staff to help direct a person to the court, a duty solicitor and assistance for disability or language issues.

**Question:** What are the views of local government regarding the current jurisdiction that the LNLC Act falls within, and what are the positives and negatives for changing the jurisdiction to the Magistrates Court?

### 8.4 What jurisdiction is best placed to deal with administrative appeals?

The LNLC Act currently provides that appeals against litter and nuisance abatement notices are to be made to the ERD Court. At the time that the Act was drafted, the South Australian Civil and Administrative Tribunal (SACAT) was still in the process of being fully established and bringing relevant existing legislation under its jurisdiction. SACAT is considered a lower formality and lower-cost jurisdiction for administrative appeals. As a result of the complexity and volume of work being done to implement SACAT at the time it was not considered appropriate to add the Act to the SACAT jurisdiction. Instead it was determined that appeals under the Act should be dealt with by the ERD Court.

**Question:** Does the specialist nature of the ERD Court provide benefits when hearing appeals against notices that would outweigh any cost benefits associated with moving appeals to SACAT?

### 8.5 Exemptions from the LNLC Act for causing local nuisance

Persons creating nuisance may apply for an exemption from the LNLC Act (section 18). The process requires the applicant to submit a site nuisance management plan to the satisfaction of the council that details to sources of the nuisance, the steps being taken to minimise the nuisance and details of a person that can receive complaints regarding the nuisance, among other things. There are some necessary activities in the community that will cause local nuisance which is largely unavoidable and the exemption provision is in place to accommodate these activities.

The provisions in the Act allow for an exemption to last for a maximum of three months. If an activity that causes local nuisance extends beyond this period then a further exemption would need to be applied for, using the same process. The time limit for exemptions is in place to ensure that activities causing nuisance are completed in a timely manner and that activities do not drag on to the detriment of neighbours simply because no time limit is established. One activity that has the potential to cause nuisance over an extended period is large-scale construction which will often last several months and in some cases more than a year. In these circumstances the proponent will need to apply for an exemption every three months. A shorter process for extension or special categories of exemption that facilitate longer-term projects could be considered to reduce the administrative burden on councils and on proponents.

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2 SACAT is a state tribunal that helps South Australians resolve issues within specific areas of law, either through agreement at a conference, conciliation or mediation, or through a decision of the tribunal at hearing. SACAT also conducts reviews of government decisions.
Question: Are there any opportunities for improvement to the exemption process which reflects a balance between excessive exposure for neighbours, and the reality of some activities that cause local nuisance lasting longer than three months?

9 Other improvements

The issues identified above have been derived from feedback from stakeholders, mostly councils, during the first 18 months of the full operation of the legislation. This is not to say that there are not other issues that stakeholders would like considered as part of the review of the LNLC Act.

Question: Are there any legislative, non-legislative or administrative suggestions that you would like to have considered as part of the review of the LNLC Act?

Further information

Legislation

Online legislation is freely available. Copies of legislation are available for purchase from:

Service SA Government Legislation Outlet
Adelaide Service SA Centre
108 North Terrace
Adelaide SA 5000

Telephone: 13 23 24
Facsimile: (08) 8204 1909
Website: https://service.sa.gov.au/12-legislation
Email: ServiceSAcustomerservice@sa.gov.au

General information

Environment Protection Authority
GPO Box 2607
Adelaide SA 5001

Telephone: (08) 8204 2004
Facsimile: (08) 8124 4670
Freecall: 1800 623 445 (country)
Website: https://www.epa.sa.gov.au
Email: epainfo@sa.gov.au
Chris Kruger

From: Chris Kruger
Sent: Friday, 6 September 2019 12:20 PM
To: Chris Kruger
Subject: Minor review of the Local Nuisance and Litter Control Act 2016 – Consultation
[DLM=For-Official-Use-Only]
Attachments: LNLC Act discussion paper 2019.pdf; LNLC Act.PDF

Dear Stakeholder,

Minor review of the Local Nuisance and Litter Control Act 2016 – Consultation

A minor review of the Local Nuisance and Litter Control Act 2016 is underway to consider any issues that have arisen in the administration of the legislation in the two years since the legislation commenced.

A local government information session regarding the minor review will be held from 2-5pm, Thursday, 25 July, 2019 at LGA House, 148 Frame Street, Adelaide. This will be in a webinar format to provide access for regional councils.

Council staff can register for the information session by contacting Brianna McGee, Policy Officer, Local Government Association, Brianna.mcgee@lga.sa.gov.au.

A discussion paper and copy of the current Act are attached for your information.

Submissions on the minor review of the Act are sought by 5pm, Friday, 4 October 2019. They should be addressed to:

Local Nuisance and Litter Control Act minor review
Att: Program Manager – Legislation and Policy
Environment Protection Authority
GPO Box 2607
Adelaide SA 5001

Email: epainfo@sa.gov.au (mark subject as ‘Local Nuisance and Litter Control Act minor review’)

Kind regards,

Steven Mudge
Program Manager – Legislation and Policy

Strategy and Assessment | Legislation and Policy
Environment Protection Authority
Work Phone (08) 820 42105
211 Victoria Square Adelaide 5000

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www.epa.sa.gov.au @SA_EPA

This email message may contain confidential information, which also may be legally privileged. Only the intended
Submission on the Review of the Local Nuisance and Litter Control Act.

Thank you for the opportunity to provide a Submission in relation to the review of the Local Nuisance and Litter Control Act 2016 (the LNLCA).

On behalf of The Barossa Council (Council), the following comments are provided for your consideration in response to the Discussion Paper.

Since the inception of the LNLCA, councils have been required to investigate on a range of new matters, many of which were previously outside of the jurisdiction of Local Government with no additional funding.

Whilst we appreciate that a review is being undertaken, Council raises concerns about any amendment that would increase the resourcing pressures and shift further burden and costs to Local Government.

4.1 Local Nuisance associated with Licenced Venues and Events

The Discussion Paper outlines possible amendments in relation to nuisances associated with licenced premises or events to which a Liquor Licence applies.

This reform would expand the responsibilities of councils so that Officers are required to deal with noises and nuisances which are not strictly associated with patrons or the service of alcohol (ie Machine noise). Whilst this appears logical, the ongoing impact has the potential to be significant and Council does not support amendments which further impact resourcing and increase Council’s responsibility under the Act.

In addition, the proposal to include nuisance arising from outdoor events, including entertainment and patron behaviour is a concern. Councils are not equipped to effectively respond to complaints associated with outdoor licenced events and patron behaviour, particularly those associated with alcohol consumption. The majority of these events occur on weekends and outside of normal business hours. Such matters need to remain the responsibility of SA Police and Consumer and Business Services.

4.3 Animals Living in their Natural Habitat

Currently, common nuisances associated with animals living in their natural habitat are excluded.
There has been a suggestion that there is a need to provide a definition of what a natural habitat is to avoid confusion. Council raises no issue or comment in this regard.

Consideration should also be given to expanding this exemption so as to capture other means of encouragement, including providing or failing to deal with a nesting location; and further defining ‘Animals’ to only ‘Native animals’, or excluding non-native animals such as pigeons or other vermin.

4.4 Noise from Sporting Venues – Motorsports

The Paper raises a question as to whether nuisances caused by motorsports should be excluded from the exemptions and thereby allowing such matters to be regulated under the LNLCA.

Council’s view is that motorsport events and venues should continue to be regulated under the Environment Protection Act 1993 as councils are not resourced to manage these events.

4.5 New inclusions to cause of local nuisance.

Light being an agent of nuisance

There is suggestion that light should be included as an agent of local nuisance. This would impose a responsibility on councils to address matters of light spill and nuisances associated with light.

This would capture street lighting, sporting venues and commercial or industrial premises. Many of these examples would prove difficult to resolve, require the purchase of lux metres and impose an expectation on Council to assess the nuisances at night. This will place a further burden on councils and we strongly recommend that light continues to be a civil matter only.

Noise from Vehicles – Revving, off road motorbikes, alarms

Currently, the LNLCA excludes noise associated with vehicles operating on, entering or leaving private property. This includes noise caused by motorbikes, revving vehicles and burnouts.

The means to currently address such matters is under the Environment Protection Act 1993, which would largely fall to the responsibility of Police. Council is unable to absorb this additional responsibility, which should remain regulated under the EP Act.

4.6 Possible new ‘things that are not Local Nuisance’

The Paper proposes to exclude nuisance from unsealed roads from the provisions of the Act so that councils are not deemed responsible for failing to act.

Given the significant network of unsealed roads within the Council area. Council is supportive of the inclusion of ‘Dust from unsealed roads’ being considered not to be a local nuisance.

4.6.3 Early morning concrete pours in hot weather

The reforms seeks input as to whether nuisances in this regard should be excluded from the LNLCA or amended to allow early morning concrete pours to occur in certain circumstances.

Currently this activity is captured within construction noise and the LNLCA restricts this activity to between 7:00am to 7:00pm, from Monday to Saturday.

It is understood that there is often a need to undertake early morning concrete pours during hot weather for various reasons. Council would be open to consider amendments which allow for earlier starts in certain circumstances.

It is suggested that construction noise association with concrete pours may commence from 6:00am (Monday to Saturday), in the following circumstances:

- When the temperature is forecast as being over 35c on that day; and
- The builder or person in charge of the work provides advanced notification to residents in the area including a contact name and mobile phone number for complaints;
• The above may be in the form of a letter drop to neighbours or a temporary sign being displayed on the property for a reasonable period before the work is undertaken; and
• The work commences and concludes on the same day.

5 Waste Collection Vehicles

The Discussion Paper appear to suggest that there is difficulty or uncertainty about regulating noise caused by Waste Transport vehicles on roads or private property.

Our view is that as Waste Management businesses are regulated by the EP Act, it would appear logical that waste collection or transport vehicles associated with Waste Management businesses, be the responsibility of the EPA.

All matters relating to collection and transport of waste could be managed by a licence or conditions under the EP Act.

6 Subjective and Objective Noise measurements

The LNLCA enables Council Officers to make subjective assessments of noise nuisance based on an Officer’s own senses in determining whether noise constitutes a nuisance. The Discussion Paper outlines options to include objective assessments to assist in matters which are borderline. Council’s view is that it should be the role of the EPA to undertake objective assessments to support councils, in situations where Council Officers deem a matter to be borderline, or where the Officer has deemed the matter to be not a nuisance and the complainant is not satisfied with the outcome.

Importantly, this would also provide an impartial and unbiased assessment.

7 Litter

7.1 Council would support any amendments which enables councils to recover the costs of urgent clean ups of illegally dumped material where an offender is located after the material is cleaned up.

7.2 Council is not aware of any issue relating to bill posting, but would support inclusion of Expiation within section 23(2) if deemed necessary.

7.3 Illegal dumping and littering

This is amongst the most frustrating issues for Council and the community. Since the commencement of the Act in 2017, there has been minimal noticeable improvements to the manner in which Council can investigate and enforce illegal dumping. The legislation requires further tightening to reduce instances of illegal dumping. There have been many situations where Officers have formed a reasonable suspicion (based on the circumstance, or the material contained within the litter) that a person has deposited the litter on land or into waters, but there has not been sufficient evidence to proceed further.

There are a number of examples throughout the LNLCA where something ‘constitutes proof, in absence of proof to the contrary’. Council believes that this should also be extended to littering offences where an Authorised Officer forms a reasonable suspicion based on the circumstances, or the material or information contained in the litter; that a person has deposited the litter onto land or into waters.

It would then be the responsibility of the alleged offender to provide proof to the contrary, similar to the provisions allowed for with registered operators of motor vehicles.

7.4 Council does not have an issue in relation to shopping trolleys, but has no objection to including amendments to assist other Councils.
8. General Discussion points

8.1 Enabling an Abatement Notice to be linked to the land has merit. Council would support this inclusion where the source of nuisance requires ongoing management.

9. Other improvements

The LNLCA outlines circumstances which may constitute unsightly conditions. The Legislation further states that ‘where, in the opinion of an Authorised Officer, the conditions have had an adverse effect on the amenity value of the area or caused the premises to be significantly out of conformity with the general appearance of neighbouring premises’

It may be worth giving consideration to defining the term ‘area’. Currently it is open to interpretation. Guidance as to whether ‘area’ means immediate neighbouring properties, a group of properties or a street may be beneficial.

Again, we thank you for the opportunity to provide a submission.

Yours sincerely,

Name
Position, The Barossa Council