



The Barossa Council

MINUTES OF THE SPECIAL MEETING OF THE BAROSSA COUNCIL

held on Wednesday 6 November 2019 commencing at 6.00pm in the Council Chambers, 43-51 Tanunda Road, Nuriootpa

1.1 WELCOME

Mayor Bim Lange declared the meeting open at 6.00pm.

1.2 MEMBERS PRESENT

Mayor Bim Lange, Deputy Mayor, Cr John Angas, Crs Tony Hurn, David Haebich, Russell Johnstone, Don Barrett, Leonie Boothby, Cathy Troup, Richard Miller and Carla Wiese-Smith

1.3 LEAVE OF ABSENCE

Cr Kathryn Schilling

1.4 APOLOGIES FOR ABSENCE

Cr David de Vries

MOVED Cr Miller that the apology received from Cr de Vries be noted.

Seconded Cr Hurn

CARRIED 2018-22/358

1.5 DEPUTATION

Mayor Lange welcomed representatives from Valley Hot Rodders Inc. to the meeting.

Mr Fred Nitschke, Mrs Trudy Vaughan and Mr David Whitehead referred to correspondence provided to members and invited questions with regard to item 2.2.1 – Proposed Road Closure and Event Conditions - 2020 Cruise On for discussion at this meeting.

Mayor Lange thanked Mr Nitschke, Mrs Vaughan and Mr Whitehead for their attendance and presentation.

MOVED Cr Johnstone that the deputation from the Valley Hot Rodders Inc be received and noted.

Seconded Cr Wiese-Smith

CARRIED 2018-22/359

2 DEBATE AGENDA

2.1 FINANCE - DEBATE

2.1.1

ANNUAL FINANCIAL STATEMENTS 2018/2019 (AS AT 30 JUNE 2019)**B8203**

Author: Manager, Financial Services

MOVED Cr Johnstone that:

- (1) The Barossa Council Annual Financial Statements 2018/2019 be received, noted and endorsed; and
- (2) The Nuriootpa Centennial Park Authority Annual Financial Statements 2018/2019 be received, noted and endorsed.

Seconded Cr Miller

CARRIED 2018-22/360

PURPOSE

To present the Annual Financial Statements for the year ended 30 June 2019 to Council.

REPORTDiscussion

The completed Annual Financial Statements for 2018/2019 are provided as Attachment 1. Council's external audit has been carried out by Bentleys SA Pty Ltd, returning an unmodified report and no reports to the Minister.

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

Attached for your information, are Nuriootpa Centennial Park Authority Financial Statements. These amounts have been consolidated into The Barossa Council Financial Statements for 2018/2019.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1: The Barossa Council Annual Financial Statements 2018/2019

Attachment 2: Nuriootpa Centennial Park Authority Financial Statements 2018/19

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTSCorporate Plan

How We Work – Good Governance

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

Legislative Requirements

Local Government Act 1999

Local Government (Financial Management) Regulations 2011

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONSFinancial

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

At Councils Audit Committee meeting held on 29 October 2019, the financial statements were reviewed with the resolution "that subject to final confirmation with Council auditors, the 2018/19 Annual Financial Statements be endorsed and presented to Council for adoption". The Auditors have provided an unmodified report which is included in Attachment 1.

COMMUNITY CONSULTATION

Council's Annual Financial Statements do not require community consultation. The Statements are public documents, accessible to the community via Council's website.

2.1.2

REPORT ON FINANCIAL RESULTS 2018/2019 (AS AT 30 JUNE 2019)

B8203

Author: Manager, Financial Services

MOVED Cr Angas that:

- (1) The Report on Financial Results for 2018/2019 (as at 30 June 2019) be received and the budget adjustments including proposed carried forward requests to 2019/20 and the budget reserve transfers contained therein, as listed on pages 8 to 16, be approved; and
- (2) The 2018/19 actual reserve transfers contained within this report, be approved.

Seconded Cr Miller

CARRIED 2018-22/361

PURPOSE

The Report on Financial Results for 2018/2019 (as at 30 June 2019) is attached for Council consideration and approval of actual reserve transfers and carried forward adjustments to 2019/20.

REPORT

Discussion

The Report on Financial Results is prepared following the completion of the Financial Statements. This report provides Council with a final variance report for the actual results as compared to the adopted budget, along with suggested carried forward adjustments to the 2019/2020 financial year.

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

The report also provides a list of proposed Operating and Capital Budget carried forward adjustments. Many of these adjustments are for projects not completed by 30 June 2019 for various reasons and/or are attached to grant funding/contributions for programs in 2019/2020.

For further analysis, reference should be made to the Annual Financial Statements 2018/2019, attached to Agenda item 2.1.1.

The report also includes capital expenditure and new initiatives review.

The following table shows reserve transfers for the year ended 30 June 2019:

Reserve Movements during 2018/19		NI (New initiative)		
Reserve	30/6/18 Balance	18/19 (shaded amounts part or all Carried Forward (C/F) to 19/20		30/6/19 Balance
934 - Angas Recreation Park Reserve	-28,843.00	0.00		-28,843.00
935 - Angaston Hall Reserve	-18,978.00	5,777.00	Purchase of chairs Carry forward from 17/18 \$5777	-13,201.00
956 - Angaston Management Grp Reserve	-10,000.00	0.00	Salters Gully masterplan \$10,000 (half share of project from reserves - Carry forward to 19/20)	-10,000.00
900 - Angaston Youth Action Group Reserve	-9,365.00	-140.00	\$9,226 Angaston Skate Park Nov 17 Council meeting (in Quarter 2 budget adjustments) - carry forward - no expenditure actual or budget 18/19 plus interest \$140	-9,505.00
945 - Barossa Regional Art Gallery Reserve	-68,372.00	-24,274.00	Quarter 2 budget adjustment - additional staffing at Gallery \$23,330 favourable result and interest \$47,604	-92,646.00
899 - Barossa Regional Gallery Cookbooks	-71,365.00	4,231.00	Gallery air conditioning (Carried Forward Quarter 3 from 18/19 in base budget 19/20) \$45,000	-67,134.00
924 - Bushgarden Project Reserve	-7,077.00	-4,909.00	\$8,000 printing cookbooks-actual cost \$6,850 plus sales \$2,619	-11,986.00
909 - Community Transport Scheme Reserve	-153,594.00	-21,781.00	\$6,273 Friends donation - for Gator Quad Bike	-175,375.00
949 - Curdnatta Recreation Park Reserve	-10,138.00	0.00	\$1,364 SALA 18/19 expenditure	-10,138.00
974 - CWMS Reserve	-7,497,393.00	-1,229,512.00	Carry forward to 19/20: Contributions for Gator Quad Bike \$2,304 + \$6,273 Insurance claim for Quad Bike \$3,409 Net result for year \$21,781	-8,726,905.00
905 - DAIS (Disability Access and Inclusion Plan) formerly DARC Reserve	-15,452.00	-230.00	Kalimna Road CWMS trench rehabilitation \$133,005 and \$139,495 Council Meeting 18 December 2018 (in Quarter 2 budget adjustments) Net transactions for 18/19 \$1,502,012 (excluding above) Quarter 3 budget adjustment \$5,970 Project accessibility Changing Places concept drawings - Carry forward to 19/20 interest \$230	-15,682.00
966 - Developers Contributions Reserve	-775,647.73	-246,831.30	NI-Lyndoch Recreation Park interim lighting - Reserve transfer Open space \$20,000 Lendlease drainage \$178,125 (Q2 adjustment -\$1875 spent 17/18 - original budget \$180,000) \$19,217.92 Quarter 1 adjustment - Alf Pellegrini Drive \$26,929.48 + \$5,861.15 Nuriootpa Medical Centre car park \$20,260 Valley Road, Angaston \$7,347.06 Contributions received 18/19 \$336,332.90 Interest \$10,114.01 New reserve 18/19	-1,022,479.03
928 - Green Waste Collection	0.00	-20,007.00	Net result for year \$20,007	-20,007.00
957 - Lyndoch & Districts Community Committee Reserve	-28,182.00	2,500.00	\$2,500 to SBA - Council meeting 18 Sep 18 (in Quarter 2 budget adjustment)	-25,682.00
947 - Lyndoch Street Party Reserve	-5,703.00	500.00	\$500 to SBA - Council meeting 18 Sep 18 (in Quarter 2 budget adjustment)	-5,203.00
936 - Lyndoch Town Hall Reserve	-6,849.00	500.00	\$500 to SBA - Council meeting 18 Sep 18 (in Quarter 2 budget adjustment)	-6,349.00
937 - Moculta Hall Reserve	-25,147.00	0.00	Half administration fee \$3500 - Oct 16 Council meeting (3rd and final year)	-25,147.00
938 - Mt Pleasant Hall Reserve	-16,414.00	4,148.00	Half Scaffolding \$1500 - Carried Forward from 17/18 actual cost \$648.64	-12,266.00
958 - Mt Pleasant Main St Comm Reserve	-5,502.00	5,502.00	Transfer balance to 959 - Mt Pleasant Xmas Parade Reserve	0.00
959 - Mt Pleasant Xmas Parade Reserve	-1,147.00	-5,502.00	Transfer balance from 958 - Mt Pleasant Main St Comm Reserve \$5,502	-6,649.00
951 - Murray Recreation Park Reserve	-42,702.00	0.00		-42,702.00
939 - Nuriootpa Hall Reserve	-90,722.00	0.00		-90,722.00
944 - Nuriootpa Swimming Pool Reserve	-101,023.82	-58,017.00	Favourable variance \$58,017	-159,040.82
940 - Old Union Chapel Reserve	-70,423.00	0.00		-70,423.00
927 - Recyclables Collection Reserve	-118,240.00	-2,673.00	Hard waste disposal scheme 18/19 budget \$20,000 - carried forward to 19/20 Quarter 2 budget adjustment additional staffing regional waste strategy and contract transition \$3,850 (50% recycling/50% refuse) Net result for year \$6523	-120,913.00
919 - Refuse Collection Reserve	-169,452.00	-21,982.00	E-waste Farmers Farm recycling scheme \$7,500 Quarter 2 budget adjustment additional staffing regional waste strategy and contract transition \$3,850 (50% recycling/50% refuse) Net result for year \$33,332	-191,434.00
941 - Rowland Flat CC Reserve	-29,614.00	0.00		-29,614.00
948 - Sculpture Park Reserve	-6,759.00	-579.00	Favourable variance \$579	-7,338.00
942 - Stockwell Hall Reserve	-2,316.00	0.00		-2,316.00
952 - Stockwell Park Reserve	-80,448.00	0.00		-80,448.00
953 - Talunga Recreation Park Reserve	-152,326.00	4,149.00	Half admin fee \$3500 - Oct 16 Council meeting (3rd and final year) Half Scaffolding \$1500 - Carried Forward from 17/18 - actual cost \$648.64 Brought Forward balance Trees \$53,142 Recreation Park \$6,720	-148,177.00
954 - Tanunda Recreation Park Reserve	-59,862.00	2,475.00	From Recreation Park - Carry forward from 17/18 \$4,020 incorporation fees etc - actual expenditure \$2,475 - carry forward \$1,545 to 19/20	-57,387.00
960 - Tanunda Town Reserve	-104,154.00	0.00		-104,154.00
961 - Wtown Community Council Reserve	-27,775.00	3,500.00	Williamstown Youth Activity Space and Greening - Colonist Corner - Carry forward \$1,000 from 18/19 (199-735) \$2,000 to SBA - Council meeting 18 Sep 18 (in Q2 budget adjustment) \$1,500 to SBA - Council meeting 18 Sep 18 - did not have this amount in reserve Williamstown Hall Reserve - use Williamstown Community Council reserve - refer Manager Community Projects	-24,275.00
943 - Wtown Hall Reserve	-12,006.00	12,006.00	NI - Air conditioning \$12,005 18/19 budget - clear \$1 balance - actual expenditure total \$22,390	0.00
946 - Wtown Historical Society Reserve	-3,219.00	0.00	\$1,500 to SBA - Council meeting 18 Sep 18 - do not have this amount in reserve - (refer NI) - use Williamstown Community Council reserve	-3,219.00
955 - Wtown QVJ Park Reserve	-70,145.00	0.00		-70,145.00
979 - Youth Services Reserve	-17,372.00	17,372.00	Quarter 1 - \$17,114 Williamstown Pump Track Nov 17 Council meeting interest \$259 Remaining balance to go to Williamstown Pump Track and close reserve \$517	0.00
	-9,913,727.55	-1,573,777.30		-11,487,504.85

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1: Report on Financial Results 2018/2019

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTSCorporate 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.
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Legislative Requirements

Local Government Act 1999

Local Government (Financial Management) Regulations 2011

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONSFinancial

To enable Council to make effective and strategic financial decisions, a regular up to date high level financial report is provided. This report contains budget adjustments for decisions Council has made since the last review and other adjustments to meet financial changes in capital and/or operational areas. The document contains comments and implications for the Long Term Financial Plan as a result of this review.

COMMUNITY CONSULTATION

Community Consultation was part of the original budget adoption process in June 2018, as per legislation.

2.2 DIRECTOR WORKS AND ENGINEERING – DEBATE**2.2.1****PROPOSED ROAD CLOSURE AND EVENT CONDITIONS – 2020 CRUISE ON B9032**

MOVED Cr Angas that the matter, *Proposed Road Closure and Event Conditions – 2020 Cruise On*, lie on the table to enable further discussion on event conditions and that a report be presented to the Council meeting on 19 November 2019.

Seconded Cr Johnstone**CARRIED 2018-22/362****PURPOSE**

To consider event management strategies and road closures for the 2020 Valley Hot Rodders' Cruise-on Street Party Event in Tanunda, on Saturday 18 January 2020.

RECOMMENDATION

That Council:

- (1) Advises the Commissioner of Police that it endorses the closure of the following roads in Tanunda to facilitate the 2020 Valley Hot Rodders' Cruise-on Street Party Event, on Saturday 18 January 2020:
 - a) Bilyara Road, Tanunda between Elizabeth Street and Park Street. Between 12:00pm and 11:00pm on Saturday 18th January 2020.

- b) Murray Street, between Bridge Street and Theodore Street;
Basedow Road, between Murray Street and MacDonnell Street;
Bushman Street, between Murray Street and Edward Street;
Mill Street, between Murray Street and Edward Street; and
Elizabeth Street, from Murray Street to William Street;
Between 4:00pm and 11:00pm on Saturday 18 January 2020.
- (2) Endorse the following conditions to be applied to the event approval:
The event organisers shall:
- a) Actively promote both car parking areas for both event vehicles and the general public through various means, including social media;
 - b) Consult directly with all traders and residents within the road closure in relation to the event, the road closure times and parking arrangements;
 - c) Provide six volunteers which shall be trained by SA Police in traffic marshalling to monitor and patrol various aspects of the event, including traffic and parking, from 10:00am until 5:00pm to work in conjunction with Regulatory officers;
 - d) Implement and actively promote an event registration system which gathers vehicle registration numbers, name and mobile number of the owner (or driver) to enable contact to be made by marshals or council staff should the need arise.
 - e) Complete the South Australian Police Online Crowded Place assessment for events, as part of their event application.
- (3) Endorse parking restrictions detailed in the attached plan to facilitate the safe movement of traffic.

REPORT

Introduction

This year's Valley Hot Rodders' (the event organisers) Cruise-On Street Party will be the 28th year of the event. It attracts visitors from all over Australia and is one of the largest annual events held in the Barossa.

A letter from the event organisers is provided as Attachment 1.

Discussion

This event is a popular event on the Barossa event calendar and attracts visitors from all over the state and also interstate. It generates revenue that is distributed to various community charity organisations.

The requested road closures have been deployed in a similar format for previous events and assist with the safety of participants and the general public. However, the event has continued to grow and Council has received both positive and negative feedback over the years, in the areas of road closures, car parking, waste and impact on local traders.

Officers met with organisers to explore opportunities to improve the operation and management of the event; specifically around road closures, parking, event promotion and set up.

As a result, officers are recommending some changes this year to aim to mitigate some of the reported issues, primarily around parking, refer Attachment 2.

Officers also suggested the event organisers provide a simple report that surveys local trader support and also distribution of charitable funds. Event Organisers have contacted numerous businesses in the Tanunda main street and requested they provide feedback to Council outlining the impact of the event on their business. Sixteen responses have been received which are provided in Attachment 3 to this report.

Local Police (SAPOL) have advised that this event has historically been without incident, however, they would support additional initiatives for the parking of vehicles.

Historically, the issues identified in previous years have resulted from the large influx of event vehicles to the area on the Saturday, arriving from early morning. These vehicles access main

street car parking and also seek out prime positions in the main street before the official road closure time, in some instances parking illegally.

Officers have suggested that event vehicles congregate at another location and arrive to the event in unison at the designated road closure time.

The organisers have indicated some reluctance to alter the setup of the event to a significant extent. They have advised that the majority of event vehicles do not pre-register to attend, and simply arrive in Tanunda throughout the day to register upon arrival. This provides some difficulties in relaying event information to all participants.

Given the positive support for the event from the local businesses and the community. Officers recommend trialling a change to facilitate a designated parking area for event vehicles prior to the event road closure.

This change is to close Bilyara Road, from Murray Street to the entrance to Tanunda Recreation Park to provide a dedicated parking area for event vehicles as they arrive during the day. This will require marshalling from event organisers to maximise the use of this space and ensure that parking is orderly and driveways are not obstructed.

It is anticipated that this will alleviate some of the parking congestion in and around Murray Street. The event vehicles will then be able to enter Murray Street in unison once the road is closed and deemed safe. The expectation will be for the event organisers to promote this area to event vehicles both prior to the event and on the day via traffic marshals.

The Barossa Council invests heavily into this event and provides a range of in-kind support and assistance to enable it to be successful and continue.

- Traffic and event management planning
- Staffing and implementing the road closures and parking restrictions on the day
- Street sweeping before and after the event
- Emptying street waste bins – Before, during and after the event.

Implementing the road closure requires Operations staff to work into the early hours of Sunday morning. An alternative would be to engage contractors, at an additional cost to undertake post event clean-up activities.

In partnership, this year Council officers are recommending that the organisers provide six volunteer traffic marshals for the event. SAPOL have agreed to arrange the necessary training if required.

These marshals will support Council's Regulatory officers and will assist with monitoring and patrolling parking in Tanunda, as well as and providing information and advice to drivers about where to park. If Council endorses this, it will become a condition of the event approval that marshals be provided from 10.00am until 5:00pm.

An improved event registration system is also required, this includes gathering vehicle owner contact details at the time of registration to allow drivers to be contacted by event marshals or Council staff should the need arise.

Officers recommend that the grounds of Tanunda Recreation Park (Bilyara entranceway end of the park) also be used and promoted for spectator parking both event vehicles and the general public, to further free up parking in and around the main street of Tanunda. Heinemann Park could also be used for this purpose. The event organisers will need to promote this space.

Three Variable Message Sign (VMS) trailers are also recommended to be placed at the main entrances to the town to promote various aspects of the event including road closures, detours and parking.

As a further condition of event approval, SAPOL and Council Officers recommend that Event Organisers complete the SAPOL Online Crowded Places assessment. This process considers various event related considerations as required by SAPOL, and informs local SAPOL of event arrangements. SAPOL will follow up separately with Event Organisers if they require additional input.

Whilst the organisers have requested the closures to commence at 3.00pm. Officers maintain that a 4.00pm start is sufficient to allow local traders maximum trading time on the day, particularly if Council endorse the additional closure of Bilyara Road. An earlier start time will have additional resourcing (staffing) impacts for Council.

Summary and Conclusion

The requested closures are deemed necessary as a risk mitigation strategy to maintain the safety of participants and the general public and to alleviate traffic congestion.

As the majority of event vehicles arrive earlier in the day, and utilise the available parking spaces in the central business district of Tanunda, it is considered that providing a dedicated area for event vehicles near the CBD will assist in alleviating some of the parking congestion.

Council has a strong commitment to this event and provides significant assistance and resources in running the event.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1: Letter from Valley Hot Rodders Ref: 19/59595

Attachment 2: Map of Proposed road closures and traffic arrangements

Attachment 3: Letters of support from businesses

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Community and Culture



Health and Wellbeing



Business and Employment

Legislative Requirements

Local Government Act 1999

Road Traffic Act 1961

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The cost of implementing of the road closures on the day is estimated to be approximately \$6000 which covers wages for operational staff, and the provision of the three variable message boards and will be funded from Council's Road Closure Support budget.

Providing Regulatory Officers to implement parking management for the event has not been undertaken previously. The cost to provide staffing will be in the order of an additional \$900 to cover overtime rates which will be funded from Council's existing approved salary budget. This will provide two officers for five hours per officer who will be tasked to support event marshals, organisers and generally monitor illegal parking in problem areas.

Parking restrictions are also deemed necessary along the highlighted areas of the map to prevent vehicles parking on both sides of the detour route; and on one side of narrow side streets to maintain sufficient access.

It is considered that Council support of this event is crucial to its success. The event has continued to grow significantly in recent years, without Council's support the event organisers would be unable to manage the event in its current form.

COMMUNITY CONSULTATION

The community will be advised of the road closures by public advertisements to be placed in The Herald and Leader and also via placement of the SAPOL Section 33 notice on Council's website and Facebook page.

In addition, Council officers will promote various aspects of the event through social media.

Organisers have already commenced consultation with main street traders. Council staff have assisted in providing template documents.

Additional consultation with property owners and residents on Bilyara Road and Elizabeth Street will be required.

2.3 CORPORATE AND COMMUNITY SERVICES - MANAGER COMMUNITY PROJECTS

2.3.1

THE REX – EQUIPMENT FINANCE LEASE

B9148

MOVED Cr Boothby that Council require officers under sub delegation to sign the 36 month Operating Lease Agreement with Belgravia Finance for the total fitness equipment value of \$53,691 (inc GST), with monthly payments of \$1,513.08 (inc GST).

Seconded Cr Wiese-Smith

CARRIED 2018-22/363

PURPOSE

To gain approval for execution of Operating Lease for new gymnasium equipment for The Rex.

REPORT

Background

Equipment for The Rex has been procured under lease for the majority of the time since the opening of the Centre. This allows for the renewal of equipment as the fitness industry trends change, and doesn't require large upfront capital investment.

Previously, Operating Leases have been directly executed by officers with appropriate delegation.

Discussion

A change in the Australian Accounting Standard 16 now requires that all Leases, Loans, Mortgages and other financial arrangements must be approved by Council.

The Lease document and the equipment rental general terms are provided at [Attachment 1](#) and [Attachment 2](#) and provide for a 36 month Lease with monthly repayments of \$1,513.08 (inc GST). At the conclusion of the Lease term, Council has the option to pay out any residual value (which will be almost nil) or return the equipment and start a new Agreement for new equipment.

The equipment subject to this Lease is as follows:

Qty	Description
2.00	C650T-TRUE FITNESS C650 TREADMILL WITH LED SCREEN (EMERGE) * NEW * SN: BASES-19-TC9600777F, 19-TC6500775F; CONSOLES-18-394448H, 18-394447H
1.00	9-5270-8G-LCD-STAIRMASTER 8 SERIES GAUNTLET WITH LCD SCREEN * NEW * SN: BASE-SM5270L18520303; CONSOLE-LD0303L18230248
1.00	OCTANEADX-OCTANE AIRDYNE X * NEW * SN: 100662PRO19180079
1.00	OCTANEMTX-OCTANE MTX MAX TRAINER * NEW * SN: BASE - B1901RA05448-01, CONSOLE - L1901RK05511-01
1.00	LX8000-OCTANE LATERAL X ELLIPTICAL BASE W/LCD CONSOLE * NEW * SN: F1410E207785-02
1.00	XCREATE5 FWALL-ZIVA MODULE FUNCTIONAL WALL * NEW *
1.00	9NP-L1131-13BZS-NAUTILUS PLATE LOADED GLUTE DRIVE * NEW * SN: NPL1131-L19051387
3.00	TRXCLUB4-TRX STS SUSPENSION TRAINING PRO CLUB PACK (C4): 1SINGLE UNIT INCLUDED. * NEW *

The repayment costs are included in the 2019/2020 approved budget for The Rex.

Summary and Conclusion

New gymnasium equipment for The Rex is procured via Operating Lease. Due to a change of Accounting Standards, the execution of the Lease requires approval by Council.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1: Operating Lease Documentation Ref: 19/64614

Attachment 2: Equipment Rental General Terms Ref: 19/64615

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTSCommunity Plan

Community and Culture



Health and Wellbeing



How We Work – Good Governance

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONSFinancial Management Considerations

The cost of repayments has been fully budgeted in The Rex budget for 2019/20.

COMMUNITY CONSULTATION

None required under legislation or Council policy.

3 CONFIDENTIAL MATTER – 6.26PM**3.1 CORPORATE AND COMMUNITY SERVICES – CONFIDENTIAL****3.1.1****TENDER – ANGASTON RAILWAY PRECINCT, PLAYGROUND, OPEN SPACE AND ASSOCIATED CIVIL WORKS – T111-2019**

The matter of the agenda item being a tender for the provision of services pursuant to Section 90(3)(k) of the Local Government Act 1999 ("the Act") being information that must be considered in confidence in order to ensure that commercial in confidence information is not divulged and Council does not disclose information which may prejudice the outcome of the tender or future tenders.

There is strong public interest in enabling members of the public to observe Council's transparent and informed decision-making. This helps to ensure accountability, maintain transparency of public expenditure, facilitate participation, assist public awareness and allow for the scrutiny of information. Attendance at a Council meeting is one means of satisfying this interest. The public will only be excluded from a Council meeting when the need for confidentiality pursuant to Section 90(2) of the Act outweighs the public interest of open decision making.

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contract to the public interest are that:-

- The disclosure would unreasonably expose commercial in confidence information provided by tenderers through the tender process for the Tender – Angaston Railway Precinct, Playground, Open Space and Associated Civil Works and the Council report, attachments, and associated document; and
- The disclosure would give an unfair advantage to a person with whom Council proposes to do business.

On balance, the above reasons which support the need for confidentiality pursuant to Section 90(2) of the Act outweigh the factors in favour of the public interest of open decision making.

MOVED Cr Johnstone that Council:

- (1) Under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from the meeting with the exception of the Acting Chief Executive Officer, Acting Director Corporate and Community Services, Director Development and Environmental Services, Director Works and Engineering, Manager Community Projects and the Minute Secretary, in order to consider in confidence a report relating to Section 90(3)(k) of the Local Government Act 1999 relating to the receiving, reviewing and assessing of the Tender for the Tender – Angaston Railway Precinct, Playground, Open Space and Associated Civil Works, being information that must be considered in confidence in order to ensure that Council does not disclose information relating to tenders for the supply of goods, the provision of services or the carrying out of works; and
- (2) Accordingly, on this basis, Council is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential to prevent the unreasonable exposure of commercial in confidence information provided by tenderers through the tender process and the Council report, attachments and associated documents and to prevent an unfair advantage to a person with whom Council proposes to do business.

Seconded Cr Miller

CARRIED 2018-22/364

RESUMPTION OF OPEN COUNCIL MEETING – 6.27PM

The open meeting of Council resumed at 6.27pm.

In the matter *3.1.1 - Tender – Angaston Railway Precinct, Playground, Open Space and Associated Civil Works – T111-2019*:

MOVED Cr Angas that Council:

- (1) Confidential resolution
- (2) Confidential resolution
- (3) Confidential resolution
- (4) Having considered the Tender Evaluation Report for the Tender for the Angaston Railway Precinct, Playground, Open Space and Associated Civil Works Tender T0111-2019, and subject to approval of recommendation (2) above, awards the contract to Landscape Construction Services Pty Ltd on the basis that the submission represents the best overall value for money.
- (5) Confidential resolution.
- (6) Confidential resolution
- (7) Having considered this matter in confidence under Section 90(2) of the Local Government Act 1999, makes an order pursuant to Section 91(7), that the minutes, agenda report and all attachments and associated documents in relation to Confidential Council meeting held on 6 November 2019 in relation to item 3.1.1 and titled "Tender – Angaston Railway Precinct, Playground, Open Space and Associated Civil Works – T0111-2019" other than the Minutes relating to the identity of the successful tenderer [Item (4)] and this confidentiality order, be kept

confidential and not available for public inspection until the end of the Angaston Railway Precinct, Playground, Open Space and Associated Civil Works and that the Chief Executive Officer be delegated the power to review and revoke this order.

- (8) Authorise the Chief Executive Officer to release information relating to the tender in accordance with Section 91(8)(b) and 91(8)(ba) of the Local Government Act.

Seconded Cr Troup

CARRIED CO2018/22-16

4. NEXT MEETING

Tuesday 19 November 2019 at 9.00am.

5. CLOSURE OF MEETING

Mayor Lange declared the meeting closed at 6.27pm.

Confirmed at Council Meeting on 19 November 2019

Date:.....

Mayor:.....