1.1 WELCOME
Mayor Bim Lange declared the meeting open at 9.00am.

1.2 MEMBERS PRESENT
Mayor Bim Lange, Deputy Mayor Cr Leonie Boothby, Crs John Angas, David Haebich, Russell Johnstone, Don Barrett, Cathy Troup, David de Vries, Kathryn Schilling, Richard Miller and Carla Wiese-Smith.

1.3 LEAVE OF ABSENCE
Cr Hurn

1.4 APOLOGIES FOR ABSENCE
Nil

1.5 MINUTES OF PREVIOUS MEETINGS – FOR CONFIRMATION

MOVED Cr Miller that the Minutes of the Ordinary Council meeting held on Tuesday 19 November 2019 at 9.00am, as circulated, be confirmed as a true and correct record of the proceedings of that meeting.
Seconded Cr de Vries  CARRIED 2018-22/393

1.6 MATTERS ARISING FROM PREVIOUS MINUTES
Nil

1.7 PETITIONS

PETITION – GENETICALLY MODIFIED CROPS
B272

Author: Chief Executive Officer

MOVED Cr de Vries that the Council receive and note the petition.
Seconded Cr Johnstone  CARRIED 2018-22/394

PURPOSE
A petition containing 7 signatories has been received regarding genetically modified crops. Refer to Petition attached.
REPORT
The petition seeks Council to (paraphrased) “take every possible action to help ensure that Genetically Manipulated (GM) crops are not grown in our region, and that our region remains GM-free”. It does so by seeking Council to undertake three main actions:

1. Write to the Premier to ask the state government to various actions including ban on commercial canola;
2. Declare the Councils jurisdiction a GM-free zone by various actions;
3. Write to Commonwealth and State health and Agricultural Ministers.

The Barossa Council staff are not adequately informed or qualified to make any recommendations regarding this highly scientific field. Equally what is being sought of Council has not in any way been discussed, canvassed or investigated with the community. Lastly the petition is seeking actions which are, in my opinion, ultra vires in that it is seeking us to declare the valley “jurisdiction” GM-free whilst the activities it proposes could be undertaken at an unknown cost, it is not a legal declaration of a GM-free area, the premise of the request is not within our powers and hence ultra vires. The matter of GM crops is one for the State Government under the Genetically Modified Crops Management Act 2004.

Should Council wish to inform itself of the pros and cons of the debate, and impact and opinion of the community, a project can be developed.

This petition has previous been considered by The Barossa Council on 15 April 2008 and remains practically unchanged. At that time Council did not support the petition as written rather resolved as follows:

“that Council receives the petition attached, notes the information contained within the petition and the Gene Ethics documents, and writes a letter to the Minister of Agriculture, the Hon. Rory McEwan, urging the Government to continue to gather appropriate data/evidence and to keep all stakeholders, including industry and local government, fully informed. Further, that a copy of this letter be sent to the seven signatories on the petition.”

The relevant correspondence was forwarded to the Minister as instructed and followed up with petitioners.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1 – Petition (Ref 19/69333)

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Community Plan
Nil

Corporate Plan
6.17 Advocate for The Barossa Council and its community, our region or local government in South Australia through direct action, representation on or collaboration with local, regional or State bodies.

Legislative Requirements
Local Government (Procedures at Meetings) Regulations
Genetically Modified Crops Management Act 2004 - there are no known Local Government legislative requirements pertaining to GM crops.

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
Nil if matter received and noted.

If Council wishes to undertake a project to inform itself estimates will be brought forward.
COMMUNITY CONSULTATION
Nil at this stage. Depending on Council’s direction, consultation may be required.

1.8 DEPUTATIONS
Nil

1.9 NOTICE OF MOTION
Nil

1.10 QUESTIONS – WITH OR WITHOUT NOTICE
Nil

2. MAYOR

2.1 MAYOR’S REPORT

MOVED Cr Johnstone that the Mayor’s report be received.
Seconded Cr Troup
CARRIED 2018-22/395

3. COUNCILLOR REPORTS
Nil

4. CONSENSUS AGENDA

4.1 MAYOR
Nil

5. ADOPTION OF CONSENSUS AGENDA

5.1 ITEMS FOR EXCLUSION FROM THE CONSENSUS AGENDA
Nil

5.2 RECEIPT OF CONSENSUS AGENDA

MOVED Cr de Vries that the information items contained in the Consensus Agenda be received and that any recommendations contained therein be adopted.
Seconded Cr Boothby
CARRIED 2018-22/396

5.3 DEBATE OF ITEMS EXCLUDED FROM THE CONSENSUS AGENDA

6. VISITORS TO THE MEETING / ADJOURNMENT OF MEETING

6.1 VISITORS TO THE MEETING

10.00am Mr Peter Brass – Independent Chair – Audit Committee – Presentation of annual report to Council (verbal)
Refer Minute page 2019/565
10.32am Presentation of Staff Recognition Awards
Refer Minute page 2019/570

6.2 ADJOURNMENT OF COUNCIL MEETING
Nil
7. **DEBATE AGENDA**

7.1 **MAYOR – DEBATE**

Nil

7.2 **EXECUTIVE SERVICES – DEBATE**

7.2.1 **CHIEF EXECUTIVE OFFICER - DEBATE**

7.2.1.1 **ELECTED MEMBERS’ TRAINING AND DEVELOPMENT POLICY AND PLAN REVIEW**

B7322

**Author:** Governance Advisor

**MOVED** Cr Wiese-Smith that the question related to agenda item 7.2.1.1 – Elected Members Training and Development Policy and Plan Review lie on the table for the Chief Executive Officer to table the correct attachments at the January 2020 meeting of Council.

**Seconded** Cr Boothby  

**CARRIED 2018-22/397**

**PURPOSE**

Council’s Elected Members’ Training and Development Policy and Plan are now due for periodic review. Updated drafts of the Policy and Plan are attached for the Elected Body’s consideration at Attachment 1 and 2 respectively.

**REPORT**

**Background**

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

**Introduction**

The current Elected Members’ Training and Development Policy (the “Policy”) was approved on 26 November 2018 and the Elected Members’ Training and Development Plan (the “Plan”), on 22 January 2019.

The Policy and Plan are now both due for periodic review. The updated draft versions of the Policy and plan are presented as Attachment 1 and 2 respectively for the Elected Body’s consideration and approval.

**Discussion**

The draft Policy has had minor updates and corrections and is substantively the same as previously adopted, except for the periodic review date.

Officers have identified that there is little need for the Policy to be reviewed and presented to Council on an annual basis, as the updates made to the Policy are generally minor, and any fundamental changes would be as a result of legislative or process change. The periodic review date for the Policy has been amended to every four years or sooner if Council’s needs or legislative requirements change, in line with the majority of other Council policies.

The Plan has been updated to include training and development opportunities. Elected Members should note that the Policy allows for Elected Members to attend without Council approval, training and development opportunities not included in the Plan, that are necessary or expedient...
to the performance or discharge of official duties or functions, where the total training cost is under $500, and sufficient funds are available within the budget line for Elected Member training and development.

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

The updated Elected Members’ Training and Development Request Form and the Elected Members’ Training and Development Feedback Questionnaire are presented for Elected Member information at Attachment 3, noting that they are subject to CEO approval.

Summary and Conclusion
Council is asked to receive, consider and approve the draft Elected Members’ Training and Development Policy and Elected Members’ Training and Development Plan, as attached to this report.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

| Attachment 1 - | draft Elected Members’ Training and Development Policy (15/10312*) |
| Attachment 2 - | draft Elected Members’ Training and Development Plan (18/72136*) |
| Attachment 3 - | updated Elected Members’ Training and Development Request Form (16/32858*) and the Elected Members’ Training and Development Feedback Questionnaire (15/10313*) |

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan
6.2 Ensure that Council’s policy and process frameworks are based on principles of sound governance and meet legislative requirements.
6.13 Ensure that Elected Members undertake training and development to assist them in making informed decisions.

Legislative Requirements
Local Government Act 1999, Section 80A
Local Government (General) Regulations 2013, Regulation 8AA

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial – Elected Members’ training and development is supported with an annual budget allocation, based on historical spending.

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

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

COMMUNITY CONSULTATION

There is no community consultation required under the Local Government Act 1999. Further, the Training Plan is based on the Local Government Association recommendations and all training costs and attendances will be recorded in the Elected Members’ Allowances and Benefits and the Elected Members’ Training and Development Registers. Accordingly, officers contend that no public consultation is required in this matter as public interest is already being protected through these transparent processes.
7.2.1.2
SECTION 270 LOCAL GOVERNMENT ACT – INTERNAL REVIEW OF COUNCIL DECISION – MATTER OF LAND EXCHANGE WITH CHATEAU TANUNDA – BASEDOW ROAD, TANUNDA

Author: Governance Advisor

Mayor Lange tabled late correspondence from the applicants for the consideration of Council.

MOVED Cr de Vries that:

Council having received and considered:

(i) the independent external party review report and attachments which were received by officers on 5 November 2019 from the external reviewer, Ms Felice D’Agostino or Norman Waterhouse Lawyers as regards an application made to review Council’s decision of 20 August 2019 to approve the final commercial and valuation documents for the land exchange between Chateau Tanunda (IVIVI Pty Ltd) and Council at Attachment 1;

(ii) the agenda and associated minutes relating to agenda item 7.2.1.7 of the Council meeting of 20 August 2019, being the Chief Executive Officer Report titled ‘Final commercial and valuation documents for land exchange between Chateau Tanunda (IVIVI Pty Ltd) and Council’ and all attachments at Attachment 2;

(iii) the agenda and associated minutes relating to agenda item 2.2.1 of the Special Council meeting of 26 April 2018, being the Chief Executive Officer Report titled ‘Approval to proceed with final consideration of revocation of community land classification – Basedow Road, Tanunda’ and all attachments at Attachment 3;

(iv) the agenda and associated minutes relating to agenda item 2.1.2 of the Special Council meeting of 26 April 2019, being the Chief Executive Officer Report titled ‘Barossa regional Culture Hub – Draft Master Plan’ and all attachments at Attachment 4;

(v) the agenda and associated minutes relating to agenda item 7.2.1.1 of the Council meeting of 19 December 2017, being the Chief Executive Officer Report titled ‘Revocation of community land classification – Basedow Road, Tanunda’ and all attachments at Attachment 5;

(vi) the agenda and associated minutes relating to agenda item 7.2.1.4 of the Council meeting of 19 September 2017, being the Chief Executive Officer Report titled ‘Chateau Tanunda – Community Land Proposal’ and all attachments at Attachment 6;

(vii) letter to the Minister for Planning from the Council’s Governance Advisor dated 21 December 2017 and all attachments to the letter;

and Council having given due consideration to whether the original decision of 20 August 2019 was legally, procedurally and meritoriously correct:
(1A) that being satisfied that the decision of 20 August 2019 was legally, procedurally and meritoriously correct, Council determines that the decision was the best and/or preferable decision, and reaffirms its decision of 20 August 2019, the decision being:

(1) Being satisfied with the Valuation Report approves the draft Contract for the Exchange of Land as presented at Attachment 2 and authorise the Chief Executive Officer to make further changes and authorise the Agreement on condition that:

a. Chateau Tanunda (Ivivi Pty Ltd) shall at least transfer the portion of land being certificate of title volume 5962 folio 146 of approximately 8,241 square metres and $25,000 to Council to balance the market values of the land; and

b. Any stamp duty costs shall be borne by Chateau Tanunda (Ivivi Pty Ltd);

(2) Authorise the Chief Executive Officer to proceed with final negotiations with the Executor/s of the Estate of Elma Keil for the finalisation of the Indenture Deed principally on the terms outlined in the draft at Attachment 3 and bring a final report back to Council for endorsement.

(3) Authorise the Chief Executive Officer to proceed with settlement of the land exchange after completion of the Contract for the Exchange of Land under resolution 1, and that the said land be excluded from community land status pursuant to Section 193(4) of the Local Government Act, until the Indenture Deed is settled under resolution 2 and that a final report be brought to Council for rededication of the land under Section 193(5) of the Local Government Act and application to an appropriate community land management plan.

(2A) that having considered Council’s Disposal of Land or Other Assets Policy (“DLOA Policy”) and notwithstanding Council’s resolution at its meeting of 19 December 2017 to dispense with the requirement to obtain valuations of the land pursuant to clause 4.4.1(i) of the DLOA Policy:

(i) Council is satisfied that it is appropriate to dispense with the DLOA Policy’s requirement at clause 4.4.1(i) to obtain a minimum of two valuations of the Council-owned land made up of Allotments 11 and 12 Basedow Road, being Certificates of Title Volume 5133 Folio 408 and Volume 5902 Folio 824 (the “Council Land”) and the land owned by Ivivi Pty Ltd (trading as Chateau Tanunda) being a portion of Allotment 74 in Deposited Plan 85229 being Certificate of Title Volume 5962 Folio 146 (the “Chateau Tanunda Land”), and

(ii) that the disposal of the Council Land in exchange for the Chateau Tanunda Land proceed with only one valuation, being the valuation that was presented to Council at its meeting on 20 August 2019.

Seconded Cr Johnstone  
CARRIED 2018-22/398

PURPOSE
Council is asked to receive and consider the report and recommendation given by Ms Felice D’Agostino of Norman Waterhouse Lawyers in her external party review report entitled ‘The Barossa Council - Section 270 Final Report - Matter of Land Exchange’, which was received by
officers on 5 November 2019 as regards an application made to review Council’s decision of 20 August 2019 to approve the final commercial and valuation documents for the land exchange between Chateau Tanunda (IVIVI Pty Ltd) and Council.

**REPORT**

**Background**

Following Council’s decision at its Special Meeting on 26 April 2018 to revoke the community land status over Allotments 11 and 12 Basedow Road, Tanunda being Certificates of Title Volume 5133 Folio 408 and Volume 5902 Folio 824 (the “Council Land”), Council further resolved at its meeting on 20 August 2019 to dispose of the Council Land in exchange for a portion of land owned by Chateau Tanunda (IVIVI Pty Ltd) being a portion of Allotment 74 in Deposited Plan 85229 and described in Certificate of Title Volume 5962 Folio 146 (the “Chateau Tanunda Land”), and proceed with commercial arrangements:

1. Being satisfied with the Valuation Report approves the draft Contract for the Exchange of Land as presented at Attachment 2 and authorise the Chief Executive Officer to make further changes and authorise the Agreement on condition that:
   a. Chateau Tanunda (IVIVI Pty Ltd) shall at least transfer the portion of land being certificate of title volume 5962 folio 146 of approximately 8,241 square metres and $25,000 to Council to balance the market values of the land; and
   b. Any stamp duty costs shall be borne by Chateau Tanunda (IVIVI Pty Ltd);

2. Authorise the Chief Executive Officer to proceed with final negotiations with the Executor/s of the Estate of Elma Keil for the finalisation of the Indenture Deed principally on the terms outlined in the draft at Attachment 3 and bring a final report back to Council for endorsement.

3. Authorise the Chief Executive Officer to proceed with settlement of the land exchange after completion of the Contract for the Exchange of Land under resolution 1, and that the said land be excluded from community land status pursuant to Section 193(4) of the Local Government Act, until the Indenture Deed is settled under resolution 2 and that a final report be brought to Council for rededication of the land under Section 193(5) of the Local Government Act and application to an appropriate community land management plan.

**Seconded** Cr Hurn  
**CARRIED 2018-22/279**

On 4 September 2019 Council administration received a request from the applicants, Mr Robbert Sennef and Ms Shelley James, to conduct an internal review of this decision, exercising their right to do so under Council’s Internal Review of Council Decision Policy (the “Policy”).

Internal review of a Council decision enables Council to reconsider all the evidence relied on to make the original decision, and additional available evidence if relevant.

On 16 September 2019, the Chief Executive Officer notified the applicants that, due to the decision of which review is sought being a decision of the Elected Body, he had determined to appoint an external reviewer to provide an independent investigation and recommendation, in accordance with the Policy and the supporting Internal Review of Council Decision Process (the “Process”). The external reviewer appointed to conduct the review was Ms Felice D’Agostino of Norman Waterhouse Lawyers.

**Introduction**

Ms D’Agostino has finalised her investigation, and subsequently her report and recommendations are presented for Council’s consideration, at Attachment 1 to this report.
In accordance with clause 4.6.5 of the Process, an external reviewer cannot vary or revoke a decision made by or on behalf of Council. They must report their recommendation(s) from the internal review to the Elected Body for a determination as to whether the relevant decision should be affirmed, varied or revoked.

Discussion

In accordance with clause 4.6 of the Process, Ms D’Agostino has considered the merits of all the materials and information that were before the Council at the time of the decision on 20 August 2019, and any additional relevant information or material provided by the applicant or which has become available during the course of the review.

Ms D’Agostino considered whether the original decision of 20 August 2019 was legally, procedurally and meritoriously correct having regard to the following, that Council:

- had the power to make the decision;
- considered all the matters which were relevant to the making of the decision at the time and did not take into account matters which were not relevant;
- did not exercise a discretion or power in bad faith, for an improper purpose or while subject to duress or influence of another person;
- had no conflict of interest, bias or perceived bias;
- ensured that the findings of fact were based on evidence;
- considered any relevant legislation, policies and processes;

and that the decision was reasonable in all the circumstances.

She also considered whether a different decision based on the evidence available or new evidence provided or found provides an improved outcome.

Procedural fairness was observed throughout this review so that the applicants were given the opportunity to put forward information and materials in support of the application for review, they were informed of the proposed outcome of the review, and had the opportunity to make submissions to Ms D’Agostino on the outcome and have these submissions taken into account, and Ms D’Agostino did not have a bias or perceived bias when undertaking the review.

For full transparency it should be noted that as per clause 4.6.4 and 4.6.7 of the Process and to ensure that procedural fairness is observed, prior to issuing her final report, Ms D’Agostino prepared a provisional report and provided the applicants with the opportunity to comment on the said provisional report. The deadline for comments was extended at the request of the applicants. However, the applicants then notified Ms D’Agostino in writing that they would not be providing submissions on the provisional report, as they had made a complaint to the Ombudsman regarding Ms D’Agostino’s appointment.

In spite of this, upon Ms D’Agostino issuing her final report, the applicants notified Ms D’Agostino that they ‘did wish to make submission on the draft provisional report but would not do so until their further correspondence to the Ombudsman was answered’ (paragraph 3.1.6 of the report at Attachment 1).

Originally, officers had intended for the matter to be presented to Council at its November meeting for consideration, however, to ensure procedural fairness was observed and that the applicants were given every opportunity to present information relevant to their application, the applicants were given an additional two weeks to provide submissions, which resulted in the matter being deferred to the December Council meeting. As noted in Ms D’Agostino’s report, the applicants did not provide submissions on her report by the extended deadline. Further detail can be found at paragraphs 3.1.4 – 3.1.7 and Appendix B and C of the external reviewer’s report at Attachment 1.

In her report, Ms D’Agostino has concluded that ‘based on all the matters outlined in [the external reviewer’s] report and having regard to the [Process] and in particular the matters set out at
Clause 4.6.2 therein, the Decision is the best and preferable decision’ (paragraph 8.1 of the external reviewer’s report at Attachment 1). Further, Ms D’Agostino has recommended that ‘the Council reconsider all the information before it at the time it made the Decision, the information submitted by the Applicants and this report and determine if the Decision is the best and/or preferable decision’ (paragraph 9.1 of the external reviewer’s report at Attachment 1).

Furthermore, in her report, Ms D’Agostino considered whether it was appropriate that only one valuation of the Council Land and Chateau Land was obtained by Council as part of the land disposal process. She noted that Council’s Disposal of Land and Other Assets Policy (“DLOA Policy”) requires that a minimum of two valuations be obtained, unless Council resolves to dispense with the requirement.

Ms D’Agostino concluded that ‘it is appropriate that only one valuation of the Council Land and Chateau Land has been obtained’ (paragraph 8.2) and ‘the circumstances of this matter are such that it is not necessary or appropriate to obtain more than one valuation’ [paragraph 7.2.2.3 of the external reviewer’s report at Attachment 1]. Thus, she has recommended that in addition to reconsidering the original decision, that ‘Council consider if one valuation of the Council Land and Chateau Land is appropriate and resolve accordingly’ [paragraph 9.2 of the external reviewer’s report at Attachment 1].

After carefully considering Ms D’Agostino’s report and recommendations, and giving due consideration to all the evidence relied on to make the original decision and any additional available evidence if relevant, the Elected Body must:

- make a decision to affirm, vary or revoke its decision of 20 August 2019; and
- decide whether or not it is appropriate to proceed with the land transfer with only one valuation of the Council and Chateau Land i.e. dispense with the requirement to obtain a minimum of two valuations of the Council and Chateau Tanunda Land when disposing of land, as per the DLOA Policy.

Following Council’s decision, further appeal rights remain available to the Ombudsman SA should the applicants wish to escalate their concerns.

Summary and Conclusion
Council is asked to consider Ms D’Agostino’s Internal Review Report and recommendation(s) and either affirm, vary or revoke its decision of 20 August 2019, and to consider whether or not it is appropriate to dispense with the requirement of the DLOA Policy to obtain a minimum of two valuations of the Council Land and Chateau Tanunda Land.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

| Attachment 1 | External Reviewer, Felicce D’Agostino of Norman Waterhouse Lawyers received by officers on 5 November 2019 and titled ‘Section 270 Final Report – Matter of Land Exchange’ (19/71094) |
| Attachment 2 | Extract of the agenda and associated minutes relating to agenda item 7.2.1.7 of the Council meeting of 20 August 2019, being the Chief Executive Officer Report titled ‘Final commercial and valuation documents for land exchange between Chateau Tanunda (IVIVI Pty Ltd) and Council’ and all attachments (19/64873 and 19/64875) |
| Attachment 3 | Extract of the agenda and associated minutes relating to agenda item 2.2.1 of the Special Council meeting of 26 April 2018, being the Chief Executive Officer Report titled ‘Approval to proceed with final consideration of revocation of community land classification – Basedow Road, Tanunda’ and all attachments (19/66082 and 19/66085) |
| Attachment 4 | Extract of the agenda and associated minutes relating to agenda item 2.1.2 of the Special Council meeting of 26 April 2019, being the Chief Executive Officer Report titled ‘Barossa regional Culture Hub – Draft Master Plan’ and all attachments (18/27200 and 19/66087) |
Attachment 5 - Extract of the agenda and associated minutes relating to agenda item 7.2.1.1 of the Council meeting of 19 December 2017, being the Chief Executive Officer Report titled ‘Revocation of community land classification – Basedow Road, Tanunda’ and all attachments (19/66072 and 19/66074)

Attachment 6 - Extract of agenda and associated minutes relating to agenda item 7.2.1.4 of the Council meeting of 19 September 2017, being the Chief Executive Officer Report titled ‘Chateau Tanunda – Community Land Proposal’ and all attachments (19/71121 and 19/71122)

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community and Culture

How We Work – Good Governance

Corporate Plan

2.3 Support and promote community involvement and networks and provide opportunities for participation in local decision making.

6.7 Implement strategies for the community to be actively engaged in Council decision making through sound information and communication.

Legislative Requirements

Local Government Act 1999, Sections 270, 201(2) and 49(a1)

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS


Pursuant to the Chief Executive Officer’s appointment of an external reviewer to review the Council decision of 20 August 2019, the total cost will be reported in the annual reporting requirements.

COMMUNITY CONSULTATION

Community consultation for the revocation of community land status over the Council Land occurred in accordance with Section 194 of the Local Government Act 1999 and Council’s Public Consultation Policy and was further validated by an Independent Assessment conducted by Kelley Jones Lawyers. Approval to proceed with final consideration by Council was also received from the Minister’s delegate.

The Barossa Regional Culture Hub draft Master Plan also underwent public consultation, and the results of the consultation were presented to Council at its meeting on 27 June 2018, whereupon Council endorsed the Draft Master Plan subject to amendment and budget considerations, and determined to move ahead with the next stages of the project.

Both Council decisions relating to the revocation of community land status and Barossa Culture Hub matters, made by Council at its Special Meeting of 26 April 2018 and 27 June 2018 respectively, have previously been reviewed pursuant to Section 270 of the Local Government Act 1999, with the current applicants initiating the review of the community land status revocation decision of 26 April 2018. An external reviewer was appointed to conduct an investigation and present their recommendations to Council, in both cases. In both instances, Council resolved that the original decision made by Council was the best and/or preferable decision and reaffirmed the original decisions.
It should also be noted that the Ombudsman’s office received complaints in relation to those matters, and made an assessment that:

- the conclusion reached in relation to the section 270 review was reasonably open to the reviewer;
- in relation to the complaints received, based on the evidence available, it did not appear that Council had acted in a way that was unlawful, unreasonable or wrong within the meaning of the Ombudsman Act 1972.

7.2.1.3
MINOR AMENDMENT TO COMMUNITY LAND MANAGEMENT PLANS – MANAGEMENT PLAN 2 (UNDEVELOPED RESERVES AND GARDENS OR THOSE WITH MINOR IMPROVEMENTS) AND MANAGEMENT PLAN 7 (ESTABLISHED TRAILS, WALKWAYS AND BIKEWAYS)

Author: Governance Advisor

MOVED Cr Angas that with respect to the proposed amendment to Community Land Management Plan 2 – Undeveloped Reserves and Gardens (or Those with Minor Improvements) and Community Land Management Plan 7 - Established Trails, Walkways and Bikeways (collectively, “CLMPs”), in relation to Allotment 91 Jonathan Avenue, Nuriootpa (Certificate of Title 5771 Folio 120), the amendment being to record in the Community Land Register with respect to the subject land, easement/s in favour of adjoining landowner/s, noting that the easements have not been granted and that it is discretionary for Council or the Chief Executive Officer under delegation, to grant such easements, that Council being satisfied that the amendment has no impact or no significant impact on the interests of the community pursuant to section 198 of the Local Government Act 1999:

(1) Receives, considers and adopts the proposed minor amendment to the CLMPs, with respect to Allotment 91 Jonathan Avenue, Nuriootpa (Certificate of Title 5771 Folio 120), to include easement/s that may be granted by the Chief Executive Officer, in exercise of his delegated powers under section 201(2)(d) of the Local Government Act 1999; and

(2) That this amendment be reflected in the Community Land Register and authorises the person acting in the position of Chief Executive Officer to record the amendment (i.e. easement/s over community land comprised of Allotment 91 Jonathan Avenue, Nuriootpa) in the community Land Register in the event that easement/s are granted in favour of the landowners of the allotments that will result from the proposed subdivision, located at what is currently 21 Barossa Street, Nuriootpa, noting that the proposed subdivision and development is yet to be finalised.

Seconded Cr Barrett

CARRIED 2018-22/399

PURPOSE
Council is asked to receive, consider and adopt the proposed minor amendment (to record easement/s over land if granted) to Community Land Management Plan 2 – Undeveloped Reserves and Gardens (or Those with Minor Improvements) and Community Land Management Plan 7 - Established Trails, Walkways and Bikeways, with respect to Allotment 91 Jonathan Avenue, Nuriootpa (Certificate of Title 5771 Folio 120), pursuant to section 198 of the Local Government Act 1999. Public consultation is not required if Council is satisfied that the amendment has no impact or no significant impact on the interests of the community. Council is also asked to authorise the Chief Executive Officer to record the amendment in the Community Land Register.
REPORT

Background
Council has adopted 8 Community Land Management Plans ("CLMPs") that, along with the Community Land Register, provide a framework for Council to maintain and develop its community land to maximise its use by the community for recreational and leisure activities.

Council’s Community Land Management Plans ("CLMPs") identify objectives, performance targets and measures for the management of Council’s community land. The subject community land, Allotment 91 Jonathan Avenue, Nuriootpa (Certificate of Title 5771 Folio 120) (the "Council Land") has two CLMPs that apply to it.

Community Land Management Plan 2 – Undeveloped Reserves and Gardens (or Those with Minor Improvements) (hereinafter referred to as “CLMP-2”) deals with the management of Council’s undeveloped reserves and gardens, or those with minor improvements, which are generally used for passive recreation. CLMP-2 is attached to this report at Attachment 1. Included in the Management Issues are parking areas, driveways, fencing and other infrastructure that may exist or be developed on the land. CLMP-2 also contemplates that Council may grant leases and licenses for the whole or part of the land and improvements to the land, as deemed appropriate by Council, in addition to providing permits for use of the land/part of the land by specified permit holders.

Community Land Management Plan 7 – Established Trails, Bikeways and Walkways (hereinafter referred to as "CLMP-7") deals with the management of community land that has established trails, bikeways and walkways. CLMP-7 is attached to this report at Attachment 2. Included in the Management Issues are reserve infrastructure, such as bins, benches, signage, lighting, monuments, footbridges etc., landscape character and waterways. Similar to CLMP-2, CLMP-7 also contemplates the granting of leases and licenses for the whole or part of the land, in addition to permits. It should also be noted that some of the Management Issues are replicated in both CLMPs, including reserve infrastructure, landscape character, waterway, leases/licenses and permits.

It should also be noted that the Council Land does not in fact have any established trails or bikeways, or reserve infrastructure. Photographs of the subject land and a map with the subject land highlighted, is attached for Elected Members’ information at Attachment 3 and 4 respectively. In officers’ view, the Council Land would normally have been part of the road reserve, as it is not connected in any way to other useful community land. Officers have not been able to ascertain why the Council Land was classified and created this way.

Introduction
On 29 November 2018, Council received a Development Application from SKS Surveys Pty Ltd with respect to 21 Barossa Street, Nuriootpa ("Subject Land"). The Development Application proposes a subdivision to the Subject Land that essentially divides the Subject Land in half resulting in a northern allotment and a southern allotment, subject to approvals. The applicants have proposed a driveway from the southern allotment created by the subdivision to Kaesler Drive, via the Council Land. The applicants have also indicated that they may later wish to build a second driveway from the northern allotment to access Kaesler Drive, via the Council Land.

The Council Land is owned by Council and classified as Community Land and subject to both CLMP-2 and CLMP-7 (see map at Attachment 4). The applicant has requested that easements over the Council Land be provided in the favour of the landowners of the proposed allotments, in order for them to build the driveway to access the allotments from the Kaesler Road. Specifically, in order to access the proposed allotment on the southern side of the Subject Land, a driveway will need to be built straight away and therefore, the applicant or landowners will likely apply for an easement soon after the subdivision is approved. The Development Application also contemplates the need for a second easement from the proposed northern allotment, to accommodate a potential future secondary access driveway.

Discussion
Taking into consideration the following:
The Council Land is subject to both CLMP-2 and CLMP-7;

- Under section 201(2)(d) of the Local Government Act 1999, it is recognised that Council may grant an easement (including right of way) over community land;
- That power to grant such easement has been delegated by Council to the Chief Executive Officer (noting that there is no prohibition or restriction under section 44(3) of the Local Government Act 1999 upon Council delegating this power).

With respect to Development Plan Consent, Land Division Consent and Development Approval, if granted, it is proposed that these approvals will be subject to the following reserved matter:

Reserved Matter

An easement right of way is required to create lawful access from Kaeasler Drive to the proposed Allotment 101 and right of way to proposed Allotment 100, giving effect to the approval herein granted. The easement is to be prepared so as to suitably indemnify council and oblige the owner(s) to all costs and responsibilities associated with preparing and registering the easement, construction of an access, and any associated alterations and maintenance connected thereto.

(noting that Allotments 100 and 101 will be the two proposed subdivided parcels of land located on the Subject Land).

Thus, if the necessary approvals and consents are granted and finalised in relation to the development, an application for the easements will need to be made to Council. The Chief Executive Officer can, at his discretion, exercise his delegated power under section 201(2)(d) of the Local Government Act 1999 to grant (or not grant) easements over the Council Land, in favour of the owners of the proposed allotments following subdivision, in order to allow the landowners to access their land via a driveway through the Council Land to Kaesler Drive.

It is now necessary to amend the CLMP-2 and CLMP-7, to include a reference in the Community Land Register with respect to the Council Land, that in the event easement/s are granted, that the easement/s have, in fact been granted in favour of the landowners of the proposed allotments at 21 Barossa Street, Nuriootpa, by the Chief Executive Officer (or under sub-delegation), in exercise of powers to grant easements over community land, delegated to him in accordance with section 201(2)(d) of the Local Government Act 1999.

The Local Government Act requires public consultation to be undertaken with respect to a proposed amendment to a Community Land Management Plan, unless there is no impact or no significant impact on the interests of the community. In making this decision, Council should give consideration to:

- The size of the land,
- The location of the Council Land is such that it is not connected to any other useful community land and therefore, cannot be used by the community as a walkway, and there is no established infrastructure, trail or bikeway situated on the land;
- The contents of the CLMPs;
- The considerations stated at the first paragraph of this section of the report;
- That the public were consulted prior to the adoption of the provisions of the CLMP-2 and CLMP-7;
- The amendment will be recorded in the community Land Register entry for the Council Land, and no significant part of either CLMP-2 or CLMP-7 will be altered.

Summary and Conclusion

Council is asked to receive, consider and adopt the proposed minor change (easement over land) to Community Land Management Plan 2 – Undeveloped Reserves and Gardens (or Those with Minor Improvements) and Community Land Management Plan 7 - Established Trails, Walkways and Bikeways, with respect to Allotment 91 Jonathan Avenue, Nuriootpa (Certificate of Title 5771 Folio 120), pursuant to section 198 of the Local Government Act 1999. Council must make this decision to amend the Plans having been satisfied that the amendment has no impact or no significant impact on the interests of community. Council is also asked to authorise the Chief Executive Officer to record the amendment in the Community Land Register with respect to the abovementioned Council land.
### ATTACHMENTS OR OTHER SUPPORTING REFERENCES

<table>
<thead>
<tr>
<th>Attachment 1</th>
<th>Community Land Management Plan 2 - Undeveloped Reserves and Gardens (or Those with Minor Improvements) and Extract of the Community Land Register relating to the Council Land (19/70521)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attachment 2</td>
<td>Community Land Management Plan 7 - Established Trails, Walkways and Bikeways and Extract of the Community Land Register relating to the Council Land (19/70522)</td>
</tr>
<tr>
<td>Attachment 3</td>
<td>photographs of the Council Land, Allotment 91 Jonathan Avenue, Nuriootpa (Certificate of Title 5771 Folio 120) (19/70605)</td>
</tr>
<tr>
<td>Attachment 4</td>
<td>map of the Council Land, Allotment 91 Jonathan Avenue, Nuriootpa (Certificate of Title 5771 Folio 120) – Council Land marked on the map (19/70523)</td>
</tr>
</tbody>
</table>

### COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

**Infrastructure**

**Corporate Plan**

3.2 Ensure Council’s parks, gardens and playgrounds are accessible, relevant, and safe and maintained to an agreed level of service.

**Legislative Requirements**

Local Government Act 1999, sections 194, 198, 201(2)

Local Government (General) Regulations 2013, regulation 23

### FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

**Financial**

There are no costs to Council, associated with the granting of the easement, as it is a reserved matter of the Development Plan Consent and the landowner is required to pay all costs associated with the application, preparation and registration of the easement, construction, alteration and maintenance.

**Resource**

There are minimal resource considerations, as officers are exercising delegations as part of their existing duties, and there are no costs to Council, associated with the preparation and registration of the easement.

**Risk Management**

Risk is mitigated by exercising delegations in accordance with the respective delegations instruments, and by following the requirements of section 198 of the Local Government Act 1999.

### COMMUNITY CONSULTATION

Community consultation is not required pursuant to section 198(3) of the Local Government Act 1999, if Council is satisfied that the amendment to the CLMPs have no impact or no significant impact on the interests of the community.
7.2.1.4
MINIATURE RAILWAY PROPOSAL
B9227

MOVED Cr de Vries that Council having considered the matter:

(1) Provide provisional support indicating it will engage and undertake to support investigation into a suitable location of land, noting this may require satisfaction of planning and local government community land requirements; and

(2) That the proponent undertake to develop a business case and present that to Council in due course which identifies the costs and funding of the implementation, maintenance and management of the assets, governance and delivery of the services and how they will meet ongoing costs, removal of assets should the proposal cease to operate and any other matters deemed necessary by the group on the assumption of no financial support from Council.

Seconded Cr Wiese-Smith

CARRIED 2018-22/400

PURPOSE

Council has been formal approach to consider supporting a miniature railway proposal and providing land and in-kind support.

REPORT

Background and Introduction

Council has been briefed at the October 2019 workshop of a group wanting to establish a miniature railway in The Barossa Council area. Their proposal and formal request are provided at Attachment 1 and 2.

Discussion

The proposal is in its very early stages of development, their requests of Council at this time are support generally and:

1. Provision of land for peppercorn cost, depending on the location, type of lease or licence being sought, other land uses of the land and impact community land management requirements are expected to be required;
2. In-kind support for construction of the track. The scope and impact of this request is unknown at this time and would be assessed when more concrete information is understood, however any construction of this type is considered significant.

The group of enthusiasts has locomotives and other rolling stock and understand the basic needs required to meet legislative requirements such as safety of children and the like.

The group is not established at present as a legal entity and has a proposal that now requires more development should Council indicate support. Their preference is for it to be located to the northern part of the valley around Nuriootpa or Tanunda for its connection to larger population areas and tourism.

Only very basic locations have been explored with the group.

At initial assessment there is clear connection to Council’s community plan in terms of promoting tourism and community connection through activities. The extent of delivery on these strategies would also be assessed once more detail is at hand.
Summary and Conclusion
With the proposal still in its infancy the initial request of Council is general support and identifying and assessing land impacts.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1 – Formal Request
Attachment 2 – Proposal

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.
2.4 Encourage and support volunteering in the community.
2.5 Engage with, and support, young people to actively participate in the community and develop the leaders of the future.
4.2 Create opportunities for people of all ages and abilities to participate in the community.
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
Local Government Act – Section 123 – Annual Business Plan and Budgets and Chapter 11 Division 3 – Community Land

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
Unknown at this time, however I alert Council that resources normally available to support this type of request are already stretched with business as usual and The Big Project.

COMMUNITY CONSULTATION
Unknown what consultation may be required at this time, no engagement has taken place at this early stage.

7.2.1.5 INTERIM PRUDENTIAL MANAGEMENT REPORT B5601

MOVED Cr Angas that Council having considered the Interim Prudential Management Report, outlining all but the economic impact considerations note, the sustainable outcome of the plan based on the plan assumptions deemed as compliant with the relevant sections of the Act (Local Government Act) and that the final report be tabled by the Chief Executive Officer upon receipt of the economic impact assessment documentation.
Seconded Cr Troup CARRIED 2018-22/401

PURPOSE
To consider the interim prudential management report for The Big Project Next Phase Target Plan adopted 20 August 2019.
REPORT
Council has undertaken extensive work in planning for the vision of The Big Project and in August this year adopted the Next Phase Target Plan. As part of adopting the plan it was resolved by Council to undertake a Prudential Management Report pursuant to Section 48 of the Local Government Act on the target plan, noting some projects do not meet the legislative expenditure criteria and those projects already approved shall continue.

As required by law and Council’s instruction I have engaged two independent firms to undertake the assessment:

1. UHY as the lead firm to do the overall and detailed assessment, other than by way of the economic impact assessment. This has been completed and the interim findings provided at the Attachment.
2. A P Sheere Consulting specialist economic advisor to undertake the economic impact assessment. This firm was selected also as the work being undertaken is to satisfied the prudential requires but also provide a suite of cost benefit analysis outcomes to support lobbying and grant applications, thereby addressing both matters concurrently and within the same contract.

The economic impact assessments are nearly finished, however are not finalised and will now likely be completed in time for the January 2020 meeting where a final report will be provided to Council.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Prudential Management Report (interim)

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Community Plan
- Natural Environment and Built Heritage
- Community and Culture
- Infrastructure
- Health and Wellbeing
- Business and Employment
- How We Work – Good Governance

All strategies under the Community Plan

Legislative Requirements
Section 48 of the Local Government Act

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
Existing and internal resources of the team from Executive Services, Corporate and Community Services have supported the work.

Engaged of the required independent support is within budget settings for the planning and statutory requirements of The Big Project.

COMMUNITY CONSULTATION
Identify what consultation has been undertaken or should be undertaken or if consultation not required, why.
7.2.1.6
LEGATUS BUDGET REVIEW
B9103

MOVED Cr de Vries that Council having considered the Legatus Budget Review approve the revised budget as presented at the Attachment.
Seconded Cr Schilling
CARRIED 2018-22/402

PURPOSE
To consider and approve the Legatus budget review.

REPORT
Legatus has undertaken a review of its budget documentation in November 2019 and have now tabled it for constituent Council consideration and approval as outlined in their Charter.

In summary, as provided by the Executive Officer:

- Budget review has resulted in $172k income improvement, and a $104k increase in expenditure – net $68k improvement.
- New Items costing a net $125k have been proposed for consideration (this would be where the community wellbeing project funds could come from).
- The New Items are presently shown in the balance sheet only as a reduction in cash, no adjustment has been made to reserves for these New Items at this time.
- Budget review proposed a cash position at Financial year end of $876k (so if the new items were undertaken, this cash position would decrease by $125k).
- Equity Statement has been adjusted to have only three Reserves at end of financial year and show projected reserve balances of $572k at year end (which is similar to what was Budgeted).

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Legatus Budget Review

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Corporate Plan

How We Work – Good Governance

6.17 Advocate for The Barossa Council and its community, our region or local government in South Australia through direct action, representation on or collaboration with local, regional or State bodies.

Legislative Requirements
Section 43 of the Local Government Act

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
Nil

COMMUNITY CONSULTATION
No requirements.

7.2.2 FINANCE – DEBATE
7.2.2.1
LONG TERM FINANCIAL PLAN 2020/21 to 2029/30 AND ANNUAL BUDGET & BUSINESS PLANNING TIMETABLE, NEW INITIATIVE INCLUSION, INDEXATION AND ASSUMPTIONS 2020/21
B7181

Author: Manager Financial Services

MOVED Cr de Vries that Council endorses:

(1) The Operating Expenditure for Contractors, Materials and Other expenses indexation to be applied as contained within this report;
(2) New initiatives will be considered;

Seconded Cr Wiese-Smith CARRIED 2018-22/403

PURPOSE
A business planning timetable, new initiative inclusion, indexation and assumptions is required to ensure Council meets key milestones for the annual review and adoption of the Long Term Financial Plan (LTFP) 2020/21 to 2029/30 and the consideration and adoption of the Annual Budget & Business Plan (AB&BP) 2020/21.

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

As part of the 2020/21 draft budget preparation Council will hold a strategic discussion to set the general service requirements and larger expenditure programs in detail for the next few years and at a summary level for the remaining years of the LTFP. As listed in this draft timetable it is proposed that Strategic discussion is held as a workshop after the Council meeting on the 28 January 2020.

Indexation and Assumptions
Each annual review process provides an opportunity to introduce new assumptions or enhance the information base as required, using the existing indexation and assumptions.

The main assumptions and indexation being considered during this early stage of budget preparation is the income and expenditure indexation. As included in the draft timetable, with updated valuation data Council will review the proposed options for rate increases are reasonable and indexation for operational expenditure and ensure indexation is appropriate.

Council staff will provide information for the cost of delivering services and any suggested changes to service levels ensuring income or charges for the services are appropriate. The final expenditure amounts may differ from the LTFP estimates for the 2020/21 year due to external influences such as service contracts, agreements where costs such as fuel prices, State Govt. levies and contracted employee costs, ie. costs out of our control* and some areas of expenditure may actually be less the expected and reduced from last year.

Council sets the expenditure budget required to meet its service provision and will make adjustments as needed for the benefit of its customers, a more recent example of this was the required increase for service level requirements for tree trimming/planting where Council approved an increase to the resource - input to expand the tree timing/planting - output and thereby providing green space/shade/environment - better outcome for the community.
A Zero Based Budget basis was used for the 18/19 year where costs were reviewed to actual $ required for that ongoing service provision, the 2020/21 will not use a zero based approach, under the current policy and process this is due for the 2022/23 budget year.

The LGPI (Local Government Price Index) is used as a base for the LTFP and considering local needs and requirements to meet service levels. The Local Government Price Index (LGPI) increase for 12 months to 30 September 2019 was 1.9%; (noting the Adelaide CPI for the 30 September period was also 1.9%).

The following indexation base information is sourced from the adopted LTFP for the 2020/21 year.

**Operating Income**
Rate increases to fund and ensure service level provision is maintained in line with revised sustainability requirements.

Both the residential and non-residential general rate revenue were budgeted to increase at 2.25% pa up until 2022/23 and then an increase of 2.5% pa from 2023/4, and all years of the LTFP plus growth at 1% pa.

Waste collection & disposal a review of the three services provided and cost recovery service charge is currently underway. The adopted Waste Service Rate Revenue indexation rate in the LTFP last year was budgeted to increase (excluding growth) at 6.5% as a result of the additional State Govt. Waste levy (SWL). And the forward years increases range from 2.1% to 2.5%. An alternative approach is to spread the cost of the SWL service charge increase over a few forward years rather than 2020/21 absorbing the operating deficit transferring the shortfall from the relevant Waste Reserve.

The adopted Community Wastewater Management Systems Service Rate Revenue (excluding growth) indexation rates in the LTFP from last year was budgeted to increase at 2.25% and forward years ranging from 2% and 2.25% for the life of the LTFP. An ongoing review of the service charge is underway for requirements from ESCOSA, including the cost of Capital and Risk. If these additional expenses are added to the CWMS costs the service charge will most likely be increased and Council will then consider reducing the General rate charges to help offset this.

Other income indexation has a base increase of 2.0%.

**Operating Expenditure**
Operating expenditure indexation will be assessed individually for internal and external factors. All indexation quoted is from the adopted LTFP for 2020/21, and will be reviewed.

- employee costs increase wast at 2.25%; the draft budget will use existing awards, enterprise bargaining agreements and salary packaging costs and the ASU proposes a 2% increase and the AWU is set at 2.5%;

- contractor, materials and other expenses will be reviewed to meet service requirements, the increase for these costs was at 2.1%. Indexation will now be adjusted to meet existing service requirements as follows:
  - as specified under contracts and other agreements and/or
  - selected costs are increased by indexation where agreements, contracts, licensing, arranged service charges, etc provide for that option, along with costs outside of our control*; these will be considered where the service provider(s) initiates the increases, ie fuel, postage, and/or
  - where costs will increase but the quantum is unknown a default increase in line with the LGPI at 1.9%, and/or
  - some areas of expenditure may actually be the same or less the expected and will be retained or reduced from last year; and/or
  - plus changes to service provision, ie. increased number of services provided (eg. no. of waste collection(s)) or usage (eg. water usage at parks and gardens).
**New Initiatives**
Council to decide if New Initiatives (NIs) will be considered for the 2020/21 budget year.

In the past Council decided not to consider or reduce the scope of NIs that would be considered (restricted to legislative or risk matters) where the budget programs were significant and the Council and staff could not absorb any further projects with its existing resourcing, funding and capacity to either coordinate or deliver the works. The funding requirements not only includes the grants available or rate income to pay for any additional programs/works but also Councils capacity to repay additional loans and ensuring a long term view of financial sustainability.

Councils existing programs include not in any particular order and not limited to:

- Existing service provision, governance and administration,
- Capital renewal/replacement programs,
- Revaluation and condition assessment of Building and Recreation assets update the estimate replacement cost over the LTFP. Council’s understanding and management will continually refine the operating result,
- Heavy vehicle and Plant utilisation review,
- Existing long term projects including ,
  - Solar and LED – efficiency, financial and environmental benefits
  - Change Program – internal program for innovative and simple systems, process and productivity improvements
- Infrastructure Asset Management Plans due 2020,
- Strategic Management Plans due 2020,
- The Big Project(s),
- Transport renewal programs year 2 of 3 year program,
- Tennis and Netball Court audit requirements,

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

<table>
<thead>
<tr>
<th>What</th>
<th>Activity</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council Meeting</td>
<td>Endorse AB&amp;BP and LTFP timetable</td>
<td>17/12/19</td>
</tr>
<tr>
<td>Council Workshop</td>
<td>1st Review and discuss - EM’s to be given the opportunity to put forward suggestions for the budget; CMT to present budget process, advisory groups’ budget(s), priorities and pressures; strategic and long term aspirations; consider adopted long term indexing &amp; assumptions</td>
<td>28/1/20 after Council meeting</td>
</tr>
<tr>
<td>Finance/Elected Members/ Community Advisory Groups</td>
<td>New Initiatives and Capital Works to be submitted via website link – email will be sent to Elected Members with link. Community Advisory Groups/Committees</td>
<td>Due date for submissions 28/2/20</td>
</tr>
<tr>
<td>Council Workshop</td>
<td>2nd - Capital Expenditure review programs: 3 year Transport works adopted 19/20 LTFP Renewal/Replacement TBP</td>
<td>4/3/20</td>
</tr>
<tr>
<td></td>
<td>Prepare Rates report including: Rating Analysis of other Councils and consider other Council Rating Strategies</td>
<td></td>
</tr>
<tr>
<td>Audit Committee</td>
<td>AB&amp;BP and LTFP review To review indexing and assumptions</td>
<td>Feb- March 20</td>
</tr>
<tr>
<td>Brief Council on EM and/or Community New Initiatives/Submissions Stage 2, consider what to progress to Stage 3 in the budget process</td>
<td></td>
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</tr>
<tr>
<td>Council Workshop</td>
<td>4th AB&amp;BP and LTFP New Initiatives review for DDR; Council to assess and stage approval Stage 5</td>
<td>1/4/20</td>
</tr>
<tr>
<td>Council Workshop</td>
<td>5th AB&amp;BP and LTFP Review draft Operating Budgets &amp; Capital Works submissions and LTFP</td>
<td>21/4/20 after Council meeting</td>
</tr>
<tr>
<td>Council Management &amp; Staff</td>
<td>During January to April, budget preparation including rating and valuation modelling is undertaken</td>
<td>Jan to April 20</td>
</tr>
<tr>
<td>Council Workshop</td>
<td>6th Rating &amp; Valuation Forecasting, valuation changes, rebate, rating options Final Operating and Capital Works review</td>
<td>6/5/20</td>
</tr>
<tr>
<td>Audit Committee</td>
<td>AB&amp;BP and LTFP review and endorse for consultation</td>
<td>May-June 20</td>
</tr>
<tr>
<td>Special Council Meeting</td>
<td>Endorse Nuriootpa Centennial Park Authority Budget Endorse draft AB&amp;BP and LTFP for public consultation</td>
<td>11/5/20</td>
</tr>
<tr>
<td></td>
<td>Public Notices in local papers and Council internet provision for web submissions</td>
<td>13/05/20</td>
</tr>
<tr>
<td></td>
<td>Public Submissions period – 3 weeks</td>
<td>13/5/20 to 3/06/20</td>
</tr>
<tr>
<td>Special Council Meeting</td>
<td>1 hour period to be provided at a Special Council Meeting (coinciding with the Council workshop) - as per Local Government Act 1999, Sec 123 (4)(a)(i)(B) – “where members of the public may ask questions, and make submissions, in relation to the matter”</td>
<td>3/06/20 or 10/06/20</td>
</tr>
<tr>
<td>Council Meeting</td>
<td>AB&amp;BP and LTFP Consideration of public submissions</td>
<td>16/06/20</td>
</tr>
<tr>
<td>Special Council Meeting</td>
<td>Adopt AB&amp;BP and LTFP, Valuation and Rating</td>
<td>24/06/20</td>
</tr>
</tbody>
</table>

Note: New Initiatives discussions, processes and workshops will be included if Council approves them for the 2020/21 budget processes.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Policy
Budget & Business Plan and Review Policy

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


COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Corporate Plan

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

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

6.4 Ensure that decisions regarding expenditure of Council’s budget are based on an assessment of whole of life costs, risks associated with the activity and advice contained within supporting plans.

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

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

Legislative Requirements
Local Government Act 1999 Section 123
Local Government (Financial Management) Regulations 2011

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
Financial
The Budget and LTFP indexation, assumptions and timetable are integral parts of financial planning to ensure an organised and thorough process is undertaken.

As a result of TBP and other programs the discretionary spend amount (usually contributes to the expenditure for NIs) is not funded or available until the 2023/24 budget year starting at $50k then $500k pa for the remaining year of the LTFP.

COMMUNITY CONSULTATION
Included as part of the draft 2020/21 Budget & Business Plan consultation and adoption process.

7.2.2.2 MONTHLY FINANCE REPORT (AS AT 30 NOVEMBER 2019)
B411

Author: Acting Senior Accountant

MOVED Cr de Vries that the Monthly Finance Report as at 30 November 2019 be received and noted.
Seconded Cr Johnstone CARRIED 2018-22/404

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

REPORT
Discussion
The Monthly Finance Report (as at 30 November 2019) is attached. The report has been prepared comparing actuals to the Original adopted budget 2019/20 and incorporating the Revised Budget for September.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: Monthly Finance Report 30 November 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.

7.3 CORPORATE AND COMMUNITY SERVICES - DEBATE

7.3.1 DIRECTOR CORPORATE AND COMMUNITY SERVICES – DEBATE
Nil

7.3.2 MANAGER COMMUNITY PROJECTS - DEBATE

7.3.2.1 NEW INITIATIVES – OLD CROMER SCHOOL HOUSE AND TENNIS CLUB – REQUEST FOR FUNDING FOR UPGRADE AND MAINTENANCE ITEMS

B9045

Author: Manager Community Projects

MOVED Cr de Vries that:

(1) Council Supports the New Initiative Request to upgrade and maintain the Old Cromer School House / Tennis Club Building with a 2nd quarter budget adjustment of $29,512 ex GST and an ongoing maintenance budget of $2,000 ex GST per annum.

And
(2) Sets a fee for hire at $20 per day for any booking other than meetings of the Friends of the Old Cromer School House group or meetings of the Cromer Tennis Club.

And
(3) Requires Officers in the Customer Support Team to manage the bookings and invoicing of hire fees through Council’s corporate systems and processes.

Seconded Cr Troup

CARRIED 2018-22/405
PURPOSE
For Council to consider a request to provide funds to upgrade and maintain the Old Cromer School House and Tennis Club.

REPORT
Background
The Old Cromer School House and Tennis Club has been under the care and control of the Council since 14 March 1983. The building has had various improvements over the years. The most recent improvements have been the addition of tennis courts and an external toilet block in the late 1980s. There is no mains water to the site.

The Cromer Community submitted a New Initiative Request as part of the 2019/20 annual budget process. Council at the time deferred their decision on funding improvements to the Old Cromer School House and Tennis Club with a view to attending the site. This site visit occurred on 10 September 2019.

Discussion
The original New Initiative documentation has been updated with additional quotes and is provided at Attachment 1. The community groups are keen to use the facility, promote social inclusion and associated community health and wellbeing outcomes, with the building representing the only communal building in the area.

It provides costing of items of $29,512 to bring the facility to a minimum usable standard:

<table>
<thead>
<tr>
<th>Item</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Power – Reconnect and ensure existing internal and external lighting in working order</td>
<td>$2,547.68 inc GST (Assuming existing wiring OK) Plus external light to toilet building $263.34 Allowance for making good to wiring that cannot be assessed without access to ceiling - $10,000</td>
</tr>
<tr>
<td>Oven – Replace old non-compliant gas oven with electric</td>
<td>$1000</td>
</tr>
<tr>
<td>Internal Walls – Repair Gyprock to walls and ceilings, west window and repair entrance door and touch up paintwork and window</td>
<td>$1700.50 $200 paint (in-kind effort for labour)</td>
</tr>
<tr>
<td>Interior surfaces – general clean</td>
<td>$800</td>
</tr>
<tr>
<td>Security – upgrade works on bolt / locking mechanism for door</td>
<td>$500</td>
</tr>
<tr>
<td>Toilets – Full clean (once off) and minor painting and repairs</td>
<td>$500</td>
</tr>
<tr>
<td>Courts – Repair damaged fence</td>
<td>$5000</td>
</tr>
<tr>
<td>Courts – Clean debris</td>
<td>$500</td>
</tr>
<tr>
<td>Courts - Line Marking</td>
<td>$1000</td>
</tr>
</tbody>
</table>
Access to Courts – Improve steps (although any works here could trigger DDA requirements under Building Code and then require additional investment) | $1000 – just general tidy up from vegetation and assessment  
$2500 – stairs to access courts

TOTAL ESTIMATED UPFRONT COST | $29,512  
(Including allowance for making good to electrical wiring.)

Estimated ongoing maintenance budget | $2,000 per annum

In-Kind contributions | Volunteer Working Bee – General Tidy up  
Ongoing building cleaning  
Court cleaning  
Court Line marking

A maintenance budget of $2,000 would then be requested annually to support the facility.

Additional resources and funds have had to be expended in the last 6 months due to a series of 2 separate break in attempts. As the building has not been occupied for a number of years, the facility has been accessed by squatters and vandals. Additional upgraded locking for the entrance door is required and as the community utilises the building more, this will also deter such activity.

The Cromer Community have created a Friends of the Old Cromer School House ([https://www.facebook.com/OldCromerSchoolHouse/](https://www.facebook.com/OldCromerSchoolHouse/)) group that have held a working bee on the site and also a car boot sale for the purpose of community social gathering and to fundraise for improvement at the building. Their first event resulted in profit of $142.

The Cromer Tennis Club is still an incorporated association; however are not active and have not had active tennis teams in many years. The two groups seem to operate quite separately.

It is also noted that Officers have received multiple communications from an individual who has expressed interest in purchasing the site for conversion to a residential dwelling. The site is Crown Land and any alternative use or ownership for the facility would need to go through a full revocation process. Officers have not done any work in relation to this option but did inform the local groups at the September site visit, in the interests of transparency.

Summary and Conclusion
The Cromer Community have requested improvements to the Old Cromer School House / Tennis Club to enable the community to utilise the facility that they identify as their only potential, local communal gathering space. The investment of $29,512 will bring the facility to a minimum, safe condition.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: New Initiative – Old Cromer School House and Tennis Club – upgrade and maintenance request. Ref: 19/26649
Attachment 2: Level 1 Due Diligence Report - Old Cromer School House and Tennis Club. Ref: 19/68967

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Community Plan

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

- Infrastructure  
  3.1 - Develop and implement sound asset management which delivers sustainable services.

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

This request is not budgeted nor is the ongoing maintenance requirement of $2,000 per annum.

A Level 1 Due Diligence Report is provided at Attachment 2, which results in a Bid Analysis Score (BAT) of 43. The 2019/2020 BAT cut off for existing approved New Initiatives was 46.

COMMUNITY CONSULTATION

No formal community consultation has taken place or is required under the Local Government Act or Council’s Public Consultation Policy. This is a community led New Initiative request.

7.3.2 DEBATE AGENDA – MANAGER, COMMUNITY AND CULTURE

7.3.2.2 FURTHER CONSIDERATION OF THE VOLUNTEER MANAGEMENT POLICY AND PROCESS FOLLOWING PUBLIC CONSULTATION

B6023

Author: Coordinators Volunteering Services

MOVED Cr de Vries that:

(1) Council receive, note and consider the feedback from community members on the draft Volunteer Management Policy and Volunteer Management Process (the “Policy” and “Process” respectively), during the public consultation period from 23 October 2019 to 5pm, 20 November 2019;

(2) That Council receives, considers and approves the draft Policy and Process with the removal of JPs within the scope at Attachment 1 and 2 of this report, noting the minor amendments that have been made to the Policy and Process following feedback received during the public consultation period.

Seconded Cr Boothby

CARRIED 2018-22/406

PURPOSE

Council is asked to receive, consider and approve the attached draft Volunteer Management Policy and Process (the “Policy” and “Process”), and receive the feedback from the community during the public consultation period, which was carried out in accordance with Council’s Public Consultation Policy from 23 October 2019 to close of 5pm, 20 November 2019.

REPORT

Background

At Council’s meeting of 15 October 2019, it resolved as follows:

MOVED Cr Troup that Council:

(1) Receive and endorse the draft updated Volunteer Management Policy and Volunteer Management Process for public consultation, in accordance with Council’s Public Consultation Policy.

(2) Approve the Draft Community Consultation and Communications Plan for consultation to take place between 23 October 2019 and 20 November 2019.

(3) Require Officers to bring a further report to Council following conclusion of the public consultation period detailing all submissions received.

Seconded Cr de Vries

CARRIED 2018-22/346
Introduction
In accordance with the above resolution, officers provide the following for Elected Members’ consideration:

- Copies of public notices in the Herald and Leader newspapers at Attachment 3;
- Copies of media release and posts on Council’s website, Better Impact Database and Facebook at Attachment 4;
- Template email sent to all Community Volunteer Organisations notifying of the public consultation at Attachment 5;
- Summary table of feedback from the community via email, in person, Facebook and the Our Better Barossa consultation platform at Attachment 6;
- Copy of all correspondence from the community (email addresses redacted) at Attachment 7;
- Copy of email thanking those who provided feedback and invitation to attend next meeting at Attachment 8.

Discussion
In accordance with Council’s Public Consultation Policy and Council’s resolution of 15 October 2019, a public notice was placed in each of the Herald and Leader newspapers on 23 October 2019 (at Attachment 3). The public notices advised that the draft Volunteer Management Policy and Volunteer Management Process (the “Policy” and “Process” respectively), would be made available for download via Council’s website and in hard copy at its branch offices.

Council Volunteers were also notified of the public consultation, and invited to provide feedback on the draft Policy and Process, via the Better Impact database email (Attachment 4). Copies of the draft Policy and Process were also made available for inspection at Council’s principal and branch offices, and provided to Volunteer agencies engaged with Council (template email at Attachment 5).

Members of the public and Volunteers were invited to make written submissions on the draft Policy and Process by 5pm 20 November 2019, i.e. for a period of 28 days in accordance with Council’s Public Consultation Policy.

Further promotion of the consultation was undertaken via Council’s website, Our Better Barossa consultation platform, Better Impact database and Facebook post (Attachment 4). Due to technical issues, officers were unable to reproduce a copy of the post to the Our Better Barossa page.

The 11 submissions (9 written feedback and 2 Facebook “likes”) received are presented for member convenience in summary form (at Attachment 6) and for completeness, copies of all correspondence from community members, with contact details redacted (at Attachment 7). Submissions were received via Facebook, email, in person and the Our Better Barossa platform. A thank you email and invitation to attend the Council meeting, as per the template at Attachment 8 was sent to each person who provided an email address with their submission.

Following public consultation, officers made the following minor amendments to the draft Policy and Process, which have been made by way of track changes at Attachments 1 and 2.

Draft Policy:
- Following feedback from the community seeking further recognition of the unique contributions by Volunteers, section 3.2 of the Policy has been amended to reiterate and reflect this.

Draft Process:
- A change was made to 3.11.3 where 5 year increments thereafter was added to solidify the fact that we will continue to recognise Volunteers’ contribution after 10 years of service

After considering the community feedback, the Elected Body must now consider whether or not to approve the draft Policy and Process.
The Barossa Council 19/73429   Minutes of Council Meeting held on Tuesday 17 December 2019

Summary and Conclusion
Council is asked to receive, consider and approve the draft Volunteer Management Policy and Process, as attached at Attachments 1 and 2 to this report.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1 – Draft Volunteer Management Policy
Attachment 2 – Draft Volunteer Management Process
Attachment 3 - Copies of public notices in the Herald and Leader newspapers
Attachment 4 – Copies of posts on Council’s website, Facebook page, and Better Impact Database
Attachment 5 – Template email sent to Community Volunteer Organisations
Attachment 6 - Summary table of responses from the community
Attachment 7 - Copy of all correspondence from the community (contact details redacted)
Attachment 8 – Email thanking those who provided feedback and invitation to attend next meeting

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Corporate Plan
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
N/A

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
Financial Considerations
The cost of implementing the Volunteer Management Policy and Process will be met from the existing Volunteer Services budget line.

Resources
Once adopted, the Volunteer Management Policy and Process will be implemented within existing resources, and any additional requirements will be absorbed into Officer day-to-day duties.

Risk Management
Risk is minimised by ensuring that the Volunteer Management Policy and Process align with industry good practice standards, and current legislation. The updates also improve processes to enhance efficiency and oversight where necessary. Appropriate management of volunteers is a reputational matter for Council.

COMMUNITY CONSULTATION
Public consultation on the draft Volunteer Management Policy and Process was carried out for a period of 28 days, commencing 23 October 2019 and concluding at 5.00pm on 20 November 2019, in accordance with Council’s Public Consultation Policy.

7.3.2 DEBATE AGENDA – MANAGER COMMUNITY PROJECTS

7.3.2.3 DRAFT EVENT MANAGEMENT POLICY
B2250
MOVED Cr Miller that Council endorse the draft Event Management Policy with the definition of ‘Potential High Impact Event’ (dot point five) to be amended to:

Equestrian and horse driven events held annually at Agricultural, Horticultural and Floricultural Shows at Angaston, Mount Pleasant and Tanunda thus permitting the continuation of existing horse-in-action events that have a historical function and attraction to those aforesaid annual events.

Seconded Cr de Vries

CARRIED 2018-22/407

PURPOSE

Presenting the revised draft Event Management Policy (Attachment 1) post community consultation for Council’s approval with changes tracked for ease of reference in the document.

REPORT

Introduction

At its 17 September 2019 meeting Council resolved that:

MOVED Cr Troup 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 4 October 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 2018-22/304

At its 20 August 2019 meeting Council resolved:

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

Submissions received have been collated and provided in Attachment 2.

Discussion

During the Community Consultation period of 21 August 2019 until 4 October 2019 (extended from original date of 13 September 2019), 99 formal submissions were received. Included was an online petition facilities through change.org. Additionally, a second formal petition was submitted and reported to Council at its 19 November 2019 meeting where it was resolved:

MOVED Cr Wiese-Smith that:
(1) In accordance with Section 2.10(2) of the Local Government (Procedures at Meetings) Regulations 2013, the Petition from the Angaston and Tanunda Agricultural Show Societies, in relation to the Draft Event Management Policy, be received and the Manager Community Projects provide an appropriate response to the authors of the petition.
(2) Council staff make available all submissions received during the consultation period to Elected Members prior to the 4 December 2019 Council Workshop.
(3) Council staff bring summarised information of all feedback received during the public consultation period to the 4 December 2019 Council Workshop.
(4) Council staff bring a further report to a future Council meeting (but no later than the January 2020 meeting of Council), outlining all submissions received and to present the proposed Draft Event Management Policy for endorsement.
The Barossa Council 19/73429  Minutes of Council Meeting held on Tuesday 17 December 2019

Seconded Cr de Vries  CARRIED 2018-22/369

The matter was tabled as an Agenda item report as stipulated at the 4 December 2019 Workshop. Letters were sent to the authors of the petition and are provided as Attachment 3 and 4.

Most submissions in relation to the draft Policy related to the definition of Potential High Impact Events:

In response to this feedback, the policy presented for approval has suggested the exclusion of Agricultural, Horticultural and Floricultural Shows from the definition of High Impact Events and requires that applications received for Potential High Impact Events may only be approved by CEO under delegation or Council.

Summary and Conclusion
Post community consultation, the draft Event Management Policy is presented to Council for approval.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: Event Management Policy Ref: 14/32852
Attachment 2:  Draft Event Management Policy - Community Consultation Feedback Summary Ref: 19/54376 (including individual submission letters received)
Attachment 3:  Letter to authors of petition from the Angaston Agricultural Show Societies Ref: 19/71697
Attachment 4:  Letter to authors of petition from the Tanunda Agricultural Show Societies Ref: 19/71699

COMMUNITY PLAN /CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Community and Culture
2.2 Support the development of activities that celebrate the history and culture of the Barossa and its people.
2.6 Support a vibrant and growing arts, cultural, heritage and events sector.
2.8 Provide opportunities for the community to participate in local decision-making.

Infrastructure
3.1 Develop and implement sound asset management which delivers sustainable services.
3.6 Invest in, and advocate for, community facilities that support cultural and community participation.

Corporate Plan

The Barossa Council 19/73429  Minutes of Council Meeting held on Tuesday 17 December 2019
How We Work – Good Governance

6.1 Ensure that the community has access to information regarding the discussions held and decisions made by Elected Members.
6.2 Ensure that Council’s policy and process frameworks are based on principles of sound governance and meet legislative requirements.

Legislation
Local Government Act 1999
Work Health Safety Act 2012

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Risk and Resource Management
The Event Management Policy will be implemented with a risk based approach to cater for individual events. Officers work with Event Organisers to ensure that their event is well managed and successful. Officers will escalate event requests to the CEO and / or Council as required by the Policy.

COMMUNITY CONSULTATION
Community Consultation was completed in accordance with the approved Community Consultation Plan and Council’s Public Consultation Policy.

7.3.2 DEBATE AGENDA – MANAGER, COMMUNITY AND CULTURE

7.3.2.4 2020 BAROSSA FRINGE FESTIVAL LAUNCH PARTY
B10283

MOVED Cr Wiese-Smith that Council:

(1) approve the release of funds from the Tanunda Town Committee Reserve Fund for the amount of $4500 ex GST, to the Arts Budget GL263 for the purpose of supporting the Barossa Fringe on Tour Launch Party in the Tanunda Main Street to support the activation of the township and the celebration of music and entertainment for the Adelaide Fringe on Tour launch.

(2) notes that this approach is supportive of the outcomes to be achieved from the grant funding secured by Council from the Department of Innovation and Skills with support from Regional Development Australia – Barossa, Gawler, Light and Adelaide Plains (RDA) and Legatus for the Regional Live Music Coordinator program.

Seconded Cr Troup

CARRIED 2018-22/408

PURPOSE
To request the release of funds from the Tanunda Town Committee Reserve Fund for the 2020 Adelaide Fringe on Tour Street Party in Tanunda on February 15 2020.

REPORT
Background
The Barossa has been offered the opportunity to host the launch of the prestigious "Adelaide Fringe on Tour" program in February 2020 for the first time. This includes a potential launch party to be held in Tanunda on February 15 2020 2-7pm. As part of this agreement Adelaide Fringe will place their Fringe promotional caravan on the Visitor Centre grass area to help promote the Fringe events and activate the space.

Introduction
Officers including the recently appointed Regional Live Music Coordinator (part grant funded appointment by Council, State Government, RDA and Legatus), have worked with local businesses and members of the arts community to bring together the region’s first “Adelaide Fringe on Tour” program. This program includes 13 events at 12 venues over 4 days occurring between the 14 and 17 February 2020, inclusive of a flagship launch festival in Tanunda. With the support of the current Tanunda Town Traders, this launch party has been planned to occur in Tanunda on 15 February 2020 between the hours of 2 and 7pm.

Discussion
The Adelaide Fringe on Tour Launch Party will take place across three hotspots in Tanunda: the Visitor Centre, The Rotunda, and the Valley Hotel. Although there will be entertainment in all three areas of the Tanunda main street, the main launch event will occur within the grounds of the Visitor Centre and Murray Street will remain open to traffic, community event signage has been requested to be put in place to signal traffic.

At these hotspots a variety of musical, artistic, food and beverage offerings will be curated in a program that celebrates local craftsmanship and hospitality. In addition to this local traders have been invited to plan for events, workshops, demonstrations and activities within their businesses along the main street to provide key activation and promote economic outcomes. The response from main street traders has been very positive with many agreeing to participate in the event.

The benefits of the “Adelaide Fringe on Tour Launch Party” are potentially substantial and long reaching. Key outcomes predicted from this activity include:

1. Increased visitation and economic stimulus to the town of Tanunda at a time in the year where visitation and spend is historically low.
2. Activation of the live music community through paid employment opportunities to perform original music to a dedicated audience.
3. Increased social and wellbeing opportunities for residents of the Barossa to engage in arts and cultural activity.
4. Activation of local business through the arts for mutual benefit.

The release of historic Tanunda Town Committee (TTC) Reserve Funding is sought to provide the following activities that would be undertaken on the day. These activities are inclusive of:

1. **Entertainment**: Welcome to Country, Live Music and Roving Performers: $3750
2. **St John of Gods First Aid donation**: $250 (First Aid services at the VIC)
3. **Community Road Signage**: approx. $500

**Fringe on Tour Total Budget (ex GST)**

Provided in kind support:
- Emily Haye Designs (graphic design work) $1,900
- Tourism Barossa (marketing and communication work) $1,200
- Leader Newspaper (print advertising) $2,000
- Adelaide Fringe (Caravan Usage) $2,000

**Total In Kind Contribution** $7,100

**Financial Contribution**:
- The Barossa Council (Launch Event – from TTC Reserve) $4,500
- Participating Venues (12 venues fringe marketing package) $5,000
- Existing Council Arts and Culture Budget (Program printing) $400

**Total Cash Contribution** $9,900

**Total Fringe on Tour Cost (in kind and cash)** $17,000

**Summary/Conclusion**
The Adelaide Fringe on Tour Tanunda Launch Party provides an exceptional economic, cultural and social opportunity for the town of Tanunda. Crucially, it will drive visitation to the region, building revenue for local business, providing local artists with paid opportunities to display their craft and capitalising on the known brand of the Adelaide Fringe to provide something wholly different for the Barossa. The objectives are also considered by Officers to align with the purposes of the former Tanunda Town Committee and an appropriate use of residual Reserve Funds which amount to $104,000. Previous use of these funds has been for projects such as the lighting in the Visitor Centre garden and the seating in the Rotunda.

### ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Due Diligence Report Level 1

### COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

**Community Plan**

Our Values - A commitment to achievement, encouraging and celebrating successes that enrich and strengthen our community.

**Corporate Plan**

How We Work – Good Governance

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

**Legislative Requirements**

None

### FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

**Financial and Resources**

Sound financial management is crucial to the successful delivery of this project. A robust marketing plan including the communal purchase of a Tier One Fringe on Tour Marketing Pack has been implemented, a communications plan by Tourism Barossa and a full program and social kit by Emily Hay. This is to ensure maximum audience reach.

Additionally, financial support has been committed by Andrew Plush for the artistic programming of the Valley Hotel as a hotspot. Provision of food and beverage options are also expected to be cost neutral.

Chiefly, therefore, financial support is sought for the artistic programming of the Rotunda and Visitor Centre. These elements are necessary for the program to go ahead but also represent limited risk as a financial investment.

A Due Diligence Report Level 1 in accordance with Council’s Prudential Management Policy is provided as Attachment 1. Funds to be drawn into the Budget from the Tanunda Town Committee Reserve.

**Risk Management**

An event application, risk assessment and site map will be submitted as is due process. These plans will underpin the delivery of this event and provide thorough support system of risk management.

### COMMUNITY CONSULTATION

This project is one that has been born of community consultation. Officers developed the Barossa Fringe on Tour Program with a network of contributing local businesses, each of whom have contributed financially to the endeavor. Additional ongoing consultation with the Tanunda Traders has occurred, with the group expressing their considerable enthusiasm for the project. These traders have been offered the opportunity to contribute to the Adelaide Fringe on Tour Tanunda Launch Party through a survey sent out through Tanunda Town Traders chairperson.

### 7.3.2 DEBATE AGENDA – MANAGER COMMUNITY PROJECTS
The Barossa Council 19/73429 Minutes of Council Meeting held on Tuesday 17 December 2019

7.3.2.5
LYNDOCH RECREATION PARK – LYNDOCH CRICKET CLUB – TURF PITCH PROJECT
B9045
Author: Manager Community Projects

MOVED Cr de Vries that Council;

(1) Note and endorse the need to accelerate the Turf Pitch works of The Big Project at Lyndoch Recreation Park.

(2) Note and endorse the Lyndoch Cricket Club’s documentation in support of the project.

(3) Should the Lyndoch Cricket Club’s grant application to the Australian Cricket Infrastructure Fund not be successful, approve a second quarter budget adjustment of up to $20,000 ex GST.

Seconded Cr Johnstone CARRIED 2018-22/409

PURPOSE

For Council to consider accelerating the upgrade of the Lyndoch Recreation Park Turf Pitch installation.

REPORT

Background

Council endorsed the Lyndoch Recreation Park (as part of the Southern Barossa Sporting Hub) as one of the priority projects under The Big Project at its 20 August 2019 meeting:

MOVED Cr Johnstone

(1) That Council having considered, reviewed and analysed The Big Project masterplans, community needs and benefits as gathered through the master planning and community engagement processes over the past 33 months, financial modelling and ability to fund projects, economic development opportunities, third party and grant funding alignment endorse the “Target Next Phase Priorities and Associated Analysis – August 2019” document as presented at the Attachment.

(2) That Council noting that current 2019-20 financial year programs being the Angaston Railway Station masterplan implementation, Tanunda Recreational Park acceleration works, Nuriootpa Centennial Park multi-use change rooms and Old Talunga Recreation Park tennis/netball upgrades are approved projects that are below the thresholds of the Prudential Management Policy under to Section 48(aa1) of the Local Government Act for a full independent prudential report proceed as budgeted.

(3) That Council noting that the “Target Next Phase Priorities and Associated Analysis – August 2019” include some projects that are above the expenditure threshold for a full independent prudential management report as contemplated by the Prudential Management Policy under to Section 48(aa1) of the Local Government Act undertake the required full prudential management report as outlined by Clause 4.3 of the policy on the remaining projects in totality and that the Chief Executive Officer proceed to engage an independent consultant to undertake the work.

(4) That Council acknowledge that the target plan will be adjusted and revised depending on the availability and success of grant applications, annual funding allocations, changing community need, and resourcing needs to deliver this aspirational target plan.

(5) That the Mayor release a public statement relative to this resolution of Council.

Seconded Cr Angas CARRIED 2018-22/281
This resolution includes the following for Lyndoch Recreation Park:
1. Recreation and Sporting Facilities:
   b. Southern Recreational Hub – Lyndoch Recreational Park – part investment $6.968M
      which at this time includes Rugby relocation but only playing infrastructure. Council has
      indicated an interim move is likely to be required;

The turf pitch is noted on the Lyndoch Recreation Park Masterplan. See Attachment 1

Progressively over the last 5 or so years, most clubs in the Barossa and Light Cricket Association
(the Association) have installed turf cricket pitches. It is now a requirement of the Association
that any club wishing to enter a team in the A1 competition, require a home turf pitch for
matches.

Officers have been working with the Lyndoch Cricket Club (the Club) over recent seasons to
assist with the process of gaining approval for installation of a turf pitch. Club members have
progressed the project technical requirements and recently engaged the services of JG Turf
Consulting to design the wicket, irrigation and drainage requirements.

Discussion
The Lyndoch Cricket Club have provided a letter of request, budget breakdown for financial
and in-kind costs as well as quotes for the works. (See Attachment 2)

In summary the project costs (ex GST) are as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Survey</td>
<td>$1,640</td>
</tr>
<tr>
<td>Excavation</td>
<td>$5,112</td>
</tr>
<tr>
<td>Timber Boards</td>
<td>$200</td>
</tr>
<tr>
<td>Irrigation and drainage materials and equipment hire</td>
<td>$12,500</td>
</tr>
<tr>
<td>Drainage – install into exiting outfield system</td>
<td>$2,000</td>
</tr>
<tr>
<td>Black soil (clay)</td>
<td>$16,500</td>
</tr>
<tr>
<td>Laser Levelling</td>
<td>$3,300</td>
</tr>
<tr>
<td>Turf – washed santa ana couch (delivery costs estimated at $1,000)</td>
<td>$8,668</td>
</tr>
<tr>
<td>Fertiliser</td>
<td>$200</td>
</tr>
<tr>
<td>Labour</td>
<td>$2,130</td>
</tr>
<tr>
<td>Equipment – Roller</td>
<td>On loan</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$52,250</strong></td>
</tr>
</tbody>
</table>

The Club have provided the following funding model for the completion of the project.

<table>
<thead>
<tr>
<th>INCOME SOURCE</th>
<th>CASH AMOUNT</th>
<th>In Kind AMOUNT</th>
<th>CONFIRMED Y/N</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australian Cricket Infrastructure Fund – Grant Request</td>
<td>20,000</td>
<td></td>
<td>No – confirmation due mid December 2019</td>
</tr>
<tr>
<td>Lyndoch Cricket Club - Cash</td>
<td>20,000</td>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>Barossa and Light Cricket Association</td>
<td>3,000</td>
<td></td>
<td>To Be Confirmed</td>
</tr>
<tr>
<td>Lyndoch Cricket Club - In-kind Contribution</td>
<td>9,250</td>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>The Barossa Council</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>
The Lyndoch Cricket Club have leveraged their relationships with peak bodies for financial contributions to the project. The Australian Cricket Infrastructure Fund was released on 15 November 2019 and the club have submitted an application for $20,000. The South Australian Cricket Association have indicated that due to the tight time frame requested for project construction (working in with the season break of athletics and having turf well bedded in prior to the rugby season start), that they should be able to provide response of grant outcome during the middle of December.

Should the Australian Cricket Infrastructure Fund grant be unsuccessful, the Club would then request a cash contribution from Council is $20,000.

Officers from Community Projects and Works and Engineering Services have met with the Club and contractor to agree on the approach for design plans and construction. The installation will interface with the existing drainage works that have recently been completed at the oval and is in line with the approved masterplan for the site. The Club are progressing the detailed design plans and will provide them to officers prior to works.

Consideration has also been made of existing users of the site, being the Lyndoch and District Little Athletics Club (Athletics Club) and the Lyndoch Street Party. The timeline for works fits in well, after the conclusion of the street party and during the Christmas / New Year season break for athletics.

The Club have also confirmed their ongoing volunteer effort to manage and prepare the pitch for matches and to work within the needs of the Athletics Club as they utilize the oval on Friday evenings. This will be documented in the Club’s licence agreement.

Summary and Conclusion
The Lyndoch Cricket Club have requested approval to install a turf cricket pitch on the Lyndoch Recreation Park Oval over the 2019/2020 Christmas / New Year period. Officers support the Club’s request and the need to accelerate this component of The Big Project works.

<table>
<thead>
<tr>
<th></th>
<th>$43,000</th>
<th>$9,250</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$52,250</td>
<td></td>
</tr>
</tbody>
</table>

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1: Lyndoch Recreation Park Masterplan Ref: 17/7240
Attachment 2: Lyndoch Cricket Club – Turf Pitch Project Proposal and associated documents Ref: 19/71258

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

**Community Plan**

3.1 Develop and implement sound asset management which delivers sustainable services.

**Community Plan**

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

2.9 Collaborate, initiate, develop and/or support activities and facilities for youth in our community.

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.

**Legislative Requirements**
Local Government Act 1999

The Barossa Council 19/73429   Minutes of Council Meeting held on Tuesday 17 December 2019
FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial Management
Should the Australian Cricket Infrastructure Fund grant be unsuccessful, the Lyndoch Cricket Club will request a Council contribution of up to $20,000. The Long Term Financial Plan includes a provision for The Big Project. Approval of the acceleration of this project under the Lyndoch Recreation Park element of The Big Project will require this contribution to be funded from that provision.

Resource Management
Minimal support from officers will be required in contractor management and work health safety (Manager Community Projects), and support of oversight of the construction and its interface with existing irrigation and drainage systems (Team Leader, Operations).

Risk Management Considerations
Construction risks of the projects will primarily be management by the Lyndoch Cricket Club. Officers will ensure that the appropriate Work Health Safety, contractor and volunteer management processes are followed.

COMMUNITY CONSULTATION
No additional (post community consultation of the Lyndoch Recreation Park Masterplan) formal community consultation has taken place or is required under the Local Government Act or Council’s Public Consultation Policy.

7.3.2 DEBATE AGENDA – MANAGER COMMUNITY PROJECTS

7.3.2.6 LYNDOCH RECREATION PARK – OVAL LIGHTS

Author: Manager Community Projects

Moved Cr de Vries that Council:
(1) Note and endorse the need to accelerate the element of The Big Project works for the upgrade of oval lighting at Lyndoch Recreation Park due to failure of current lights and to maintain existing level of service.
(2) Note and endorse the lighting design for rugby and AFL competition minimum guideline requirements and associated budget costing.
(3) Approve a second quarter budget adjustment of $147,107 ex GST

Seconded Cr Boothby

PURPOSE
For Council to consider accelerating the upgrade of the Lyndoch Recreation Park Oval Lights in the adopted Big Project Master Plan.

REPORT
Background
Council endorsed the Lyndoch Recreation Park (as part of the Southern Barossa Sporting Hub) as one of the priority projects under The Big Project at its 20 August 2019 meeting:

MOVED Cr Johnstone

(6) That Council having considered, reviewed and analysed The Big Project masterplans, community needs and benefits as gathered through the master planning and community engagement processes over the past 33 months, financial modelling and ability to fund projects, economic development opportunities, third party and grant funding alignment endorse the “Target Next Phase Priorities and Associated Analysis – August 2019” document as presented at the Attachment.
(7) That Council noting that current 2019-20 financial year programs being the Angaston Railway Station masterplan implementation, Tanunda Recreational Park acceleration works, Nuriootpa Centennial Park multi-use change rooms and Old Talunga Recreation Park tennis/netball upgrades are approved projects that are below the thresholds of the Prudential Management Policy under to Section 48(aa1) of the Local Government Act for a full independent prudential report proceed as budgeted.

(8) That Council noting that the “Target Next Phase Priorities and Associated Analysis – August 2019” include some projects that are above the expenditure threshold for a full independent prudential management report as contemplated by the Prudential Management Policy under to Section 48(aa1) of the Local Government Act undertake the required full prudent management report as outlined by Clause 4.3 of the policy on the remaining projects in totality and that the Chief Executive Officer proceed to engage an independent consultant to undertake the work.

(9) That Council acknowledge that the target plan will be adjusted and revised depending on the availability and success of grant applications, annual funding allocations, changing community need, and resourcing needs to deliver this aspirational target plan.

(10) That the Mayor release a public statement relative to this resolution of Council.

Seconded Cr Angas  
CARRIED 2018-22/281

This resolution includes the following for Lyndoch Recreation Park:
1. Recreation and Sporting Facilities;
   b. Southern Recreational Hub – Lyndoch Recreational Park – part investment $6.968M
   which at this time includes Rugby relocation but only playing infrastructure, Council has indicated an interim move is likely to be required;

Concurrently, a New Initiative (Attachment 1) requested by Southern Barossa Alliance on behalf of the sporting user groups of Lyndoch Recreation Park was approved in the 2019/2020 budget for $20,000 for a temporary upgrade be undertaken to increase the brightness by 30% by installing an additional flood light on each tower.

Discussion
A modest upgrade to achieve the best possible outcome with the approved budget was implemented. The initial implementation of an additional panel of LED lights per post did not achieve the desired outcome for the Barossa Rams Rugby Club, being the sporting group that were in season at the time. While a 30% improvement in brightness (measured by Lux levels) was achieved, the uniformity of the upgraded lights was patchy and left dark spots on the oval. Additional funds were allocated from central community assets budgets reserved for unplanned failures and breakdowns, for the addition of 1 extra LED light per light pole.

It was then observed during the high wind events of mid-November that the light poles were showing signs of movement and potential failure at the sleeved join half way up the pole.

A risk assessment (Attachment 2) was completed that resulted in an unacceptable level of risk to leave the light poles with the additional lighting infrastructure. Contractors were engaged to remove the light fittings and eliminate the hazard.

At the same time, officers have been working with a lighting designer for the sports lighting at Old Talunga Park, Mount Pleasant, for detailed design and costing for the Grassroots Grant Application. Officers took the opportunity to extend the works for Sports Lighting SA to provide a lighting design and budget level quote for the full replacement and upgrade of oval lights at Lyndoch Recreation Park. The design and budget level costing is provided at Attachment 3. The design allows for 4 new 22m poles and 5 new Philips Opti LED BVP525 lights fittings. Measurements have been provided for rugby and AFL minimum requirements. Development Approval is still required. The budget estimate is as follows:

| 20 x BVP525 A/NB T30 Philips Opti LED light fittings @ $4,200 each | $84,000 (ex GST) |
The Barossa Council 19/73429    Minutes of Council Meeting held on Tuesday 17 December 2019

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost (ex GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 x Hayman 22m poles – foundation cages, headframes @ $5,300 each</td>
<td>$21,200</td>
</tr>
<tr>
<td>Freight to site including off-loading</td>
<td>$1,200</td>
</tr>
<tr>
<td>Installation (estimate as per Tanunda Recreation Park)</td>
<td>$27,000</td>
</tr>
<tr>
<td>Construction Industry Training Fund Levy</td>
<td>$333.50</td>
</tr>
<tr>
<td><strong>Sub-total</strong></td>
<td><strong>$133,733.50</strong></td>
</tr>
<tr>
<td>Add Contingency – 10%</td>
<td><strong>$13,373.35</strong></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$147,106.85</strong></td>
</tr>
</tbody>
</table>

Note: It is understood that the electrical capacity of the recreation park will cater for this improved system, which could result in a lower electricity draw from the LED lights.

Similarly as has been approved at Tanunda Recreation Park, due to the failure of adequate lighting for Lyndoch Recreation Park and resulting risk issues, officers recommend that Council accelerate the oval lighting component of The Big Project works for Lyndoch Recreation Park. The current use of lighting is provided to the Barossa Rams Rugby Club, Lyndoch and Districts Little Athletics Club and various community events (Lyndoch Christmas Party).

Whilst it is envisaged that Rugby will relocate from the facility this may not eventuate for at least another 1 or 2 seasons. Rugby Union SA now require all their clubs to achieve an average minimum 100 LUX and uniformity of greater than 0.5 to be compliant with night games under lights and therefore will not be able to operated under temporary, portable lights and with the continued growth experienced, the Club will not be able to accommodate all fixtures within their home ground without the lights being available as well as scheduling issues for practice sessions. AFL will experience the same issues when they relocate if the lights are not reinstated.

It is not recommended that additional funds be invested in the existing lighting infrastructure. Officers will explore the opportunity to realise value in the recently upgraded lighting infrastructure, either by reuse at other location or potential sale of lumens.

Summary and Conclusion
Officers have exhausted the best endeavour to improve the oval lighting at Lyndoch Recreation Park to achieve an interim improvement of 30% brightness. A formal lighting design and budget level estimate has been completed. Officers recommend that this element of The Big Project works for Lyndoch Recreation Park be accelerated in the 2019/20 financial year and if possible in readiness for the 2020 rugby season.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1: New Initiative – Lyndoch Recreation Park – Temporary Lighting Upgrade Ref: 18/13158
Attachment 2: Risk Assessment – Lyndoch Recreation Park – Oval Lights Ref: 19/66547
Attachment 3: Lyndoch Recreation Park – Oval Lighting Design and Costing – Sports Lighting SA Ref: 19/70058
Attachment 4: Due Diligence Report – Level 1 - Lyndoch Recreation Park – Oval Lights SA Ref: 19/71341

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

Community Plan

3.1 Develop and implement sound asset management which delivers sustainable services.
2.1 Deliver sound community infrastructure and public space planning activities which incorporate place-making principles and take into account the future needs of the community.

2.9 Collaborate, initiate, develop and/or support activities and facilities for youth in our community.

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.

Legislative Requirements
Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial Management Considerations
The following costs have already been expended:

<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
<th>Cost (ex GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feb-18</td>
<td>NI - Received from SBA - outcome to achieve brightness increase by 30%</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>2018/19</td>
<td>Officer recommendation that $5K not enough, up to $20K - approved</td>
<td>$20,000.00</td>
</tr>
<tr>
<td>Feb-19</td>
<td>Quote received CSJ - replace all 8 light fittings with new 950 watt LED fittings. Notes <em>an assumption that the existing poles are suitable for the new fittings</em></td>
<td>$32,626.86</td>
</tr>
<tr>
<td>June, July, Aug 19</td>
<td>Various feedback and working with CSJ to improve lighting uniformity. Additional works required</td>
<td>$9,084.44</td>
</tr>
<tr>
<td>Nov-19</td>
<td>Observation on high wind day that light poles moving and concern about failure at sleeved join approx 4m above ground. Engineering advice determined that all light fitting to be removed. Temp fencing immediately installed and lights required for pre-planned athletics meet. Lighting required as per licence agreement.</td>
<td>$2,994.75</td>
</tr>
<tr>
<td>Nov-19</td>
<td>Lights removed and additional fixings installed</td>
<td>$4,746.50</td>
</tr>
<tr>
<td>13-Dec-19</td>
<td>More temp lighting will be required for Lyndoch Street Party event</td>
<td>$2,502.50</td>
</tr>
</tbody>
</table>

Should Council support the acceleration of the upgrade of oval lights at Lyndoch Recreation Park, a second quarter budget adjustment of $133,400 ex GST plus 10% contingency (total of $146,740 ex GST) be approved. Note, this does not include potential costs for electrical upgrade if required. This however is unlikely based on current knowledge of electrical capacity at the site.

If supported the funding would have to be drawn from The Big Project unallocated capital budget for 2019/20 but would not meet the criteria for achieving at least 40% grant funding. There are no current open grant funds that Officers are aware of that would enable that level of contribution to be achieved.

A Level 1 Due Diligence Report is provided at Attachment 4, which results in a Bid Analysis Score (BAT) of 55. The 2019/2020 BAT cut off for existing approved New Initiatives was 46.

Resource Management Implications
This is an unplanned project with potential impacts on Officer resource capacity.

COMMUNITY CONSULTATION
No formal community consultation has taken place or is required under the Local Government Act or Council’s Public Consultation Policy. This is a community led New Initiative request.
7.4.1 DIRECTOR WORKS AND ENGINEERING SERVICES - DEBATE

7.4.1.1 PROPOSED ROAD CLOSURE – 2020 BAROSSA TRIATHLON EVENTS
B9032 19/69281

MOVED Cr Schilling that, the Commissioner of Police be advised that The Barossa Council endorses the closure of the following roads to stage the 2020 Barossa Triathlon events:

Memorial Avenue, Nuriootpa, between Park Avenue and Lae Road, and Kokoda Road between Memorial Avenue and Penrice Road on Friday 31 January 2020 and Friday 28 February 2020 between 5.30pm and 8.30 pm, and

Memorial Avenue, Nuriootpa, between Park Avenue and Lae Road, and Kokoda Road between Memorial Avenue and Penrice Road on Sunday 16 February 2020 between 7.30am and 9.30 am, and

Memorial Avenue, Nuriootpa between Park Avenue and Lae Road, and Kokoda Road between Memorial Avenue and Penrice Road on Sunday 15 March 2020 between 10.30am and 1.30 pm, and

the following speed restrictions be implemented on Friday 31 January 2020 and Friday 28 February 2020:

   25 km/h zone on Penrice Road between Buna Terrace and Park Avenue,
   25 km/h zone on Research Road between Ray Beckwith Boulevard and 300 metres south of Penrice Road, between 5.30pm and 8.30pm, and

the following speed restrictions be implemented on Sunday 16 February 2020:

   25 km/h zone on Penrice Road between Buna Terrace and Park Avenue,
   25 km/h zone on Research Road between Ray Beckwith Boulevard and 300 metres south of Penrice Road, between 7.30am and 9.30am.

the following speed restrictions be implemented on Sunday 15 March 2020:

   25 km/h zone on Penrice Road between Buna Terrace and Park Avenue,
   25 km/h zone on Research Road between Ray Beckwith Boulevard and 300 metres south of Penrice Road, between 10.30am and 1.30pm, and

And, that Council waive the facility hire fee for the Nuriootpa Soldiers Memorial Pool facility for the three Barossa Triathlon days in 2020.

Seconded Cr Haebich

CARRIED 2018-22/411

PURPOSE

Barossa Triathlon Club has made application to Council requesting road closures and speed restrictions for the 2020 Barossa Triathlon events, planned for two Friday evenings and one Sunday morning in January, February and March and a Colour Run planned for Sunday 16 February 2020.
For the past four years ‘Come and TRI’ events have been held at the Nuriootpa War Memorial Swimming Pool with good response from the community.

In 2020 organisers wish to hold three events in similar format to the previous years to encourage the community to participate in the sport of Triathlon and offer a family friendly sport option to Barossa residents. There is also planned a Colour Run on Sunday 16 February 2020.

The organisers have requested assistance from The Barossa Council to manage road closures for these events along Memorial Avenue, between Park Avenue and Kokoda Road. The organisers will provide a number of marshals along the routes.

The organisers have requested that the four separate road closures and associated speed restrictions be implemented and funded by Council, to free up their volunteers for traffic marshalling along the route. The cost to Council to implement the event’s four separate road closures and associated speed restrictions would be approximately $4,000.

The organisers have also requested that the swimming pool facility hire fee of $720 (3 events at $240 each day) be waived as it is a community event that provides an opportunity for all ages to engage in a healthy, active lifestyle.

Summary and Conclusion

The total cost to Council to facilitate the proposed events is $4,720 inclusive of Council staff costs for the road closures and speed restriction and the swimming pool facility hire fee.

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

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

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

Business and Employment

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

Legislative Requirements

Local Government Act 1999
Road Traffic Act 1961

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial and Resources
The estimated actual cost of $4,000 for Council to facilitate the road closures and speed restrictions would be allocated from Council’s “Road Closure – Support” budget.

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

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

**7.5 DEVELOPMENT AND ENVIRONMENTAL SERVICES - DEBATE**

**7.5.1 DEVELOPMENT SERVICES - DEBATE**

**7.5.1.1 BAROSSA ASSESSMENT PANEL – TERMS OF REFERENCE**

Author: Manager, Development Services

Pursuant to sections 73 of the Local Government Act 1999, Cr Miller disclosed a material conflict of interest as he is a member of the Barossa Assessment Panel as the Council representative.

Pursuant to section 73 of the Local Government Act, Cr Johnstone disclosed a material conflict of interest as he is the Council’s Member of the Development Assessment Panel.

Crs Miller and Johnstone advised the meeting of their conflict of interest and left the meeting at 9.45am.

**MOVED** Cr Boothby that:

1. Council endorse the current Barossa Assessment Panel Terms of Reference for the period up to 30 June 2020. Subject to minor typographical corrections.
2. Council endorse the proposed Barossa Assessment Panel Terms of Reference for the period commencing from 1 July 2020.
3. Further report(s) affecting the Barossa Assessment Panel Terms of Reference be provided to council as necessary.

**Seconded** Cr de Vries  

**CARRIED 2018-22/412**

**PURPOSE**
To seek Council resolution amending the existing Terms of Reference for the Barossa Assessment Panel pursuant to the Planning, Development and Infrastructure Act 2016 and Planning, Development and Infrastructure (General) Regulations 2017

**REPORT**

*Background*
Council appoints the members of the Barossa Assessment Panel in accordance with the provisions of the Planning, Development and Infrastructure Act 2016 (the PDI Act) and the Regulations thereunder. In addition, the council is required to initiate the Terms of Reference for its Panel.
The existing terms of reference for the assessment panel are due for review and updates have been made in respect of recent state legislative changes.

Introduction
Attached to this report are the following documents related to a procedural and legal review of the assessment panel terms of reference. The review has also included impending changes to the Planning, Development and Infrastructure Act (PDI Act).

- Terms of Reference for the period up to and including 30 June 2020.
- Terms of Reference for the period commencing 1 July 2020 (when the PDI Act becomes fully operational).

Discussion
Comments on amendments made to each of the above stated documents are set out below.

BAP Terms of Reference for the period up to and including 30 June 2020

1. All amendments are tracked for ease of reference. These have been done following consultation with council solicitors.
2. Clause 1 – Section 83 is the correct reference to the PDI Act. Section 82 is not relevant to the establishment of the BAP and has been deleted.
3. Clause 2.1 – this clause has been updated to reflect the commencement date for the full operation of the PDI Act in this council’s area (1 July 2020).
4. Clause 3.3 – the PDI Act prescribes that the BAP appoints the acting presiding member, and this has been clarified in the Terms of Reference.
5. Clauses 3.8 and 3.9 – inserted provisions for the appointment of deputy members. This may be subject to further review as required.
6. Clause 6.1 - has been deleted given that there would be a new Terms of Reference for 1 July 2020 onwards.
7. Clause 7.2 – also deleted for the same reasons set out in clause 6.1 (as per comments at 6 above).

BAP Terms of Reference for the period commencing from 1 July 2020

1. The original document has been the subject of re-formatting but the majority of clauses would remain the same. This has also been done in consultation with council’s solicitors.
2. References to the Development Act 1993 and delegations have been removed. Under the PDI Act, the Panel will be the relevant authority as specified by the PDI Act and Regulations.
3. Accreditation requirements have been thoroughly referenced. As previously reported to council the requirements for panel members to be ‘accredited professionals’ under new PDI Act provisions commences from 1 July 2020.
   Delegation has been previously given to the Director Development and Environmental Services to seek expressions of interest accordingly.

Summary and Conclusion
The Terms of Reference for the Barossa Assessment Panel have been reviewed as a result of changing legislation and have been presented to Council for endorsement. There may be further amendments as a result of ongoing revisions to the PDI Act however these will be the subject of further reporting.
ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Terms of Reference for the period up to and including 30 June 2020.
Attachment 2: Terms of Reference for the period commencing from 1 July 2020.

COMMUNITY PLAN CORPORATE PLAN/LEGISLATIVE REQUIREMENTS

Community Plan

Natural Environment and Built Heritage

Corporate Plan

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

Legislative Requirements

Planning, Development and Infrastructure Act 2016
Planning, Development and Infrastructure (General) Regulations 2017
Development Act 1993
Development Regulations 2008

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial Management

Council is responsible for the staffing and supporting its Assessment Panel. In addition, it is responsible for all costs and other liabilities associated with the activities of the Barossa Assessment Panel.

The Assessment Panel will operate in accordance with the existing budget allocation, which may be reviewed as necessary dependent on vacancy and subsequent appointment requirements.

Risk Management

If Council does not resolve to appoint its own assessment panel the Minister for Planning can establish a local assessment panel which will make decisions on the Council’s behalf, at the Council’s cost.

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

There is a Minister’s Code of Conduct for assessment panels as well as formal Meeting and Operating Procedures established by the Barossa Assessment Panel itself.

In addition there are general public complaint rights with respect to the operations of the Barossa Assessment Panel. Any aggrieved party is entitled to lodge a complaint with the State Planning Commission.

COMMUNITY CONSULTATION

Not required, however expressions of interest for future Assessment Panel membership will be sought through public notification in local newspapers and other media that are accessible on a community wide basis.

Cr Miller and Cr Johnstone returned to the meeting 9.47am.

7.5.1.2
CONCORDIA PRECINCT AUTHORITY – SUBMISSION ON THE BUSINESS CASE
B9440
Author: Director Development and Environmental Services

**MOVED** Cr Boothby that:

1. Council endorse the comments made on the Business Case by the Working Group as contained in this report, and

2. Council authorise the Mayor to submit the submission on the Business Case on behalf of Council by the required date.

**Seconded** Cr Johnstone

**CARRIED 2018-22/413**

**PURPOSE**

To seek Council endorsement on the submission to the Minister for Transport, Infrastructure and Local Government on the Business Case submitted for the establishment of a Precinct Authority for the Concordia Growth Area pursuant to the Urban Renewal Act 1995.

**REPORT**

**Background**

In February 2019, Council initially considered a report on the opportunity to pursue a precinct planning approach for the Concordia Growth Area. Following that meeting, a working group was formed to work with the Department of Planning, Transport and Infrastructure and Concordia Land Management (the proponent) to identify the key governance and precinct planning parameters.

In April 2019, a subsequent report was presented to Council with an Issues Paper prepared by the working group. The Issues Paper consolidated the key parameters that Council agreed needed to be factored in the establishment of a Precinct Authority pursuant to the Urban Renewal Act.

Since the last report, the proponent submitted a Business Case to the Minister which the Minister has released confidentially (as it contains commercial in confidence information) to Council for comment.

**Introduction**

The Minister for Transport, Infrastructure and Local Government (being responsible for the Urban Renewal Act) wrote to the Mayor on 27 October 2019 formally requesting Council to provide comment on the Business Case pursuant to section 7(H)(3) of the Urban Renewal Act, refer Attachment 1.

The Business Case was also circulated to the Town of Gawler and the Minister for Planning. The Minister for Planning has also referred it to the State Planning Commission for review and comment.

Comments on the Business Case are required within eight weeks of the date of the letter.

**Discussion**

A copy of the Business Case (excluding all appendices) has been provided to Members under separate cover pursuant to Section 61 of the Local Government Act. The Business Case is a Commercial in Confidence document.

In order to prepare a submission on the Business Case, the internal working group has reconvened to review the document against the key parameters that were provided in the Issues Paper. In addition, a review of the requirements of the Act and Regulations was also undertaken.

A copy of this review is provided in Attachment 2.

A draft submission is provided in Attachment 3.
Summary and Conclusion
The Minister for Transport, Infrastructure and Local Government (being responsible for the Urban Renewal Act) has written to the Mayor requesting Council to provide comment on the Business Case for the establishment of a Precinct authority for the Concordia Growth Area.

A submission on the Business Case has been presented to Council for endorsement to be sent from the Mayor on behalf of Council.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1: Letter from Minister for Transport, Infrastructure and Local Government
Attachment 2: Comparison of Issues Paper and Business Case
Attachment 3: Draft submission on the Business Case

Business Case has been provided under separate cover.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Natural Environment and Built Heritage

Corporate Plan

1.1 Facilitate planned and appropriate development of our townships and district to maintain the character of townships and rural landscapes and to preserve properties and sites which have historic significance.

1.3 Work with community and State Government to manage township boundaries and growth within them to ensure development is planned and appropriate whilst ensuring opportunities for population growth and tourism development.

1.6 Apply development policies to protect places of environmental value and significance.

1.10 Ensure development policies are responsive to current trends through an active development policy review/amendment program.

1.12 Build and maintain relationships with other levels of government to ensure development strategies are responsive to regional needs and issues.

Legislative Requirements
Development Act 1993
Planning, Development and Infrastructure Act 2016
Urban Renewal Act 1995

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial Management
Nil

Risk Management
Nil

COMMUNITY CONSULTATION
Nil

7.5.2 ENVIRONMENTAL SERVICES - DEBATE
Nil
7.5.3 HEALTH SERVICES - DEBATE
Nil

7.5.4 REGULATORY SERVICES - DEBATE
Nil

7.5.5 WASTE SERVICES - DEBATE

7.5.5.1 WASTE AUDIT REPORT
B9810

Author: Waste Management Officer

MOVED Cr Boothby that Council;

(1) Receive and consider the results of the Waste Services Audit conducted by KESAB and support the implementation of the education strategies as outlined in the report.

(2) Allocate funds in the 2020-21 Budget to repeat the audit in September 2020 to further evaluate the success of the education strategies over the next twelve months, with the intention to also consider the adoption of a mandatory green organic service.

Seconded Cr Troup

CARRIED 2018-22/414

PURPOSE
To present the results of the Kerbside Waste Audit conducted by KESAB in September 2019. Provide recommendations for waste education based on the findings in the Audit.

REPORT

Background
In line with the Waste Management Services Contract, Council engaged KESAB Environmental Solutions to conduct a Kerbside Waste Audit in late September 2019. The Audit was conducted at the Tanunda depot and took place over four collection days across four townships.

Introduction
100 general waste and recycling bins were included in the audit. Bins were collected from the same households wherever possible. Individual households were not identified within the audit as all the material was collected in one truck and the contents of the truck was sorted collectively.

KESAB were provided with a list of all waste services installed at properties (including green organic) in the selected townships. No organic bins were audited, however collections were separated between households with green organics bins and those without, to allow for comparison and to see if this had an effect on the contents of recycling or general waste bins.

Streets / Bins were selected by KESAB at random.

Discussion
A total of 2,007 kg of materials were sorted to Green Industries SA specified categories over the four collection days; 1,112kg of landfill bin contents (11.1 kg per household per week) and 895 kg from the recycling bins (9.0 kg per house hold per fortnight).

By weight 34% of the material in general waste bins was identified as appropriate landfill material. An additional 47% was organic material, and 9% was recyclable. The final 10% of material from the general waste bins could have been diverted through other collections systems, or should not
have been disposed of into kerbside bins. The main example of this waste e-waste and light globes.

15% of the recycling bin contents were identified as contamination. Most of this was in the form of bagged material. Some of the bagged material was recyclable (e.g. 10 cent containers) however had been put into a plastic bag rather than loose.

Households with a green bin had a much lower amount of garden material in landfill than those without, but only a slightly lower amount of food scraps, uneaten food and compostable paper. Houses with a green organics bin also had a greater amount (by weight) of recyclable material in recycling bins but also had slightly more contamination on average than those without green bins.

**Key Recommendations**
Following the audit, KESAB has recommended the following:

- Educate residents regarding what is and isn’t recyclable. Based on first quarter tonnage reports, Council has noted an improvement in material being diverted from landfill which could be attributed to Council’s social media messaging. Continue to engage with residents on this platform.

- Educate residents regarding what can go into the green bin - particularly regarding food scraps and compostable paper material.

- Consider sticking educational stickers (pictorial dominant) on bins so it is clear what can and cannot go in. This could be rolled out for council owned facilities in particular facilities that are hired out.

- Promote cost savings in following the “Waste Less Recycle More” message. Examples include - uneaten food (buy less and frequent the shops more to avoid food spoilage) and 10c Containers (747 CDL containers identified – 97 in landfill and 650 in recycling. Households could be taking these containers to a depot for refund instead of disposing through Kerbside services.

- Consider making the green organic service mandatory in townships.

In addition, it is recommended that the following also be undertaken:

- Update the waste section on Council website to be education focused. Waste Management Officer to put a call out to local businesses who are offering recycling programs and would like to be included on our website and factsheets.

- Community Engagement sessions – open forum for education. Encourage questions and feedback in regards to waste services. Document FAQ and trends in feedback to continue to improve education strategy.

**Summary and Conclusion**
Residents are doing a good job when it comes to recycling. This is evident based on the volume of material collected in the recycling bins and that contamination rates are on par when compared with KESAB Audit results from nine Adelaide metropolitan councils.

The recommendations throughout the report consistently link to education around recyclable material and the correct use of all kerbside waste streams. It appears that residents are keen to recycle but need greater knowledge of how to go about this. Implementing additional education strategies would support residents to continue their recycling efforts.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**
Attachment 1: Kerbside Waste Audit Report prepared by KESAB
Community Plan

Health and Wellbeing

Corporate Plan

4.9 Provide residents kerbside waste collection and recycling services that reduce waste disposed to landfill.

4.10 Facilitate access to hard and green waste facilities and associated recycling opportunities that reduce waste disposed to landfill and support the environment.

5.6 Implement purchasing initiatives that generate savings or reduce expenditure growth and grow the capacity of local suppliers to obtain Council contracts.

Legislative Requirements
Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial Considerations
The audit was undertaken within budget. Implementation of the recommendations will also generally be undertaken within the waste services budget, however there may be additional costs to roll out a mandatory green organic service. However, this could be countered by the savings from the landfill levy through reduced tonnage at landfill.

Resources
No additional resourcing is required at this stage, as Council recently endorsed the increase in hours for the Waste Management Officer to 30 June 2020.

Risk Management
Implementing the waste education strategies could lead to a significant saving on the landfill levy which is set to increase in January 2020. Educating residents to remove 20% of the organic and recyclable material from their general waste bins. Council could save approximately $45,000 per year on the landfill levy alone (based on the current $70/tonne levy).

Residents can also benefit financially as education strategies will incorporate the disposal of 10c containers. On average, households could be recouping $53.20 per year by taking these containers to a depot for refund instead of disposing through kerbside services.

COMMUNITY CONSULTATION
The results of the audit will be promoted to the community through Council’s various media platforms and use of the local papers.

7.5.5.2.
WASTE MANAGEMENT SERVICES - GARAGE SALE TRAIL

Author: Waste Management Officer

MOVED Cr Wiese-Smith that Council:

(1) Receive the results of the 2019 Garage Sale Trail Impact Report.

(2) Support participation in the 2020 and 2021 Garage Sale Trail and allocate the required funding from the Recyclables Collection Reserve.

Seconded Cr Johnstone

CARRIED 2018-22/415
PURPOSE
To inform Council on the outcome of the Garage Sale Trail conducted in the Barossa in October 2019.

REPORT
Background
In May 2018, Council agreed to participate in the Garage Sale Trail for two years.

Garage Sale Trail is run by Australian not for profit, Garage Sale Trail Foundation in partnership with the councils across Australia.

Introduction
The 2019 sale trail was held on 19 and 20 October.

As part of the agreement with the Garage Sale Trail team, they provide an impact report for the Barossa Council outcome, refer Attachment 1.

Discussion
The Barossa Council had a larger number of sales and stalls in 2019, with 94 registered. A 74% increase on 2018.

New data collected in 2019 shows a significant proportion of participants would have placed unwanted items in the bin, left these items on the roadside or placed items into a council collection had they not been involved in the Garage Sale Trail.

This suggests that the program is changing resident behaviour and reducing the number of usable items that end up in landfill.

All participants pledged not to illegally dump any items unsold on the Garage Sale Trail. This was reinforced throughout the campaign with participants reminded of their obligation to reuse items unsold.

The Garage Sale Trail report identifies that 81% of local participants feel more connected to our community. 82% of participants in South Australia believe the program should always be supported by council and is a good investment.

Summary and Conclusion
The Garage Sale Trail concept aligns with Council’s waste initiative and complements the current waste education strategy, by providing a connection between Council and Community, while also encouraging people to waste less and recycle more.

85% of Barossa residents indicated that they are likely to reduce waste after participating.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: 2019 Garage Sale Trail Barossa Impact Report

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Community Plan

Health and Wellbeing

Corporate Plan

4.9 Provide residents kerbside waste collection and recycling services that reduce waste disposed to landfill.
4.7 Address nuisance and environmental risk such as animals, vermin, pest control, illegal dumping on public land and fire prevention.

4.10 Facilitate access to hard and green waste facilities and associated recycling opportunities that reduce waste disposed to landfill and support the environment.

5.6 Implement purchasing initiatives that generate savings or reduce expenditure growth and grow the capacity of local suppliers to obtain Council contracts.

Legislative Requirements
Local Government Act 1999
Environment Protection Act 1993
Green Industries SA Act 2004

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial Management
As a partner council, Council will invest $2,867 per annum for two years (total cost of $6,307.40 including GST) which allows residents to access the program for free.

The minimum term for participation is two years. A 10% discount will be applied to the first year if participation is confirmed in writing by 24 December 2019.

The investment provides access to the promotional material, and in turn helps to ensure that unwanted household goods are diverted from landfill. The Garage Sale Trail also includes a 10 week waste education campaign, aligning with Council’s waste education initiatives.

It is proposed that $6,307.40 be allocated from the Recyclables Collection Reserve which at 30 June 2019 totalled $120,913.

Council’s Communication and Engagement Officers in conjunction with the Waste Management Officer have the capacity to continue promote the Garage Sale Trail to the community through a range of traditional and online communication methods using all of the promotion collateral supplied by Garage Sale trail.

Risk Management
Garage sales are an informal way to sell unwanted goods by private individuals. The Garage Sale Trail provides an alternative mechanism to help promote garage sales, thereby increasing the opportunity for reuse of the unwanted goods.

The Garage Sale trail offers an additional resource for residents to manage hard waste and e-waste and increases the diversion of material from landfill.

COMMUNITY CONSULTATION
The results of the Garage Sales Trail will be promoted to the community through Council’s various media platforms and use of the local papers.

VISITOR TO THE MEETING 10.00AM
Mayor Lange welcomed Mr Peter Brass (Independent Chair - Audit Committee) to the meeting.

Mr Peter Brass, Independent Chair of the Audit Committee addressed Council on his annual report. In summary he outlined:

1. The role of the committee and its oversight of Council’s external auditors and financial reporting processes.
2. The role to oversee the management of business and strategic risk, governance and legal compliance.
3. Thanking past members and acknowledging new members.
4. That the committee had continued to function well and he is well supported by fellow members and staff particularly acknowledging the highly accountable and quality of financial report from Mr Lague and the finance and internal control team.
5. Reviewed various aspects of the organisation including internal financial controls, external audit reports and following up of the executive actions in response.
6. Have commenced discussion and in-depth presentations of the management of strategic risks, the controls and treatments being explored and implemented by the organisation.
7. Reviewed the committee’s performance as well.

Mr Brass is satisfied as to the level of work undertaken during the year noting the focus for the next meeting will be ongoing discussion of strategic risk and the reviewing the rewrite of the risk management framework and policy.

Mr Brass responded to questions of Council. The Mayor thanked Mr Brass and the Committee for their work.

Moved Cr Miller that the verbal report as presented by Mr Peter Brass be received.
Seconded Cr Haebich
CARRIED

8. CONFIDENTIAL MATTER 10.08AM

8.1 CHIEF EXECUTIVE OFFICER

8.1.1 AUSTRALIA DAY AWARDS 2020 – CITIZEN AND YOUNG CITIZEN OF THE YEAR – 10.08AM

MOVED Cr Boothby that;
(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 Chief Executive Officer, Director Works and Engineering, Director Development and Environmental Services, Director Corporate and Community Services, Communications and Engagement Officer, and Minute Secretaries, in order to consider in confidence a report relating to Section 90(3)(a) of the Local Government Act 1999 relating to 8.1.1 Australia Day Awards 2020 – Citizen of the Year and Young Citizen of the Year, being information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) being private information of nominees and those who nominated them for an Australia Day award including contact details, addresses and personal testimonials; and
(2) Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.
Seconded Cr Miller
CARRIED

RESUMPTION OF OPEN COUNCIL MEETING – 10.16AM
The open meeting of Council resumed at 10.16am.
In the matter Australia Day Awards 2020 – Citizen and Young Citizen of the Year:

**MOVED** Cr Angas that:

(1) Confidential resolution

(2) Confidential resolution

(3) Confidential resolution

(4) Council having considered this matter in confidence under Section 90(2) and 90(3)(a) of the Local Government Act 1999, makes an order pursuant to Section 91(7), that the attachments of the report 8.1.1, Australia Day Awards 2020 – Citizen of the Year and Young Citizen of the Year of the Confidential Council meeting held on 17 December 2019 be kept confidential and not available for public inspection and that the Chief Executive Officer be authorised to review and revoke this order and further that the details of winners of all awards be released to the Australia Day Council at the end of the meeting for inclusion and consideration for State awards and to the local media once all recipients have been notified.

(5) Council having considered this matter in confidence under Section 90(2) and 90(3)(a) of the Local Government Act 1999, makes an order pursuant to Section 91(7), that the minutes and report of the Confidential Council meeting held on 17 December 2019 in relation to confidential item 8.1.1, Australia Day Awards 2020 – Citizen of the Year and Young Citizen of the Year, be kept confidential and not available for public inspection until such time as all recipients of awards have been notified.

Seconded Cr Wiese-Smith **CARRIED 2018-22/418**

8.1.2
Australia Day Awards 2020 – Community Event of the Year - 10:17AM

In accordance with Section 120(1) of the Local Government Act 1999, Mr Martin McCarthy, Chief Executive Officer, declared to the Elected Body of The Barossa Council a conflict of interest in the matter ‘Australia Day Awards – 2020 Community Event of the Year’ due to perceived interest as he has provided personal time and support to one of the nominated organisations.

Pursuant to section 73 of the Local Government Act 1999 Cr Schilling declared a Material conflict of interest due to being a board member of a nominating organisation.

Pursuant to section 75 of the Local Government Act 1999 Cr Boothby declared a perceived conflict of interest as her partner is a committee member of a nominating organisation.

Pursuant to section 75 of the Local Government Act 1999 Cr Angas declared a perceived conflict of interest as he is the Council representative of a nominating organisation.

Mr Martin McCarthy, Chief Executive Officer, Cr Schilling, Cr Boothby and Cr Angas left the meeting at 10:17am.
MOVED Cr de Vries that:

(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 Chief Executive Officer, Director Works and Engineering, Director Development and Environmental Services, Director Corporate and Community Services, Communications and Engagement Officer, and Minute Secretaries, in order to consider in confidence a report relating to Section 90(3)(a) of the Local Government Act 1999 relating to 8.1.1 Australia Day Awards 2020 – Community Event of the Year, being information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) being private information of nominees and those who nominated them for an Australia Day award including contact details, addresses and personal testimonials; and

(2) Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

Seconded Cr Miller CARRIED 2018-22/419

RESUMPTION OF OPEN COUNCIL MEETING – 10.21AM
The open meeting of Council resumed at 10:21am

In the matter Australia Day Awards 2020 – Community Event of the Year:

MOVED Cr Wiese-Smith that:

(1) Confidential resolution

(2) Council having considered this matter in confidence under Section 90(2) and 90(3)(a) of the Local Government Act 1999, makes an order pursuant to Section 91(7), that the attachments of the report 8.1.2, Australia Day Awards 2020 – Community Event of the Year Confidential Council meeting held on 17 December 2019 be kept confidential and not available for public inspection and that the Chief Executive Officer be authorised to review and revoke this order and further that the details of winners of all awards be released to the Australia Day Council at the end of the meeting for inclusion and consideration for State awards and to the local media once all recipients have been notified.

(3) Council having considered this matter in confidence under Section 90(2) and 90(3)(a) of the Local Government Act 1999, makes an order pursuant to Section 91(7), that the minutes and report of the Confidential Council meeting held on 17 December 2019 in relation to confidential item 8.1.2, Australia Day Awards 2020 – Community Event of the Year, be kept confidential and not available for public inspection until such time as all recipients of awards have been notified.

Seconded Cr Haebich CARRIED 2018-22/420

8.1.3
AUSTRALIA DAY AWARDS 2020 – COMMUNITY PROJECT OF THE YEAR – 10:22AM
Pursuant to section 75 of the Local Government Act 1999 Cr Troup declared a perceived conflict of interest as she is a member of a committee which submitted a nomination.
Pursuant to section 75 of the Local Government Act 1999 Cr Johnstone declared a perceived conflict of interest as he is a nominator of a project in this category.

Crs Troup and Johnstone left the meeting at 10.22am.

**MOVED Cr de Vries that:**

(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 Chief Executive Officer, Director Works and Engineering, Director Development and Environmental Services, Director Corporate and Community Services, Communications and Engagement Officer and Minute Secretaries, in order to consider in confidence a report relating to Section 90(3)(a) of the Local Government Act 1999 relating to 8.1.3 Australia Day Awards 2020 – Community Project of the Year, being information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) being private information of nominees and those who nominated them for an Australia Day award including contact details, addresses and personal testimonials; and

(2) Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

**Seconded Cr Wiese-Smith**

CARRIED 2018-22/421

**RESUMPTION OF OPEN COUNCIL MEETING - 10.24 AM**

The open meeting of Council resumed at 10.24am.

In the matter Australia Day Awards 2020 Community Project of the Year:

**Moved Cr de Vries that:**

(1) Confidential resolution

(2) Council having considered this matter in confidence under Section 90(2) and 90(3)(a) of the Local Government Act 1999, makes an order pursuant to Section 91(7), that the attachments of the report 8.1.3, Australia Day Awards 2020 – Community Project of the Year Confidential Council meeting held on 17 December 2019 be kept confidential and not available for public inspection and that the Chief Executive Officer be authorised to review and revoke this order and further that the details of winners of all awards be released to the Australia Day Council at the end of the meeting for inclusion and consideration for State awards and to the local media once all recipients have been notified.

(3) Council having considered this matter in confidence under Section 90(2) and 90(3)(a) of the Local Government Act 1999, makes an order pursuant to Section 91(7), that the minutes and report of the Confidential Council meeting held on 17 December 2019 in relation to confidential item 8.1.3, Australia Day Awards 2020 – Community Project of the Year, be kept confidential and not available for public inspection until such time as all recipients of awards have been notified.

**Seconded Cr Boothby**

CARRIED 2018-22/422

8.1.4

**SALE OF LAND FOR NON PAYMENT OF RATES - ACCEPTANCE OF OFFER - 10.24AM**
Moved Cr Wiese-Smith that:

(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 Chief Executive Officer, Director Works and Engineering, Director Development and Environmental Services, Director Corporate and Community Services, and Minute Secretaries, in order to consider in confidence a report relating to Section 90(3)(a) and 90(3)(h) of the Local Government Act 1999 relating to 8.1.4 Sale of Land for Non-Payment of Rates – Acceptance of Offer, being information the disclosure of which would:

(a) involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) being disclosing personal information of the land owner and recovery actions undertaken; and

(b) legal advice from Kelledy Jones Lawyers; and

(2) Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

Seconded Cr Boothby CARRIED 2018-22/423

RESUMPTION OF OPEN COUNCIL MEETING - 10.31AM
The open meeting of Council resumed at 10.31 am.

In the matter Sale of Land for Non-Payment of Rates – Acceptance of Offer:

MOVED Cr Angas that Council having considered the report and legal advice:

(1) Confidential resolution

(2) Confidential resolution

(3) Having considered this matter in confidence under Section 90(2) and 90(3)(a) and 90(3)(h) of the Local Government Act 1999, makes an order pursuant to Section 91(7), that the minutes, agenda, attachments and all tabled documents other than the minutes relating to this confidentiality order of the Confidential Council Meeting held on 17 December 2019 in relation to item 8.1.4 Sale of Land for Non-Payment of Rates – Acceptance of Offer be kept confidential and not available for public inspection and authorise the Chief Executive Officer to review and revoke the order.

Seconded Cr Boothby CARRIED 2018-22/424

VISTITORS TO THE MEETING - 10.32AM
Mayor Lange welcomed staff members to the meeting and presented them with Staff Recognition Awards, thanking them for their years of service to The Barossa Council.

9. URGENT OTHER BUSINESS
Nil

10. NEXT MEETING
Tuesday 28 January 2020 at 9.00am.
11. CLOSURE OF MEETING
Mayor Lange declared the meeting closed at 10:48am.

Confirmed at Council Meeting on 28 January 2020

Date:........................................ Mayor:...................................
CONFIDENTIAL MINUTES
OF THE MEETING OF THE BAROSSA COUNCIL
held pursuant to the provisions of Section 90(2) of the Local Government
Act 1999 on
Tuesday 17 December 2019 commencing at 10.08am

MEMBERS PRESENT
Mayor Bim Lange, Deputy Mayor Cr Leonie Boothby, Crs John Angas, Don
Barrett, Carla Wiese-Smith, Russell Johnstone, Cathy Troup, Richard Miller, Kathryn
Schilling, David de Vries and David Haebich

OFFICERS PRESENT
Mr Martin McCarthy, Chief Executive Officer, Mrs Joanne Thomas, Director
Corporate and Community Services, Mr Gary Mavrinac, Director Development
and Environmental Services, Mr Matt Elding, Director Works and Engineering
Services Mrs Marisa South and Ms Lorraine Walsh Minute Secretaries, Heidi Helbig,
Communications and Engagement Officer

LEAVE OF ABSENCE
Cr Hurn

APOLOGIES
Nil

8.1 CONFIDENTIAL AGENDA - CHIEF EXECUTIVE OFFICER

8.1.1 AUSTRALIA DAY AWARDS 2020 – CITIZEN OF THE YEAR AND YOUNG CITIZEN OF THE
YEAR
B9790

MOVED Cr Angas that:

(1) The Citizen of the Year Award for 2020 be awarded to Julie Coombe
(2) The Young Citizen of the Year Award for 2020 be awarded to Olivia Sharp
(3) Meritorious Service Awards be presented to each of the nominees in the
Citizen of the Year category, being:
   Ralph Biagi
   Sandy Maddock
   Leo Lindholm
   Glenda Wait
   Neville Fennell
   Leslee and Lynton Carle (joint nomination)
(4) Council having considered this matter in confidence under Section 90(2)
and 90(3)(a) of the Local Government Act 1999, makes an order pursuant
to Section 91(7), that the attachments of the report 8.1.1, Australia Day

OUT OF CONFIDENCE
Awards 2020 – Citizen of the Year and Young Citizen of the Year of the Confidential Council meeting held on 17 December 2019 be kept confidential and not available for public inspection and that the Chief Executive Officer be authorised to review and revoke this order and further that the details of winners of all awards be released to the Australia Day Council at the end of the meeting for inclusion and consideration for State awards and to the local media once all recipients have been notified.

(5) Council having considered this matter in confidence under Section 90(2) and 90(3)(a) of the Local Government Act 1999, makes an order pursuant to Section 91(7), that the minutes and report of the Confidential Council meeting held on 17 December 2019 in relation to confidential item 8.1.1, Australia Day Awards 2020 – Citizen of the Year and Young Citizen of the Year, be kept confidential and not available for public inspection until such time as all recipients of awards have been notified.

Seconded Cr Wiese-Smith  
CARRIED CO2018/22-17

CLOSURE OF CONFIDENTIAL MEETING
There being no further business the confidential meeting closed at 10:16am.

Confirmed at Council meeting Tuesday  
28 January 2020

Date: ............................................  Mayor: ..............................................
CONFIDENTIAL MINUTES
OF THE MEETING OF THE BAROSSA COUNCIL
held pursuant to the provisions of Section 90(2) of the Local Government Act 1999 on
Tuesday 17 December 2019 commencing at 10.17am

MEMBERS PRESENT
Mayor Bim Lange, Crs Don Barrett, Carla Wiese-Smith, Russell Johnstone, Cathy Troup, Richard Miller, David de Vries and David Haebich

OFFICERS PRESENT
Mrs Joanne Thomas, Director Corporate and Community Services, Mr Gary Mavrinac, Director Development and Environmental Services, Mr Matt Elding, Director Works and Engineering Services Mrs Marisa South and Ms Lorraine Walsh Minute Secretaries, Heidi Helbig, Communications and Engagement Officer

LEAVE OF ABSENCE
Cr Hurn

APOLOGIES
Nil

Cr Schilling, Cr Angas, Cr Boothby and Martin McCarthy Chief, Executive Officer disclosed a conflict of interest in the matter and were not present at this meeting.

8.1 CONFIDENTIAL AGENDA - CHIEF EXECUTIVE OFFICER

8.1.2 AUSTRALIA DAY AWARDS 2020 – COMMUNITY EVENT OF THE YEAR
B9790

MOVED Cr Wiese-Smith that:

(1) The Community Event of the Year Award for 2020 be awarded to Shan Emms – Lyndoch CFS.

(2) Council having considered this matter in confidence under Section 90(2) and 90(3)(a) of the Local Government Act 1999, makes an order pursuant to Section 91(7), that the attachments of the report 8.1.2, Australia Day Awards 2020 – Community Event of the Year Confidential Council meeting held on 17 December 2019 be kept confidential and not available for public inspection and that the Chief Executive Officer be authorised to review and revoke this order and further that the details of winners of all awards be released to the Australia Day Council at the end of the meeting for inclusion and consideration for State awards and to the local media once all recipients have been notified.

(3) Council having considered this matter in confidence under Section 90(2) and 90(3)(a) of the Local Government Act 1999, makes an order pursuant to Section 91(7), that the minutes and report of the Confidential Council meeting held on 17 December 2019 in relation to confidential item 8.1.2,
Australia Day Awards 2020 – Community Event of the Year, be kept confidential and not available for public inspection until such time as all recipients of awards have been notified.

Seconded Cr Haebich  
CARRIED CO2018/22-18

CLOSURE OF CONFIDENTIAL MEETING

There being no further business the confidential meeting closed at 10:21am.

Confirmed at Council meeting Tuesday 28 January 2020

Date: ............................................  Mayor: ..............................................
CONFIDENTIAL MINUTES
OF THE MEETING OF THE BAROSSA COUNCIL
held pursuant to the provisions of Section 90(2) of the Local Government
Act 1999 on
Tuesday 17 December 2019 commencing at 10.22am

MEMBERS PRESENT
Mayor Bim Lange, Deputy Mayor Cr Leonie Boothby, Crs John Angas, Don
Barrett, Carla Wiese-Smith, Richard Miller, Kathryn Schilling, David de Vries and
David Haebich

OFFICERS PRESENT
Mr Martin McCarthy, Chief Executive Officer, Mrs Joanne Thomas, Director
Corporate and Community Services, Mr Gary Mavrinac, Director Development
and Environmental Services, Mr Matt Elding, Director Works and Engineering
Services Mrs Marisa South and Ms Lorraine Walsh Minute Secretaries, Heidi Helbig,
Communications and Engagement Officer

LEAVE OF ABSENCE
Cr Hurn

APOLOGIES
Nil

Cr Cathy Troup and Cr Russell Johnstone disclosed a conflict of interest in this
matter and were not present at this meeting.

8.1 CONFIDENTIAL AGENDA - CHIEF EXECUTIVE OFFICER

8.1.3 AUSTRALIA DAY AWARDS 2020 – COMMUNITY PROJECT OF THE YEAR
B9790

MOVED Cr de Vries that:

(1) The Community Project of the Year 2019 for 2020 be awarded to
Reconciliation Barossa.

(2) Council having considered this matter in confidence under Section 90(2)
and 90(3)(a) of the Local Government Act 1999, makes an order pursuant
to Section 91(7), that the attachments of the report 8.1.3, Australia Day
Awards 2020 – Community Project of the Year Confidential Council
meeting held on 17 December 2019 be kept confidential and not
available for public inspection and that the Chief Executive Officer be
authorised to review and revoke this order and further that the details of
winners of all awards be released to the Australia Day Council at the end
of the meeting for inclusion and consideration for State awards and to the
local media once all recipients have been notified.
(3) Council having considered this matter in confidence under Section 90(2) and 90(3)(a) of the Local Government Act 1999, makes an order pursuant to Section 91(7), that the minutes and report of the Confidential Council meeting held on 17 December 2019 in relation to confidential item 8.1.3, Australia Day Awards 2020 – Community Project of the Year, be kept confidential and not available for public inspection until such time as all recipients of awards have been notified.

Seconded Cr Boothby

CARRIED CO2018/22-19

CLOSURE OF CONFIDENTIAL MEETING

There being no further business the confidential meeting closed at 10.24am.

Confirmed at Council meeting Tuesday 28 January 2020

Date: ............................................                    Mayor: ..............................................