MINUTES OF THE MEETING OF THE BAROSSA COUNCIL
held on Tuesday 18 September 2018 commencing at 9.00am in the Council Chambers, 43-51 Tanunda Road, Nuriootpa

1.1 WELCOME
Mayor Bob Sloane declared the meeting open at 9.00am.

1.2 MEMBERS PRESENT
Mayor Bob Sloane, Cr Michael (Bim) Lange, Deputy Mayor Crs Margaret Harris, David de Vries, John Angas, Richard Miller, Christopher Harms, Tony Hurn, Mark Grossman, Leonie Boothby and Michael Seager

1.3 LEAVE OF ABSENCE
Cr Scotty Milne

1.4 APOLOGIES
Nil

1.5 MINUTES OF PREVIOUS COUNCIL MEETINGS

MOVED Cr Harris that the Minutes of the Council meeting held on Tuesday 21 August at 9.00am, as circulated, be confirmed as a true and correct record of the proceedings of that meeting.
Seconded Cr Grossman CARRIED 2014-18/1519

MOVED Cr Miller that the Minutes of the Confidential Council meeting held on Tuesday 21 August 2018 at 10.10am, as circulated, be confirmed as a true and correct record of the proceedings of that meeting.
Seconded Cr de Vries CARRIED 2014-18/1520

MOVED Cr de Vries that the Minutes of the Confidential Council meeting held on Tuesday 21 August 2018 at 10.15am, as circulated, be confirmed as a true and correct record of the proceedings of that meeting.
Seconded Cr Harms CARRIED 2014-18/1521

MOVED Cr Miller that the Minutes of the Special Council meeting held on Tuesday 11 September 2018 at 5.15pm, as circulated, be confirmed as a true and correct record of the proceedings of that meeting.
Seconded Cr Seager CARRIED 2014-18/1522

MOVED Cr Grossman that the Minutes of the Special Confidential Council meeting held on Tuesday 11 September 2018 at 5.16pm, as circulated, be confirmed as a true and correct record of the proceedings of that meeting.
Seconded Cr Seager CARRIED 2014-18/1523
1.6 MATTERS ARISING FROM PREVIOUS COUNCIL MEETING
Nil

1.7 NOTICE OF MOTION
Nil

1.8 QUESTIONS ON NOTICE
Nil

2. MAYOR

2.1 MAYOR’S REPORT

MOVED Cr de Vries that the Mayor’s report be received.  
Seconded Cr Miller  
CARRIED 2014-18/1524

3. COUNCILLOR REPORTS
Nil

4. CONSENSUS AGENDA

5. ADOPTION OF CONSENSUS AGENDA

5.1 ITEMS FOR EXCLUSION FROM THE CONSENSUS AGENDA
Nil

5.2 RECEIPT OF CONSENSUS AGENDA

MOVED Cr Miller that the information items contained in the Consensus Agenda be received and that any recommendations contained therein be adopted.  
Seconded Cr Harris  
CARRIED 2014-18/1525

5.3 DEBATE OF ITEMS EXCLUDED FROM THE CONSENSUS AGENDA

6. VISITORS TO THE MEETING / ADJOURNMENT OF MEETING

6.1 VISITORS TO THE MEETING
Nil

6.2 ADJOURNMENT OF COUNCIL MEETING
9.05am – Special Council meeting

ADJOURNMENT OF COUNCIL MEETING – 9.05AM

MOVED Cr Miller that this ordinary meeting of Council be adjourned for the purpose of conducting the Special Meeting of Council called for 9.05am on 18 September 2018 and upon the completion of the Special Meeting the ordinary meeting of Council shall resume immediately.  
Seconded Cr de Vries  
CARRIED 2014-18/1526

RESUMPTION OF COUNCIL MEETING – 9.09AM
The Council meeting resumed at 9.09am.

7. DEBATE AGENDA

7.1 MAYOR
Nil
7.2 EXECUTIVE SERVICES – DEBATE

7.2.1 CHIEF EXECUTIVE OFFICER – DEBATE

7.2.1.1 ELECTION OF LOCAL GOVERNMENT ASSOCIATION OF SA (LGA) PRESIDENT

B7640

MOVED Cr Lange that Council receives the information with regard to the election for the position for LGA President and votes for Mayor Sam Telfer.

Seconded Cr Boothby

CARRIED 2014-18/1528

PURPOSE

Nominations for the position of LGA President have now closed. As five nominations were received an election, in accordance with Clause 29.4 of the LGA Constitution will need to be conducted.

REPORT

Members are referred to correspondence from the LGA which includes nomination forms and candidate information for all candidates along with information on the voting process at attachment 1.

Council must determine (by resolution) which candidate it wishes to elect.

The ballot paper should be completed by Council’s delegate to LGA General Meetings, Mayor Sloane, or in his absence the chair of the meeting, by marking the ballot paper with an “X” next to the candidate that Council wishes elected.

The ballot paper must be returned to the LGA by 5.00pm, Thursday 18 October 2018.

Information received from candidates seeking support for their election to the position of LGA President is also provided for information at attachment 2.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1: LGA Correspondence
Attachment 2: Information from candidates seeking support

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

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

Nil

LGA Constitution

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

N/A

COMMUNITY CONSULTATION

Not required under Legislation and Council’s Public Consultation Policy.

7.2.1.2 OMBUDSMAN REPORTS – CHATEAU TANUNDA LAND SWAP – REVOCATION OF COMMUNITY LAND STATUS OF COUNCIL LAND

B8086
MOVED Cr de Vries that Council receive and note the Ombudsman reports dated 20 August 2018 and 4 September 2018, and that they be published on Council’s web site in the public interest.
Seconded Cr Lange
CARRIED 2014-18/1529

PURPOSE
To table publicly the recent review of the Ombudsman, Mr Wayne Lines into a complaint of Mr Sennef and Ms James into the revocation of community land status for land proposed to be swapped with Chateau Tanunda to facilitate a 5-star accommodation offering.

REPORT
Following Ministerial approval on 19 April 2018 to give final consideration to the proposal to revoke community land classification over 11 and 12 Basedow Road, Tanunda, in accordance with Section 194(3) of the Local Government Act 1999, Council resolved at its Special Meeting on 26 April 2018:

1. The complainants lodged a request for review under Section 270 of the Local Government Act;
2. This review was undertaken externally which concluded that the process was legally, procedurally and meritoriously correct and the original decision was open to Council and reasonable;
3. Council at its July 2018 meeting received the report and reviewed the original decision and affirmed its original decision;
4. The complainants then lodged a complaint against Council with the State Ombudsman. The Ombudsman on 20 August 2018 concluded in light of the evidence “it does not appear....that the Council has possibly acted in a way that is unlawful, unreasonable or wrong within the meaning of the Ombudsman Act”. The Ombudsman declined to investigate as he determined “it was not necessary or justified in the circumstances” and informed the complainants the file would be closed unless further relevant information was provided or an error in his determination could be identified. See Attachment 1 for the report
5. The complainants responded to the determination as outlined at point 4 above. The Ombudsman responded on 4 September 2018 by again addressing the matters, reaffirmed his decision and declined to investigate further as it was his opinion it was not necessary or justifiable and closed the file. See Attachment 2 for the report.

The Ombudsman has provided authority to publish the reports as in his opinion it is in the public interest.

The matter has now been through all administrative review processes and found to be a sound, robust and transparent process which is legally, procedurally and meritoriously correct. The complainants can certainly take the matter to court if they wish.

Progress on the pre-conditions for the land swap are ongoing with valuation work well advanced, preliminary contract discussions have commenced and the land division has been lodged and is currently under assessment.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1 Ombudsman Report dated 20 August 2018
Attachment 2 Ombudsman Report dated 4 September 2018

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

How We Work – Good Governance

Corporate Plan

The Barossa Council 18/64837 Minutes of Council Meeting held on Tuesday 18 September 2018
Community and Culture:

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

Legislative Requirements
Ombudsman Act

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
Section 270 review has cost $8,666.

Responding to the Ombudsman enquiries required minimal resource.

Analysis of the reports and writing this report has also required minimal resource.

COMMUNITY CONSULTATION
Community consultation for this entire revocation of community land process has occurred in accordance with Section 194 of the Local Government Act 1999 and Council’s Public Consultation Policy and been further validated by the KelleyJones Independent Assessment dated 13 December 2017 and approval to proceed with final consideration by Council received from the Minister’s delegate dated 19 April 2018.

7.2.1.3 APPLICATION FOR A PERIOD OF ANNUAL LEAVE FOR CHIEF EXECUTIVE OFFICER

E1200
Pursuant to S120(1) of the Local Government Act 1999, Mr Martin McCarthy, Chief Executive Officer disclosed a conflict of interest in the matter 7.2.1.3 – Application for a Period of Annual Leave for Chief Executive Officer as the application for leave is for himself.

Mr McCarthy advised Council of the conflict of interest and left the meeting at 9.13am.

MOVED Cr Hurn that Council approve the application of the Chief Executive Officer for the following annual leave period:

(1) commencing on Friday, 28 September 2018 and concluding on Monday, 8 October 2018 noting his first day back at work shall be Tuesday, 9 October 2018 and that Mr Matthew Elding be appointed to act in the position of Chief Executive Officer during this period; and

(2) that all powers, delegations and duties of the Chief Executive Officer shall be extended to Mr Matthew Elding whilst he is Acting Chief Executive Officer.

Seconded Cr Miller CARRIED 2014-18/1530

PURPOSE
To seek authorisation for annual leave and appointment of an acting Chief Executive Officer.

REPORT
Introduction
Leave applications for the Chief Executive Officer (CEO) that are more than 5 days are currently required to be submitted to Council for approval. With the period of leave extending greater than this the application is hereby submitted.

Discussion
I hereby request a period of annual leave which shall total a period of 6 days (with 1 public holiday) commencing on Friday, 28 September 2018 and concluding on Monday, 8 October 2018 noting my first day back at work shall be Tuesday, 9 October 2018.
Whilst the Chief Executive Officer is on leave an officer must be authorised to act in the position. Due to movements of the Directors and workloads it is recommended Mr Matthew Elding be appointed for this short period.

**Summary and Conclusion**

Current annual leave entitlements are 54.15 days a period of leave has been sought by the Chief Executive Officer in accordance with Council policy and industrial arrangements.

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**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Nil

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

**Community Plan**

- [How We Work – Good Governance](#)

**Corporate Plan**

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

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

Budgets are set taking into account leave requirements for employees.

**COMMUNITY CONSULTATION**

Community consultation is not required.

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Mr McCarthy returned to the meeting at 9.15am.

**7.2.1.4 QUARTERLY UPDATE TO DELEGATIONS REGISTER**

B7510

Author: Governance Advisor

**MOVED** Cr Boothby

(1) **In exercise of the powers contained in Section 44 of the Local Government Act 1999, Council hereby delegates to the person occupying the office of Chief Executive officer of the Council the powers and functions under the Road Traffic Act 1961, Road Traffic Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014, which are specified in an extract contained in Attachment 1 of this report.**

(2) **Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit and in accordance with the relevant legislation.**

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

**Seconded** Cr Angas  **CARRIED 2014-18/1531**

**PURPOSE**

Council is asked to delegate those additional powers to the Chief Executive Officer which are now available under the Road Traffic Act 1961, Road Traffic Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014.
REPORT

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

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

Used well, delegations greatly assist Council by enabling the Elected Body to progress with the strategic element of local government and leave the day-to-day operations and administration to the staff who have the relevant expertise and experience to deal with such matters - thus improving effectiveness and efficiency.

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

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

Discussion
Amendments to Sections 17(1), 17(2), 17(3), 17(5), 20(3), 20(4), 20(6), 20(9) and 20A(1) of the Road Traffic Act 1961 concern traffic control devices, roadworks permits and work area/site signs. New delegations have been inserted for the abovementioned sections and the Instrument has been re-numbered to accommodate the insertions.

The Amendments are provided by way of track-changes in Attachment 1. Attachment 2 is the LGA’s Table of Delegations Updates which outlines the required changes to powers and functions of its Instruments of Delegations under the Road Traffic Act 1961, Road Traffic Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014

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

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 2: Local Government Association Table of Updates for quarter ending August 2018

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
How We Work – Good Governance

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.

Legislation
Road Traffic Act 1961, Sections 17(1), 17(2), 17(3), 17(5), 20(3), 20(4), 20(6), 20(9) and 20A(1)
Local Government Act, Sections 44 and 101
FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial
There are no financial considerations.

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

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

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

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

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

7.2.1.5
PROPOSAL TO CHANGE THE DATE OF THE NOVEMBER 2018 ORDINARY MEETING OF COUNCIL
B7322

MOVED Cr Angas that Council amend part 1 of resolution 2014-18/6 of 18 November 2014 from:

That for the term of the Council ordinary meetings of The Barossa Council be held on the third Tuesday of the month with the exception of the January ordinary meeting which shall be held on the fourth Tuesday;

To

That for the term of the Council ordinary meetings of The Barossa Council be held on the third Tuesday of the month with the exception of the January ordinary meeting which shall be held on the fourth Tuesday and the final ordinary meeting prior to the 2018 general election which shall be held on the Tuesday prior to polling day.

Seconded Cr Miller

CARRIED 2014-18/1532

PURPOSE
To seek authorisation to amend the date of Council’s ordinary meeting of Council to prior to the Local Government election.

REPORT
Introduction
The November 2018 ordinary meeting of Council is scheduled for 20 November 2018 which is after polling day of 10 November 2018.
Discussion
Whilst the current Council will remain the Council until the election is finalised, which could be prior to 20 November, equally a complicated count and election may not see the finalisation of the election prior to this date.

To comply with the Local Government Act the Council would then need to meet. This would seem to be at odds with sound governance processes to hold a meeting of the current Council whilst an election and counting process may be in place.

To avoid this situation, as The Barossa Council did in the 2010 election it is recommended that the meeting be brought forward to before polling day being Tuesday, 6 November 2018, thereby Council will meet its statutory obligations of meeting each month should the election not be declared in time for induction and the first meeting of the new Council.

To facilitate this change an amendment to the original motion of November 2014 is required. Pursuant to Regulation 21 (1) of the Local Government (Procedures at Meetings) Regulation 2013 as Chief Executive Officer I can bring this matter forward as a report of motion, to amend a decision, this is simply a procedural matter to facilitate the bringing forward of the Council meeting and does not necessitate a formal notice of motion.

Summary and Conclusion
To ensure sound governance and management of Council business and the election process the November 2018 meeting of Council is recommended to be moved forward and this amendment resolution achieves the necessary legal resolution to do so.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Community Plan

Community and Culture

How We Work – Good Governance

2.8 Provide opportunities for the community to participate in local decision-making.

Corporate Plan

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

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
Nil

COMMUNITY CONSULTATION
Community consultation is not required, however public notices will be issued in the papers to notify of the change of meeting date if approved.

7.2.1.6 REQUEST TO SUPPORT REGIONAL DEVELOPMENT AUSTRALIA WITH CHINA READY PROGRAM B6096

MOVED Cr Boothby that Council support the China Ready proposal for the 2018/19 year for an amount of $13,000 and that the Chief Executive Officer seek from Regional Development Australia Barossa, Gawler, Light and Adelaide Plains an ongoing strategy and proposal for the broader management and engagement of international opportunities including China for consideration in the 2019/20 financial year budget.

Seconded Cr Hurn

CARRIED 2014-18/1533
PURPOSE
To support Regional Development Australia Barossa, Gawler, Light and Adelaide Plains with China readiness program and additional workload flowing from international approaches for investment opportunities.

REPORT
Introduction
For at least two years Council has been involved through various organisations including the Department of State Development (as it was then) and Regional Development Australia Barossa, Gawler, Light and Adelaide Plains (RDA) in hosting international visits most notably from China. Where possible and reasonable the work has been hosted by RDA through the assistance of a suitably qualified and fluent Chinese speaking employee. The work has included coordination, research and communication including the vetting of approaches and management of the constant requests received. Small amounts of funding have been provided from existing budgets for visits and supporting this officer. However it is an unsustainable model and not funded from core funding of RDA. A request has been received from RDA to assist with funding.

Discussion
As outlined in the request at the Attachment the growth opportunities in tourism and potentially (the right) investment continue and cannot be absorbed by RDA. The service and coordination at present across the two Councils and RDA is invaluable given the expertise and communication skills needed which neither Council possess. Funding for international readiness was provided for in 2017-18 to the amount of $10,000 and only $3,000 was utilised. The remaining $7,000 has been included as a first quarter carry over. Coupled with funding in this year’s budget there are sufficient funds to support the request for 12 months. It is the current view the program should be extended to include an international ready Barossa and during 2018/19 RDA be requested to develop a simple strategy and activities to manage approaches and the new Council consider the ongoing funding request in the 2019/20 budget preparation work as a new initiative.

Summary and Conclusion
To ensure sound management of international approaches to the Barossa, Council are urged to support this initiative for 12 months and bring the matter forward for further consideration as part of the 2019/20 financial year budget development.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Correspondence from RDA

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Community Plan

Business and Employment

5.1 Work closely with State Government, Federal Government and stakeholders to support economic growth, development and job creation.
5.4 Attract investment for new and innovative industries, such as creative industries and cultural tourism.
5.7 Collaborate with industry leaders to ensure informed decision making and Council representation in relation to economic growth, planning and development.

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
Outlined in the body of the report. Based on the 2017/18 underspend and provisions for the 2018/19 year the requested $13,000 is available and thereby there is no cash impact on the budget.

If management of the requests is not undertaken through a sound management system Council will be approached (as we are regularly) and we do not have the necessary skills, connections and communication ability to adequately vet and coordinate such activity. This will increase
Council’s and the community risk profile and result in the need to obtain support and assistance from other sources thereby increasing cost in any case.

COMMUNITY CONSULTATION
Community consultation is not required.

ELECTION FOR THE POSITIONS OF REPRESENTATIVE MEMBERS OF THE BOARD OF TRUSTEES – LOCAL GOVERNMENT FINANCE AUTHORITY OF SOUTH AUSTRALIA

MOVED Cr Lange that Council receives the information with regard to the election for the positions on the Board of Trustees – Local Government Finance Authority of South Australia and authorises Mayor Sloane in the absence of Cr Milne (Council’s delegate to the Local Government Finance Authority) to execute the votes for Karen Hockley and Annette Martin.

Seconded Cr Boothby

CARRIED 2014-18/1534

PURPOSE
Nominations to fill two positions on the Board of Trustees – Local Government Finance Authority of South Australia (LGFA) closed on Friday 17 August 2018.

REPORT
Members are referred to correspondence from the LGFA of SA which includes candidate information for all candidates along with information on the voting process at attachment 1.

Council must determine (by resolution) which candidates (being not more than two) they wish to elect.
The Council’s representative to the AGM of the LGFA of SA (or in this case Mayor Sloane as the chair of the meeting due to Cr Milne being on Leave of Absence) shall at the Council meeting mark the ballot paper in his own handwriting with an “x” next to the two candidates whom the Council wishes elected.
The ballot paper must be returned to the returning officer by 5.00pm on Friday 12 October 2018.

The nominations are:

<table>
<thead>
<tr>
<th>Nominee</th>
<th>Local Government Position Held</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colin Davies</td>
<td>CEO, The Flinders Ranges Council</td>
</tr>
<tr>
<td>Paul Duka</td>
<td>Deputy CEO/Director Corporate Services Wattle Range Council</td>
</tr>
<tr>
<td>Peter Field</td>
<td>Councillor, Water Gully Ward City of Tea Tree Gully</td>
</tr>
<tr>
<td>Karen Hockley</td>
<td>Elected Member – City of Mitcham</td>
</tr>
<tr>
<td>Tony Lines</td>
<td>General Manager, City Services City of Marion</td>
</tr>
<tr>
<td>Annette Martin</td>
<td>Manager Financial Services City of Charles Sturt</td>
</tr>
<tr>
<td>Steve Mathewson</td>
<td>Director Services City of Adelaide</td>
</tr>
<tr>
<td>John Sanderson</td>
<td>Councillor, City of Mitcham</td>
</tr>
<tr>
<td>Michael Sedgman</td>
<td>Chief Executive Officer Rural City of Murray Bridge</td>
</tr>
</tbody>
</table>
Correspondence from Mayor Evans, City of Charles Sturt seeking support for candidate Annette Martin is provided for information at attachment 2.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1: LGFA Correspondence  
Attachment 2: Correspondence - Mayor Evans, City of Charles Sturt

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

![Mind icon] 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**

Nil

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

No impact

**COMMUNITY CONSULTATION**

Not required under Legislation and Council’s Public Consultation Policy.

**7.2.2 FINANCE - DEBATE**

**7.2.2.1 MONTHLY FINANCE REPORT (AS AT 31 AUGUST 2018)**

**B411**

Author: Senior Accountant

MOVED Cr Hurn that the Monthly Finance Report as at 31 August 2018 be received and noted.  
Seconded Cr de Vries  
CARRIED 2014-18/1535

**PURPOSE**

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

**REPORT**

Discussion  
The Monthly Finance Report (as at 31 August 2018) is attached. The report has been prepared comparing actuals to the Original adopted budget 2018/9.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1: Monthly Finance Report 31 August 2018  
Policy  
Budget & Business Plan and Review Policy

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

![Mind icon] How We Work – Good Governance

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

Legislative Requirements
Local Government (Financial Management) Regulations 2011 - Reg 9(1)(b)
LGA Information paper no. 25 – Monitoring Council Budget Performance

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

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

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

7.2.2.2
2017/2018 DRAFT ANNUAL FINANCIAL STATEMENTS – COUNCIL CERTIFICATE
B1096

Author: Senior Accountant

**MOVED** Cr de Vries that the Mayor and Chief Executive Officer be authorised to sign the Certification of Financial Statements for the 2017/2018 Financial Year.
**Seconded** Cr Miller
CARRIED 2014-18/1536

**PURPOSE**
Prior to presentation of the draft financial statements to the External Auditors, Council is required to authorise the Chief Executive Officer and Principal Member (Mayor) to certify the statements.

**REPORT**

*Introduction*
Regulation 14 of the Local Government (Financial Management) Regulations 2011 requires that a certification statement (in the prescribed form) be included in the Annual Financial Statements and be signed by the Chief Executive Officer and Principal Member of the Council.

*Discussion*
The certification statement indicates that:
- Council’s Annual Financial Statements have complied with the Local Government Act 1999, Local Government (Financial Management) Regulations 2011 and Australian Accounting Standards;
- the Financial Statements present a true and fair view of Council’s financial position as at 30 June 2018 and the results of its operations and cash flows for the financial year;
- internal controls implemented by the Council provide a reasonable assurance that the Council’s financial records are complete, accurate and reliable and were effective throughout the financial year; and
- the Financial Statements accurately reflect the Council’s accounting and other records.

The certifiers will be required to sign the certificate prior to the final presentation of the accounts to the External Auditors. Upon completion of the audit and presentation to the Audit Committee in October, final statements will be tabled at Council.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**
Other
2018 Model Financial Statements: LGA website and Circular 2018 - 26.4

*The Barossa Council 18/64837  Minutes of Council Meeting held on Tuesday 18 September 2018*
COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan  
How We Work – Good Governance

6.2 Ensure that Council’s policy and process frameworks are based on principles of sound governance and meet legislative requirements.
6.16 Provide contemporary internal administrative and business support services in accordance with mandated legislative standards and good practice principles.

Legislative Requirements  
Local Government (Financial Management) Regulations 2011 - Reg 14

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial  
There are no financial, resource or risk management considerations.

COMMUNITY CONSULTATION

Not required for this report. Following the completion of the Council’s Financial Statements a copy will be placed on the Council’s website.

7.2.2.3 DISCRETIONARY RATE REBATE – NURIOOTPA FUTURES INC.  
B6564

Author: Senior Rates Officer

MOVED Cr de Vries that Discretionary Rate Rebates for a total of $11,680.70 be granted to Nuriootpa Futures Association for Coulthard House, Certificate of Title Reference Volume 5330 and Folio’s 123 and 124, 66-70 Murray Street, NURIOOTPA SA 5355. Representing 100% of the rates for this property for the 2016/2017, 2017/2018 and 2018/2019 rating years.  
Seconded Cr Lange  
CARRIED 2014-18/1537

PURPOSE

To consider the application of a Discretionary Rate Rebate for Nuriootpa Futures Association for the 2016/2017, 2017/2018 and 2018/2019 rating years.

REPORT

Coulthard House has been vacant since the Apex Club left in 2012. The Nuriootpa Futures Association (NFA) had been actively pursuing a regular tenant and Council granted 100% rebates for each of the subsequent financial years up to and including 2014/2015 to assist NFA in their endeavours.

In April 2015 NFA advised that they had been unsuccessful in obtaining a permanent tenant and had decided to put the property on the market. It was envisaged that this process would take up to six to nine months to implement so the 100% rebate was extended to include the 2015/2016 rating year.

The property went on the market in February 2016 and Council assisted with marketing and presentation of the building. Some interest was generated but a contract was not signed. During this period approval was granted to postpone the rates with a view to collecting any outstanding balance from the sale proceeds.

NFA have advised in the attached rebate application that the property was removed from sale in 2017 based on the community desire to retain the property as a Community Asset. NFA are now undertaking the lengthy process of obtaining grants to make the necessary upgrades to enable the precinct to once again attract a suitable long term anchor tenant.

A rebate assessment form is attached.
ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: Application for Discretionary Rebate – Nuriootpa Futures Association
Attachment 2: Rebate assessment form

Policy
Budget & Business Plan and Review Policy
Draft Rebates & Remissions Policy – 4.1 & 4.2 Rate Rebates

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. 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.

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Legislative Requirements
Local Government Act 1999 – Section 166

The 2018/2019 Budget for Rate Rebates includes an allowance of approximately $7,000 for the transfer of Housing SA owned properties to Housing Associations. The rate of transfer has slowed and this allowance is not likely to be required this year.

Discretionary Rebates exceeded the budget estimates by $2,000, therefore the overall budget for Rebates will need to be increased by $5,000 from $601,400 to $606,400 to accommodate this rebate request, if approved this budget adjustment will form part of the first quarter budget update for 2018/19.

Any rebate approved by Council will apply to both General - Rates and Community Wastewater Management Systems - Service Rates as required by Local Government Act 1999 Section 159 (9).

COMMUNITY CONSULTATION

Not Applicable

7.2.2.4
2017/2018 DRAFT ANNUAL FINANCIAL STATEMENTS – ADOPTION OF ACCOUNTING TREATMENTS UNDER NEW ACCOUNTING STANDARDS
B1096

Author: Manager Financial Services

MOVED Cr de Vries that Council having considered the matter related to new Australian Accounting Standards AASB15 and AASB1058 adopt these standards for the 2017/18 financial year and pursuant to AASB1058 elects not to recognise Volunteer Services in its financial statements.
Seconded Cr Angas
CARRIED 2014-18/1538

PURPOSE
Council is asked to consider and makes an accounting treatment decision not to recognise Volunteer Services in its financial statements, as described in this report.

**REPORT**

**Background**

Council needs to comply with the Australian Accounting Standards (standard/s).

AASB1004 previously provided the appropriate accounting treatment to match grant income to expenditure.

In Dec 2016 application of AASB1004 was clarified by the Accounting Standards Board which then required Councils to recognise income within the year received and not match it to the period of expenditure. Whilst technical this could have material impact on the financial statements and result in more complicated interpretation of the accounts.

Two new AASBs’ replacing AASB1004 apply from 1 January 2019:
- AASB15 Revenue from Contracts with customers; and
- AASB1058 Income of Not-for-Profit Entities

**Discussion**

AASB15 is linked with AASB1058 and are to be applied concurrently, and they spell out the timing, recognition, treatment of revenue and income.

Officers have considered the effect of grant treatment under this standard on our books as at 30 June 2018.

These new standards require further consideration than the previous standard including the review of the enforceability of contracts or agreements, agreed milestones, other requirements including the return of unspent funds and other general matters that are particular to grants received.

For Council to continue the income and expenditure matching practice we need to early adopt standard AASB15 and AASB1058 and include a disclosure in Note 1 of our Model Financial Statements stating Councils position of early adoption.

Another significant part of AASB1058 is to consider a Council position to recognise “Volunteer Services” in the Councils financial statements.

Note Chart 2 – Volunteer Services as copied from AASB1058, page 13:

Consideration of questions from that chart:
Can the fair value of volunteer services be measured reliably?

Although Council and its community highly value the work being done by our volunteers, we do not capture all of the time our volunteers spend throughout the various services and areas across the district in an accounting sense.

I would suggest the fair value is going to be an unreliable measurement as how can you place an accurate value of the extensive and varied contributions from each and every volunteer.

Would the services have been purchased if they had not been donated?

Council has over 300 volunteers, if we equate that to our employee numbers and for this exercise the volunteers are working half the employee time that would be around 150 full time employees! That would effectively double our employee cost which is fundamentally not affordable. It is therefore reasonable to assume in a hypothetical accounting sense if volunteers were “paid” and this was recognised in the accounts the services would need to be cut.

The recognition in an accounting sense would add little or no value to the financial statements and could serve to distort the comparability of the financial results over time.

Further volunteer support for our community is not based on financial reward it is about contribution to our community.

The logically conclusion therefore is that accounting recognition for volunteers provides little in the way of value in the financial statements and would only service to distort the accounts and service provision decisions that arise from the accounts.

Summary and Conclusion
Council is now asked to consider and makes an accounting treatment decision not to recognise Volunteer Services in its financial statements.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

How We Work – Good Governance

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

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

Legislative Requirements
Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

To continue the income and expenditure matching practice we need to early adopt AASB15 and AASB1058 and include a disclosure in Note 1 of our MFS stating that early adoption.

The suggested approach regarding Volunteer services is that:

1) the services would not have been purchased had they not been provided voluntary – as we couldn’t afford it and;
2) the fair value is going to be an unreliable measurement.

COMMUNITY CONSULTATION

No community consultation is required for this Policy as the content is mandated by legislation and facilitated according to internal processes.
7.3 CORPORATE AND COMMUNITY SERVICES – DEBATE

7.3.1 DIRECTOR CORPORATE AND COMMUNITY SERVICES - DEBATE

7.3.1.1 CONSIDERATION AND ADOPTION OF COMMITTEE RESOLUTIONS

B7322

MOVED Cr Angas that Council, having reviewed the Minutes of:

(1) The Barossa Regional Gallery Committee meeting held 26 June 2018;
(2) The Community Assistance Scheme Committee meetings held 1 August 2018 (Special Meeting) and 5 September 2018 (Ordinary Meeting);

Adopts the Resolutions contained therein.

Seconded Cr Harris

CARRIED 2014-18/1539

PURPOSE

The minutes of recent meetings of the following Section 41 Committees are presented for the consideration and adoption of Council:

- Barossa Regional Gallery Committee:
  - 26 June 2018 (Note: incorrect date in heading showing 24 April 2018)
- Community Assistance Scheme Committee
  - 1 August 2018 - Special Meeting
  - 5 September 2018 – Ordinary Meeting

REPORT

The consideration and adoption of recommendations of Council committees requires assessment by Council to ensure compliance with Council obligations under section 6(a) of the Local Government Act.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1: Minutes of the Barossa Regional Gallery Committee meeting held 26 June 2018
Attachment 2: Minutes of the Community Assistance Scheme Committee Special meeting held 1 August 2018
Attachment 3: Minutes of the Community Assistance Scheme Committee Ordinary meeting held 5 September 2018

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Corporate Plan

How We Work – Good Governance

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

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

Legislative Requirements

Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY CONSULTATION

Not required under legislation or Council’s Public Consultation Policy.
7.3.2 MANAGER COMMUNITY PROJECTS - DEBATE

7.3.2.1 STOCKWELL RECREATION PARK – DRAFT MASTER PLAN

MOVED Cr de Vries that Council

(1) Receives, notes and endorses the draft Stockwell Recreation Park Master Plan for community consultation in the next Council term; noting that the plan may be subject to future amendment and budget consideration as required.

(2) Endorses the Community Consultation Plan – Stockwell Recreation Park Master Plan to obtain feedback for a minimum 21 day period once the next Council is sworn in during November 2018, with a further report to Council in January 2019.

(3) Thanks the Stockwell Community Association Volunteer Group for its work on the ongoing development of the draft Plan.

Seconded Cr Lange

CARRIED 2014-18/1540

PURPOSE

To present the current draft version of the Stockwell Recreation Park Master Plan (the Plan) (refer Attachment 1) for consideration by Council with a view to releasing for public consultation.

REPORT

Background

The Stockwell Recreation Park (the Park) land is approximately 13.4 hectares (5.5 acres) of grazing land that was originally purchased by the District Council of Angaston (the Council) from a local farmer, Mr Nathanael Mickan. The contract for sale (signed November 1974) was subject to the Minister of Local Government’s approval of the proposed development of this land. The Council commissioned a planning consultant, whose report at the time stated that “for some time a need has been expressed by local sporting organisations for an additional standard-sized oval and improved recreation facilities for cricket and other sports with an existing and potential active following.”

A concept plan was developed, illustrating possible development features, with the oval, landscaping, accommodation for spectators, associated picnic and playground, car parking being implemented. A proposed camp and caravan park has not been developed. The land was set aside by approval of the Minister of Local Government in September 1977 for establishment of a recreation ground. A notice was placed in the Government Gazette of 3 November 1977 advising of the Council’s resolution that the land “be declared a parkland for the use and enjoyment of the public as a recreation area”.

A second oval was constructed to facilitate the inclusion of hockey and accommodate the growing Light Pass Cricket Club matches. However it was agreed in 2011 to progress with the Barossa Valley Hockey Association to utilise this space for a regional level artificial turf hockey pitch.

A sub-committee of the Council was appointed to look into the formation of a Committee of Management for the Park. The Stockwell Recreation Park Committee was appointed by the Council and held its first meeting on 20 November 1978. The Committee functioned under the auspice of a Council Committee under successive Local Government Acts. In 2015, under the Redefining Community Committees process, the Stockwell Recreation Park Committee and Stockwell Hall Committee amalgamated and transitioned to a volunteer advisory committee, the Stockwell Community Association Volunteer Group (the Group). The Group intends to incorporate and negotiate additional management responsibility for the Park. The Group, including all Park stakeholders, has actively supported the development of the draft Stockwell Recreation Park Master Plan (the Plan).
Current demographic Census (2016) data shows a 2.1% increase in the population in the Stockwell area in the 5 years since 2011. While the percentage of people in the 18-65 age group has slightly reduced, the under 18 percentage has increased. Overall, the total population has shown slight growth of 2.1%.

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**Introduction**

The key vision, principles and objectives for the Park identified at an early stage and reflected in the Plan are:

**Vision**

SPORT AND RECREATION
Our region’s northern home to cricket and our regional level artificial turf hockey pitch. A place for recreational activities for families, youth and visitors.

COMMUNITY
Community spaces for organised and informal gatherings.

**Principles**

CELEBRATE AND ENHANCE
Enhance the existing spaces and facilities to celebrate community and come together for sport and recreation.

**Objectives**

Redevelop a second oval for sport.
Create a fitness trail with outdoor equipment and bike tracks.
Create inclusive change room facilities for all.
Open up entrance way for safe access and egress.
Provide spectator viewing spaces and adequate and safe car parks.

**Discussion**

The Masterplan Working Group identified at an early stage that requirements for the next 20 to 30 year period of the Park to ensure the facilities available to the Light Pass Cricket Club and the Barossa Valley Hockey Association include:

- The reinstatement of the second oval that was removed to allow for the construction of the artificial turf pitch. It is noted the existing resolution of Council from meeting 28 October 2013:

  MOVED Cr Milne that

  .......

  3. By agreeing to develop the artificial turf pitch at the Stockwell Recreation Park Oval Number 2 site, Council also agrees to the reinstatement of Oval Number 2 in a timeframe to be negotiated with users of the oval, but shall not be undertaken until the 2014/15 financial year at the earliest.

  .......

  Seconded Cr de Vries CARRIED

- Upgrade of clubroom / change room facilities to allow for female friendly spaces and an additional change room to better cater for hockey and the proposal second oval

Other enhancements such as formalised parking, a BMX track and widened entranceway are also proposed.

Identified changes are as follows:
1. Vehicle Entrance / Exit for dual access
   - All users benefit
   - Maintain sealed roadway
   - Formalise unsealed roadways

2. Second Oval
   - Increased overflow for sporting clubs
   - Allows for additional sports, eg Soccer
   - Eliminates the need for cricket to hire external facilities for matches (such as nearby school ovals)

3. New change room facilities with associated amenities
   - To improve change room and spectator viewing access for hockey and users of second oval

4. Car parking with sufficient lighting
   - Retain and maintain existing sealed roadways
   - Improve and formalise unsealed roadways
   - Install lighting for safe vehicular and pedestrian movements

5. Existing clubroom improvements
   - Incorporate additional change room area for females

6. Spectator viewing
   - Provide enhanced spectator viewing areas through construction of covered shelter adjoining new change room, and earth mounds for raised viewing

7. Outdoor fitness stations
   - Installed along a fitness / walking / bike trail

8. BMX track
   - Dirt mounded BMX track (location to be determined)

It is noted that a buffer potentially incorporating soft screening (planting / landscaping treatments) could be considered along Mickan Road to aid separation to the residential area incorporating pedestrian access ways between the Park and residential area.

Due to the upcoming Council election, it is proposed that broader community consultation be scheduled after the election, beginning during November once the new Council is established and for a minimum 3 week period. Officers are keen to keep the masterplan process moving and so are bringing the draft Plan for consideration at this time. The Community Consultation Plan at Attachment 2, outlines the consultation activates proposed.

**Summary and Conclusion**
The draft Plan incorporates a number of improvements to enhance existing usage of the Park and also reflects Council’s resolution to reinstate the second oval.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**
Attachment 1 Draft Stockwell Recreation Park Master Plan Ref: 18/57097
Attachment 2 Draft Community Consultation Plan Ref: 18/57134

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

**Community Plan**
- Natural Environment and Built Heritage
- Community and Culture
- Infrastructure
- Health and Wellbeing
- How We Work – Good Governance

**Corporate Plan**
1.2 work toward developing township, streetscapes, entrances and open spaces that are attractive, welcoming and maintained to an agreed level of service
2.6 Provide, promote and support community arts and cultural events, programs, attractions and services.
3.1 provide regional and local walking and cycling connections between open spaces.
3.2 ensure Council’s parks, gardens and playgrounds are accessible, relevant and safe and maintained to an agreed level of service.
3.3 Ensure Council’s sporting, recreational and leisure grounds and playing areas and associated programs meet the current need of the community to an agreed level of service.
3.9 Ensure Council facilities and assets are accessible, safe and maintained to an agreed level of service.
3.11 advocate for the allocation of State and Federal funding to maintain and invest in infrastructure within our region.

4.1 Deliver and promote health and wellbeing initiatives in line with the Public Health Plan
6.4 Ensure that decisions regarding expenditure of Council’s budget are based on an assessment of whole of life cost, risks associated with the activity and advice contained within supporting plans.

Legislative Requirements
Local Government Act 1999
Development Act 1993

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial
The Plan will be prioritised, phased and costed as part of future priorities of “The Big Project” and falls outside of the current Regional Growth Fund application.

Resource
The project management work falls within the scope of “The Big Project” with input from the Manager, Community Projects. Consultation and promotion support from the Communications and Marketing Officers.

Risk Management
The purpose of bringing this report to Council for the endorsement of the draft Plan at this point is to seek broader input from the Stockwell and wider Barossa community in addition to that achieved via the local Working Group; flag issues and concerns so that they can be addressed within future iterations of the Plan and ensure that the outcome is aligned as far as possible with community expectations.

COMMUNITY CONSULTATION

A Community Consultation Plan – Stockwell Recreation Park Ref: 18/57134 (refer Attachment 2) is attached. Dates of consultation to be determined by officers following establishment of the new Council, but to be for a minimum 3 week period, consistent with other masterplan consultation processes.

7.3.2.2
BAROSSA ARCHERY CLUB – REQUEST FOR IMPROVEMENTS AT ARCHERY ROAD
B6015

MOVED Cr de Vries that Council

(1) Support the request from the Barossa Archery Club for improvements of two shipping containers, shelter and all access toilet at Archery Road, Tanunda, subject to all necessary approvals.

(2) Provide advice to the Barossa Archery Club to submit Community Assistance Grant applications to contribute to the funding of a shelter and all access toilets at Archery Road.

(3) Require officers to progress the renewal of a lease agreement for Archery Road, Tanunda and a licence agreement for Heinemann Park, both for a period of 5 years and in accordance with existing delegation.

Seconded Cr Hurn CARRIED 2014-18/1541

PURPOSE
The Barossa Archery Club have requested approval to improve their facilities at Archery Road, Tanunda.

**REPORT**

**Background**

In 2010 Council worked with the Barossa Archery Club (the Club) to locate an appropriate venue for archery activity to increase the visibility of the Club to grow membership and also determine if clubroom improvements were appropriate at their home base at Archery Road. It was determined at the time that the flood prone nature of the land was unsuitable for development of that nature.

The following timeline outlines the assessment at that time:

- April 2009 – request for toilets / clubhouse at Archery Road.
- May 2009 – planning advice that notified location at Archery Road situated within the flood plain.
- July 2009 – Finger directional signage installed (Archery Road)
- October 2009 – Council conducted suitability assessment to review what works were required to mitigate potential flooding on site for it to be suitable for compliant development. The estimated works at that time was around $20,000 before any improvement costs were considered. Assessed flood levels in 1983 were up to 2.5m.
- January 2010 – Internal engineering desktop assessment determined that the risk to any structure developed at the site would be significant in a major flood situation. Approval to install 3 additional targets granted.
- April 2010 – Council funding granted to undertake restorative earthworks to improve safety and purchase 3 additional targets
- March 2011 – Advice received from the Mutual Liability Scheme that the suggestions from the Archery Club to mitigate risk of liability with regard to infrastructure damage and potential bypassing of development requirements and the suggestions not being in accordance with Council’s obligations surrounding Community Land would not be supported by the Scheme and should not be entered into.
- March 2011 – Assistance with search for alternative site, eventually resulting in Heinemann Park and this being seen as a site that would support the expansion and promotion of the Club within the wider region. See minutes of Council meeting 18 October 2011, 21 February 2012, 20 March 2012 and 20 November 2012. All attached.
- November 2012 – The intent of the Club when entering into lease from Heinemann Park, was to relocate from Archery Road; however the Club then requested that it continue to use the Archery Road site for training. This was agreed to for a five year extension.

Since November 2012, the Club have had a lease to occupy Archery Road, Tanunda and a licence for use of Heinemann Park and more recently, the Angas Recreation Park Show Hall, all at varying times.

**Introduction**

The Club have requested to improve their facilities at Archery Road, Tanunda to provide, in priority order:

1. Increased equipment storage
2. Additional shelter
3. Toilets

See letter at Attachment 1.

**Discussion**

The Club has grown over recent years to a membership of over 50 people, with a greater proportion of females and children. The committee are dedicated and committed to growing the strength of the Club.

The Club will fund the purchase and placement of two forty foot shipping containers to be placed adjacent the existing shed on an earth mound, providing additional height from potential flood
waters. A recent Office of Recreation and Sport Grant application has been successful for the purchase of additional equipment, requiring storage space. The containers will be painted and maintained in a natural colour scheme to complement the surroundings.

The Club will request Council to assist with funding a shelter prior to the next winter season. It is proposed that the shelter will be constructed between the two shipping containers. Officers recommend that the Club complete a Community Assistance Grant application for this purpose (2018/19).

A portable toilet has been purchased by the Club. The next priority for the Club will be to acquire another all access portable toilet and they will also request that Council assist with funding this sometime in 2019/20. Officers also recommend that the Club submit a Community Assistance Grant application for this purpose during the 2019/20 year.

A high-level assessment of the flood prone nature of the land has been completed and the non-permanent nature of the structures are acceptable. Officers recommend that the Club ensure they have appropriate understanding of their insurance policy for coverage in this situation. The Club are required to lodge a Development Application for the required approval of the improvements. Discussions with Council’s planning department are already underway.

The Club still intends to hold practice and State tournaments at Heinemann Park.

It is noted that user agreements for Archery Road and Heinemann Park both require renewal. It is recommended that officers progress renewals for a further period of 5 years.

Summary and Conclusion
The Barossa Archery Club membership has grown in recent years and the need for additional facilities is greater. The Club has requested Council approve the installation of two shipping containers for storage purposes. Over the next 12 – 18 months, the Club will request that Council assist with funding a shelter for participants and an additional all access toilet.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: Letter of Request from the Barossa Archery Club Ref: 18/63063

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

1.11 Ensure the unique character of the rural landscape is appropriately managed.
2.7 Embrace place-making principles when developing community infrastructure and regulate planning and development in public spaces.
3.7 Ensure infrastructure meets the needs of people with and provides for all abilities access.
4.4 Support sporting, recreational and community clubs and organisations to grow and be sustainable.

Legislative Requirements
Local Government Act 1999
Development Act 1993
Lease and Licence Policy
FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
The Club intend to fund the purchase and installation of shipping containers. The Club intend to request Council fund the shelter and all access toilet over the next 12-18 months. Organisations are able to apply for Community Assistance Scheme grants for up to $3,000. The CASC budget is endorsed by Council and managed by the Community Assistance Scheme Committee.

It is recommended that the Club ensure understanding of their insurance policy for this situation and note that Council will not be held liable for issues arising from any future flood events. The potential of flooding may impact the placement of the improvements and the Club is cognisant of this and incorporating this into its development planning.

It is also noted that the 2016 rain event referenced by the Club in its submissions to Council represented a flood on a 1 in 20 year scale, not a 1 in 100 year event as legislated under current Development Act requirements.

COMMUNITY CONSULTATION
Exclusive lease agreements of 5 years or less are exempt from community consultation.

7.3.2.3
SOUTHERN BAROSSA ALLIANCE AND COMMUNITY COMMITTEES STRUCTURE
B4008

MOVED Cr Lange that Council:

(1) Endorse the Memorandum of Understanding between the Southern Barossa Alliance and The Barossa Council for signature by the Manager Community Projects.

(2) Approve transfer of operating budget lines from cost centres 183, 196, 200 and 192 totalling $13,405 (excl GST) to Southern Barossa Alliance on receipt of an invoice.

(3) Approve the use and transfer of Reserve Funds to the Southern Barossa Alliance on receipt of an invoice, as follows:
- Williamstown Community Council Reserve Fund of $2,000
- Williamstown Soldiers Memorial Hall Committee Reserve Fund of $1,500
- Lyndoch & District Community Committee Reserve Fund of $2,500
- Lyndoch Hall Committee Reserve Fund of $500
- Lyndoch Street Party Reserve Fund of $500

(4) Formally records its thanks to the Southern Barossa Volunteer Advisory Groups for their input and feedback on the process and documents required for this transition process.

Seconded Cr Harris CARRIED 2014-18/1542

PURPOSE
Officers have been working with the Southern Barossa Alliance and community committees of Williamstown and Lyndoch to further the transition of structures and relationships subsequent to the Redefining Community Committee project in 2015. The report is presented to Council for endorsement of the proposed structure and funding arrangements for the continuation of volunteer led community services for the Southern Barossa sub-region.

REPORT
Background
The Redefining Community Committee project (the Project) was delivered by Council in 2015/2016 to review the 19 committees established by Council under Section 41 of the Local Government Act 1999. The Project resulted in the transition of committees from formal Section 41 governance structures to informal advisory groups, ‘friends of’ groups, or more formal incorporated associations. Each of the Williamstown and Lyndoch committees transitioned to Volunteer Advisory Groups (VAGs).
Introduction
Conversations have continued with the Southern Barossa Alliance (SBA) regarding their role within the community as a conduit, advisor and advocate for the southern Barossa community. They have progressed discussions with the VAGs to further transition each of the groups to become sub-committees of SBA. The VAGs have agreed to the proposal through a series of meetings and development of charters for each group.

Discussion
Memorandum of Understanding – Southern Barossa Alliance and The Barossa Council
SBA and Officers have drafted a Memorandum of Understanding (MOU) (Attachment 1) to define the relationship between SBA and Council and also how the VAGs will be structured.

The SBA’s objectives with regard to this report are documented in the MOU and also their Constitution (Attachment 7) and include:

1. Auspicing funds (income and expenditure) for events hosted by VAGs
2. Providing advice to Council on matters relating to the local community, events for the region, and local community facilities and infrastructure
3. SBA or VAGs may elect to become volunteer booking officers for community facilities, with all income from hiring to be deposited with Council
4. Managing through volunteer supervision, agreed on-ground project work
5. Inquiring into and reporting to the Council on matters within the ambit of Council’s responsibilities
6. Exercising, performing and discharging functions and duties to achieve agreed outcomes

Policy and Procedure Development
SBA have developed a Financial Management Policy (Attachment 2), and Financial Management Procedures (Attachment 3) to govern management of cash, income and expenditure.

Structure of Southern Barossa Alliance and Volunteer Advisory Groups
Each VAG has reviewed an updated charter document to guide their activities. It is noted that there has also been various name and structure changes of groups since the Redefining Community Committees project:

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Key activities of the VAGs under SBA:
- Community Events
- Community Newsletters
- Advocacy and recommendation to SBA and Council
- Fundraising (with funds raised to be held by SBA)
- Small scale infrastructure projects (with written approval from Council and supervision by SBA)
- Working bees (with notification to Council when on community land)

Activities remaining with Council, with continuing input, feedback and support from VAGs
- Facilities Management
- Infrastructure development including all elements of The Big Project. (SBA and VAGs are major stakeholders of the project.)

The following organisation chart shows the relationship of each of the groups. The VAGs will be formal sub-committees of the SBA while the individual volunteers will continue a relationship with...
Council via the Volunteer Management Policy for when they are engaging in Council related activity, such as working bees and community event management.

VAG Operating budgets
The proposal includes the transfer of operating budgets to SBA. SBA will auspice the funds on behalf of Council and the VAGs for the following budget lines:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost Centre</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lyndoch Street Party</td>
<td>183</td>
<td>$2,057</td>
</tr>
<tr>
<td>Lyndoch and Districts Community Committee</td>
<td>196</td>
<td>$4,000 ($2,000 already contributed for proposed Budburst event, amounting to $6,000)</td>
</tr>
<tr>
<td>Williamstown Community Council</td>
<td>200</td>
<td>$5,348</td>
</tr>
<tr>
<td>Williamstown Soldiers Memorial Hall</td>
<td>192</td>
<td>$2,000 (for events, garage sale)</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$13,405</td>
</tr>
</tbody>
</table>

SBA have confirmed that they will continue to account for each budget line separately within their cloud based accounting system and the VAGs have agreed.

Contribution to Administration Resourcing of Southern Barossa Alliance
SBA have requested financial assistance to fund administration expenses. The request recommends the use of portions of Reserve Funds as follows, totalling $7,000 for the 2018/19 financial year.

<table>
<thead>
<tr>
<th>Reserve Fund Name</th>
<th>Reserve Fund Balance</th>
<th>Amount Requested</th>
</tr>
</thead>
<tbody>
<tr>
<td>Williamstown Community Council</td>
<td>$27,775</td>
<td>$2,000</td>
</tr>
<tr>
<td>Williamstown Soldiers Memorial Hall Committee</td>
<td>$20,415</td>
<td>$1,500</td>
</tr>
<tr>
<td>Lyndoch &amp; District Community Committee</td>
<td>$28,182</td>
<td>$2,500</td>
</tr>
<tr>
<td>Lyndoch Hall Committee</td>
<td>$6,849</td>
<td>$500</td>
</tr>
<tr>
<td>Lyndoch Street Party</td>
<td>$5,703</td>
<td>$500</td>
</tr>
<tr>
<td>Total Contribution</td>
<td></td>
<td>$7,000</td>
</tr>
</tbody>
</table>

It is expected that SBA will request this contribution in future years, in which case documentation will need to be incorporated into future draft Budget processes for Council consideration. The amount and funding source from Reserve Funds of $7,000 is equivalent to the support offered Mount Pleasant Progress Association Inc and also consistent with arrangements agreed with Angaston Community and Business Alliance.

Summary and Conclusion
The Southern Barossa Alliance has worked with Officers and the southern Barossa community groups to develop a governance and operating structure to allow the increasing independence
of volunteer community groups and development of community governance models as envisaged by the Redefining Community Committees project.

Officers support the structures including the policies and procedures that have been developed to guide the operations of the groups.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

| Attachment 1: | Memorandum Of Understanding – Southern Barossa Alliance and The Barossa Council 18/7971 |
| Attachment 2: | Southern Barossa Alliance Financial Management Policy Ref 18/63319 |
| Attachment 3: | Southern Barossa Alliance Financial Management Procedures Ref 18/63321 |
| Attachment 4: | Williamstown Action Group Charter Ref 18/63298 |
| Attachment 5: | Lyndoch Community Committee Charter Ref 18/63272 |
| Attachment 6: | Lyndoch Recreation Park Volunteer Advisory Group Charter Ref: 18/63271 |
| Attachment 7: | Southern Barossa Alliance - Constitution 18/63226 |

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

**Community Plan**

- Community and Culture
- How We Work – Good Governance

2.1 Initiate and support activities which encourage participation and pride in the Barossa Council area.

2.3 Contribute to creating strong and sustainable community networks.

2.4 Encourage and support volunteering in the community.

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.

**Corporate Plan**

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.

**Legislative Requirements**

Local Government Act 1999

Volunteer Management Policy

Event Management Policy

Lease and Licence Policy

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

Financial Considerations have been discussed in the report, outlining the contribution of Operating and Reserve funds to the Southern Barossa Alliance, to further support and develop the community advisory groups of the southern Barossa.

Risk Management considerations have been discussed with the Southern Barossa Alliance and the groups. Policy, process and governance documents have been developed and agreed with the parties. Council’s intent through the Redefining Community Committees process was to encourage and develop broader community governance models and arrangements to replace the traditional Section 41 Committee structure.

**COMMUNITY CONSULTATION**

The community has been consulted through the advisory groups. No further formal consultation is considered necessary by Officers or required under legislation.
7.4.1 DIRECTOR WORKS AND ENGINEERING SERVICES - DEBATE

7.4.1.1 ROAD RE-SHEETING – CHANGE TO PROGRAM
B7907 18/53725

MOVED Cr Seager that Council receives, considers and approves the revised road re-sheet program which is provided as Table 1 in this report.
Seconded Cr Harris
CARRIED 2014-18/1543

PURPOSE
A revised road re-sheet program is proposed following a final evaluation of the gravel sheeted road network.

REPORT

Background
Council adopted a $953,439 road re-sheet maintenance program as part of the Annual Budget and Business Plan process. The roads put forward and adopted in the budget were selected based on initial site investigations, customer request data and feedback from our grader operators.

Introduction
Following adoption of the Annual Budget and Business Plan a drilling program was undertaken across the gravel sheeted road network to quantify the depth of existing gravel material on the road.

Discussion
A revised re-sheeting program is proposed following a drilling evaluation of our sheeted road network to determine residual material depths. Consideration has been given to the level of service for each road and the condition as inspected together with the drilling data. The 2018/2019 road re-sheeting program has been amended as per Table 1 following:

Table 1 - Revised Re-Sheet Program

<table>
<thead>
<tr>
<th>Road</th>
<th>District</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rocky Valley Road</td>
<td>Angaston</td>
<td>Stockwell Rd to End</td>
</tr>
<tr>
<td>Pipeline Road - Moculta</td>
<td>Moculta</td>
<td>Rosenzweig Rd to Council Boundary</td>
</tr>
<tr>
<td>Duck Ponds Road</td>
<td>Stockwell</td>
<td>600m W of seal from Stockwell</td>
</tr>
<tr>
<td>Duck Ponds Road</td>
<td>Stockwell</td>
<td>350m W of Jaegers Rd to Fallands Rd</td>
</tr>
<tr>
<td>Duck Ponds Road</td>
<td>Moculta</td>
<td>H#544 to Bastion Hill Rd</td>
</tr>
<tr>
<td>Duck Ponds Road</td>
<td>Moculta</td>
<td>Lindsay Park Rd to H#791</td>
</tr>
<tr>
<td>Allendale Road</td>
<td>Goldfields</td>
<td>Para Wirra Rd to H#678</td>
</tr>
<tr>
<td>Allendale Road</td>
<td>Kalbeeba</td>
<td>550m north of H#660</td>
</tr>
<tr>
<td>Ken Hicks Road</td>
<td>Mount Pleasant</td>
<td>Tungkillo Rd to Seagers Rd</td>
</tr>
<tr>
<td>Ken Hicks Road</td>
<td>Mount Pleasant</td>
<td>600m SW from Seagers Rd</td>
</tr>
<tr>
<td>Hamiltons Road</td>
<td>Mount Pleasant</td>
<td>O Herbig Rd to Koop Creek Rd</td>
</tr>
<tr>
<td>Craneford Rd</td>
<td>Springfield</td>
<td>Eden Valley Rd to A Forrests Rd</td>
</tr>
<tr>
<td>Craneford Rd</td>
<td>Craneford</td>
<td>High Eden Rd to Basil Roeslers Rd</td>
</tr>
<tr>
<td>Craneford Rd</td>
<td>Craneford</td>
<td>600m N from C Rogers Rd</td>
</tr>
<tr>
<td>Roads added to the 18/19 program</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nitschke Rd</td>
<td>Krondorf</td>
<td>150m north of Koch Rd</td>
</tr>
<tr>
<td>Nitschke Rd</td>
<td>Krondorf</td>
<td>From Koch Rd</td>
</tr>
</tbody>
</table>
Nitschke Rd  |  Krondorf  |  Up to H#189
Koch Rd    |  Krondorf  |  Between Nitschke Rd & Nitschke Rd
Koch Rd    |  Krondorf  |  Nitschke Rd to Surface Change
Rifle Range Rd  |  Krondorf  |  Biscay Rd to Grocke Rd
Rifle Range Rd  |  Krondorf  |  Grocke Rd to Seal B4 railway track
Rifle Range Rd  |  Krondorf  |  Lily Farm Rd seal to Lookout
Rifle Range Rd  |  Krondorf  |  LH Bend East of Lookout to Little Kaiserstuhl Rd
Rifle Range Rd  |  Krondorf  |  Little Kaiserstuhl Rd to end
Concordia Road  |  Concordia  |  Harris Rd to Bergen Rd
Concordia Road  |  Concordia  |  Fennescey Rd to Teusner Rd
Fennescey Rd  |  Concordia  |  Segment Limit to End
Teusner Rd  |  Concordia  |  Concordia Rd to Fennescey Rd
Rosedale Scenic Rd  |  Rosedale  |  Surface change-Sheeted to Scenic Rd
Coppermine Road  |  Williamstown  |  Rosenzweig Rd to End
Wild St  |  Williamstown  |  150m from South Rd to Rosenzweig Rd
Cookes Hill Rd  |  Springton  |  Church Rd to Cookes Hill Rd
Cookes Hill Rd  |  Springton  |  H#700 to Groths Rd
Hearts Rd  |  Eden Valley  |  Burkes Hill Rd to Peggy Hill Rd
Humbles Rd  |  Mount Pleasant  |  Angas Valley Rd to H#131
Church Rd  |  Springton  |  RH Bend east past creek to 50m past H#115
Shearers Rd  |  Springton  |  125m East of H#34 to C Kuchels Rd

Summary and Conclusion
The revised program has been developed based on depthing data from the drilling investigations - this has provided a more accurate condition assessment than has been available previously. Officers have a high level of confidence that we are intervening at the optimal point to maximise Council’s spend. The drilling program is continuing and will form the basis for updating Councils Asset Management System and developing the 3 – 10 year forward work program.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Nil.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Community Plan
Identify Theme/s (utilising the icons)

Infrastructure

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

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
There is no variance to the approved budget, the additions and deletions have been managed to fit within the existing approved budgets. A budget adjustment will be submitted for quarter 1 to formalise the revised program.

The Barossa Council 18/64837  Minutes of Council Meeting held on Tuesday 18 September 2018
COMMUNITY CONSULTATION
The initial road re-sheet program was released for community consultation as part of the Annual Budget and Business planning process with a qualifying statement that the program may be subject to change. The amended program will be updated on Council’s website and shared across our social media platforms.

7.4.1.2
PROPOSED ROAD CLOSURE – 2018 BAROSSA DUATHLON
B7475 18/54782

Author: Manager Engineering Services

MOVED Cr de Vries that the Commissioner of Police be advised that Council endorses the road closure of;

Magnolia Road, Tanunda between Menge Road and Light Pass Road, and
Research Road, Tanunda between Magnolia Road and Vine Vale Road, and
Neldner Road, Tanunda between Magnolia Road and Basedow Road.

between 7.30 am and 1.30pm on Sunday 30 September 2018 to accommodate the running of the 2018 Barossa Duathlon.

Seconded Cr Harms

CARRIED 2014-18/1544

INTRODUCTION
A request was been received on behalf of Triathlon South Australia, for the closure of several roads in and around Tanunda on Sunday 30 September 2018 to stage the 2018 Barossa Duathlon.

REPORT
Background
This event incorporates the South Australian Duathlon Championships and Race 1 of the Triathlon SA State Series.

Summary and Conclusion
The event will require the closure of several roads within Tanunda between 7.30 am and 1.30pm on Sunday 30 September 2018 to accommodate the running of the 2018 Barossa Duathlon, namely:

- Magnolia Road, Tanunda between Menge Road and Light Pass Road, and
- Research Road, Tanunda between Magnolia Road and Vine Vale Road, and
- Neldner Road, Tanunda between Magnolia Road and Basedow Road.

Event organisers have engaged CSA Group – Traffic Control to prepare and implement the required Traffic Management Plan (TMP). The Manager Engineering Services has approved the closure and the Traffic Management Plan provided for assessment which is to be implemented by CSA Group to appropriate standards.

The proposed road closure is pursuant to Section 33 of the Road Traffic Act 1961.

Access to The REX will be restricted and managed by traffic marshals via Magnolia Road.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Community Plan

Community and Culture
Health and Wellbeing

Business and Employment

2.1 Initiate and support activities which encourage participation and pride in the Barossa Council area.

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

4.2 Create opportunities for people of all ages and abilities to participate in the community.

5.13 Support economic development through events.

Legislative Requirements
Local Government Act 1999
Road Traffic Act 1961

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The implementation and the cost of the road closure is to be met by the event organisers. There are no foreseeable financial and risk management considerations.

CSA Group will closely monitor the road closure and reopen the road/s as soon as practical after the conclusion of the event.

COMMUNITY CONSULTATION

Triathlon South Australia will liaise directly with management of The Rex, Faith Lutheran College, Tanunda Primary School, Artisans of Barossa and Barossa Arts and Convention Centre regarding the event. The closure will be advertised in local newspapers.

7.4.1.3
PROPOSED ROAD CLOSURE – 2018 ANGASTON CHRISTMAS PARADE
B7475 18/58686

Author: Manager Engineering Services

MOVED Cr Grossman that the Commissioner of Police be advised that Council endorses the road closure of:

Murray Street, Angaston between Tyne Street and 87 Murray Street, Angaston – a distance of approximately 300 metres, and
Penrice Road, Angaston between Murray Street and 9 Penrice Road, a distance of approximately 120 metres, and
Tyne Street, Angaston between Newcastle Street and Murray Street, and
South Terrace, Angaston between Murray Street and Kent Street, and
Kent Street, Angaston between West Terrace and Sturt Street

Between 5.00pm and 9.00pm on Friday 30 November 2018 for the purpose of the 2018 Angaston Christmas Parade.

Seconded Cr Harms
CARRIED 2014-18/1545

INTRODUCTION

A request has been received from Caroline Langford on behalf of the organisers of the 2018 Angaston Christmas Parade to assist with the traffic management arrangements associated with staging the 2018 Angaston Christmas Parade on Friday 30 November 2018.

REPORT

Discussion
Application has been received from Caroline Langford on behalf of the organisers of the 2018 Angaston Christmas Celebration who wish to host a free celebration of fun and family between 5.00pm and 9.00pm at Memorial Park on Friday 30 November 2018.

The parade component of the event will require parade participants to assemble in Tyne Street and travel along Murray Street to South Terrace and return to the Kent Street car park for dispersal.

The proposal also requests parking restrictions be placed along the Parade route between 4.30pm and 9.00pm.

**Summary and Conclusion**

The proposed road closure is pursuant to Section 33 of the Road Traffic Act 1961.

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

### COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

**Community Plan**

- Community and Culture
- Health and Wellbeing
- Business and Employment

2.1 Initiate and support activities which encourage participation and pride in the Barossa Council area.

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

4.2 Create opportunities for people of all ages and abilities to participate in the community.

5.13 Support economic development through events.

**Legislative Requirements**

- Local Government Act 1999
- Road Traffic Act 1961

### FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

**Financial and Resources**

The in-kind cost and implementation of the road closure is to be met by Council via Council’s Road Closure – Support budget.

**Risk management**

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

Council staff will closely monitor the road closure and reopen the road/s as soon as practical after the conclusion of the event.

### COMMUNITY CONSULTATION

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

#### 7.4.1.4

**OVAL DRAINAGE UPGRADE – ANGASTON – LYNDOCH - WILLIAMSTOWN**

B7394 18/61657
MOVED Cr de Vries that Council approve a budget increase of $179,582 for the Williamstown, Angaston and Lyndoch Oval Drainage Upgrade projects to be funded via savings from the Stockwell Road/Carrara Hill road intersection project plus additional expenditure from 2017/2018 recreational assets budget carry overs.
Seconded Cr Hurn
CARRIED 2014-18/1546

PURPOSE
Council approval is sought to undertake Budget Adjustments to transfer savings from the Stockwell Road/Carrara Hill Road Intersection Upgrade project to the Oval Drainage Upgrade projects.

REPORT
Background
Council have allocated funding to Angaston, Lyndoch and Williamstown Ovals to commence a program of oval drainage upgrade following recommendations from the Barossa Council Sports Ground Assessments report undertaken by LDS Turf Partners in November 2015.

Introduction
Design consultant Hydroplan were commissioned by Works and Engineering staff to prepare oval drainage upgrade design plans last financial year.

Quotes were sought in July 2018 for the drainage upgrade works at Angaston, Lyndoch and Williamstown ovals from Barossa Regional Procurement Group (BRPG) Landscaping Panel contractors. Council received two quotes for the upgrade works with both quotes well in excess of budget allocations.

Works and Engineering staff undertook a value engineering exercise and reduced the scope of the oval drainage works in consultation with designer, Hydroplan.

Works and Engineering staff formally approached the same BRPG Landscaping Panel contractors in August 2018 and sought revised quotes for the reduced scope. One quote for the reduced scope of works was received, which still exceeds the original 2018-19 budgets allocated:

Angaston Oval - $101,603 (ex GST)
Lyndoch Oval - $81,805 (ex GST)
Williamstown Oval - $97,058 (ex GST)

A total of $280,466 (or $308,512 with 10% contingency) against a budget of $128,929

Discussion
2017-18 carryover funding, from other recreational asset lines, totalling $71,035 is proposed to be allocated equally to the three oval drainage projects, resulting in the following revised 2018-19 budget allocations:

Angaston Oval - $64,092
Lyndoch Oval - $67,394 ($10k also allocated for irrigation pump upgrade)
Williamstown Oval - $68,478

Thus, additional funding to enable delivery of the reduced oval drainage scope at all three ovals (including 10% contingency) is required as follows:

Angaston Oval - $47,671
Lyndoch Oval - $22,591
Williamstown Oval - $38,285

TOTAL $108,547

The current budget allocation for the Stockwell Road/Carrara Hill Road Intersection Upgrade is $440,000 (306715-870-969). Works and Engineering have recently received tenders for the construction of the Stockwell Road/Carrara Hill Road Intersection Upgrade and cost estimates from BRPG’s Road Surfacing contractor Downer for the asphalt surfacing of the intersection.
Based on the recent market pricing received, Works and Engineering staff are currently forecasting a budget surplus of $140,000.

In addition, Council have recently received advice from the Federal Government that the Stockwell Road/ Carrara Hill Road Intersection Upgrade has been successful in receiving up to $250,000 in Federal Heavy Vehicle Safety & Productivity Program grant funding, based on a 50-50 cost share of final actual project cost.

**Summary and Conclusion**

It is recommended that the following Q1 2018-19 Budget Adjustments of $108,587 are approved by Council:

- $47,671 from Stockwell Road/Carrara Hill Road Intersection Upgrade (306715-870-969) to Angaston Oval Drainage Upgrade (601272-859-969) project;
- $22,591 from Stockwell Road/Carrara Hill Road Intersection Upgrade (306715-870-969) to Lyndoch Oval Drainage Upgrade (601271-859-969) project;
- $38,285 from Stockwell Road/Carrara Hill Road Intersection Upgrade (306715-870-969) to Williamstown Oval Drainage Upgrade (601490-859-969) project.

The following Q1 budget carry overs of $71,035 from the 2017/2018 budget will be undertaken through normal budget review processes:

- $1,275 from Upgrade Lyndoch Oval, (601271)
- $1,275 from Upgrade Angaston Oval (601272)
- $5,158 from Tanunda Rec Park Oval Renewal (601378)
- $4,709 from Skate Parks 15-16 (601431)
- $4,524 from WQVJP Oval Renewal (601484)
- $5,105 from Sandy Creek Rec Park Oval Renewal (601486)
- $15,000 from Eden Valley Oval Renewal (601487)
- $15,000 from Springton Oval Renewal (601488)
- $15,000 from Moculta Oval renewal (601489)
- $1,100 from Williamstown QVJP Oval Upgrade (601490)
- $2,889 from Talunga Park Oval Upgrade (601491)

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Nil

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

**Community Plan**

Identify Theme/s (utilising the icons)

- Infrastructure
- Health and Wellbeing
- Business and Employment
- How We Work – Good Governance

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.
4.6 Ensure that community members can participate in cultural, recreational, sporting and learning opportunities.

**Corporate Plan**

3.2 Ensure Council’s parks, gardens and playgrounds are accessible, relevant, and safe and maintained to an agreed level of service.
3.4 Ensure Council’s sporting, recreational and leisure grounds and playing arena and associated programs meet the current need of the community to an agreed level of service.

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

There are no financial implications for Council as funds are proposed to be transferred within the 2018-19 Capital Works program.

**COMMUNITY CONSULTATION**

Consultation with relevant cricket clubs and Barossa & Light Cricket Association regarding scope and timing of the oval drainage upgrade works has occurred during the design phase and will continue during the construction phase of the projects. They are supportive of the upgrade works proposed and the expected longer term oval surface benefits that are expected to result from the works.

7.4.1.5

**PROPOSED ROAD CLOSURE – 2018 BAROSSA BEER AND CIDER FESTIVAL**

**B7475 18/61740**

Author: Manager Engineering Services

MOVED Cr de Vries subject to Council Officers being satisfied that all event application requirements are met, that the Commissioner of Police be advised that Council endorses the road closure of:

Hannay Crescent, Angaston

Between 9.00 am and 6.00pm on Sunday 4 November 2018 to stage the 2018 Barossa Beer and Cider Festival.

Seconded Cr Boothby CARRIED 2014-18/1547

**INTRODUCTION**

A request has been received from Henry Carter, event coordinator, for the closure of Hannay Crescent, Angaston on Sunday 4 November 2018 to stage the 2018 Barossa Beer and Cider Festival.

**REPORT**

**Background**

Mr. Carter, as event coordinator, is proposing that the Angaston Village Green and Hannay Crescent will be used to host a ticketed event catering for approximately 1500 people and will include stall sites, seating and standing. The event is planned to be a beer festival with food and entertainment.

**Discussion**

Council officers assessing the event application are currently seeking a response from the organiser to ensure that the event can proceed safely with minimal disruption to the surrounding community.

Council officers have also provided event details to SAPOL for review, at the time of writing this report a response is pending.

**Summary and Conclusion**

The event will require the closure of Hannay Crescent, Angaston in its entirety between 11.00 am and 5.00pm on Sunday 4 November 2018 to accommodate the running of the 2018 Barossa Beer and Cider Festival.

Event organisers have engaged PRIME Traffic Solutions to prepare the required Traffic Management Plan (TMP) attached. The Manager Engineering Services has approved the closure and the Traffic Management Plan provided which will be implemented by PRIME Traffic Solutions to appropriate standards.
The proposed road closure is pursuant to Section 33 of the Road Traffic Act 1961. Access to properties on Hannay Crescent will be restricted and managed by traffic marshals.

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

Community Plan

- Community and Culture
- Health and Wellbeing
- Business and Employment

2.1 Initiate and support activities which encourage participation and pride in the Barossa Council area.

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

4.2 Create opportunities for people of all ages and abilities to participate in the community.

5.13 Support economic development through events.

Legislative Requirements

- Local Government Act 1999
- Road Traffic Act 1961

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

The implementation and the cost of the road closure is to be met by the event organisers.

The Hannay Crescent public toilets will only be available to event participants. Alternative public toilets will be available at the Children’s Reserve and additional toilet cleaning may be required post event.

Attendance by the Operations Team may be required pre and post event for review of the site.

Parking options are being investigated by Mr. Carter.

Risk management associated with the event is being assessed by Risk Services.

**COMMUNITY CONSULTATION**

Henry Carter will be directed to liaise directly with local residents and property owners regarding the event as a condition of event approval through Corporate and Community Services. The closure will be advertised in local newspapers.

7.5.1 DEVELOPMENT SERVICES – DEBATE

Nil

7.5.2 ENVIRONMENTAL SERVICES REPORT - DEBATE

7.5.2.1 CONSIDERATION AND ADOPTION OF COMMITTEE RESOLUTIONS

B5476

Author: Director, Development and Environmental Services

**MOVED** Cr Hurn that Council having reviewed the Minutes of Barossa Bushgardens S41 Committee Meeting held 15 August 2018, that the Minutes be received and noted.

**Seconded** Cr Seager CARRIED 2014-18/1548
The Barossa Council 18/64837   Minutes of Council Meeting held on Tuesday 18 September 2018

PURPOSE
The Minutes of Council Section 41 Committees are presented for consideration and adoption of Council.

REPORT
The consideration and adoption of recommendations of Council Committees to Council requires assessment by Council to ensure compliance with Council obligations under section 6(a) of the Local Government Act. The relevant Minutes received in the past month are hereby presented for Council adoption.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: Minutes - Barossa Bushgardens S41 Committee Meeting held 15 August 2018

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Natural Environment and Built Heritage

Corporate Plan
Natural Environment and Built Heritage
1.1 Collaborate with relevant authorities to ensure a regional and holistic approach in the management of natural resources.
1.2 Support native eco systems that support native flora and fauna.
1.3 Ensure environmental and agricultural sustainability and historic significance of the region is retained.

Legislative Requirements
Local Government Act and Regulations
Development Act and Regulations

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
Identified within the body of the Minutes, and is included within the endorsed Council Budget.

COMMUNITY CONSULTATION
Not required by Council.

7.5.3. HEALTH SERVICES - DEBATE

7.5.3.1 REGIONAL PUBLIC HEALTH AND WELLBEING PLAN
B2316

Author: Manager Health Services

MOVED Cr de Vries that Council delegate authority to the Chief Executive Officer in accordance with Section 44 of the Local Government Act 1999 to endorse the biannual Public Health and Wellbeing Report and in association with the regional partners submits the final report to the Chief Public Health Officer as required.
Seconded Cr Angas

CARRIED 2014-18/1549

PURPOSE
To seek approval to delegate authority to the Chief Executive Officer to endorse the report on the implementation of the Regional Public Health and Wellbeing Plan and subsequent submission to
SA Health, as required by Section 52 of the South Australian Public Health Act 2011, on behalf of Council.

**REPORT**

**Background**
The Barossa Council adopted its first Regional Public Health and Wellbeing Plan (the Plan) in 2016 in collaboration with Light Regional Council, Adelaide Plains Council and the Town of Gawler. This first Plan was adopted by the Barossa Council at its meeting of 16 August 2016.

**Introduction**
Section 52 of the Act requires councils to report on Regional Public Health Plans. The report must contain a comprehensive assessment of the extent to which, during the reporting period, a council has progressed implementing its Plan. The reporting cycle is on a two yearly basis ending on 30 June this year. The report is for the period 1 July 2016 – 30 June 2018.

The report must be provided to the Chief Public Health Officer (CPHO) prior to 30 September.

**Discussion**
Unfortunately, in this instance, meeting the timeline of 30 September has proven to be a greater challenge than anticipated due to a number of factors, including staff absences due to annual leave and the difficulties of producing a synergy of the four councils as a result of workloads, unforeseen commitments and competing priorities across the region. SA Health has granted an extension of time till 12 October to submit the Report.

Council’s next Ordinary Meeting is not until 16 October and, as such, formal Council adoption of the Plan will not correspond with the extended deadline.

In order to facilitate progress of the report it was resolved by the Working Group to enlist the services of Healthy Environs Pty Ltd to merge responses from the four participating Councils into the final report. This is currently being undertaken and it is envisaged that the final report will be made available to SA Health by 12 October.

In order to comply with the extended deadline it is felt necessary to delegate to the Chief Executive Officer the power to sign off the report prior to the meeting.

The report will then be presented to Council at its Ordinary Meeting of 16 October as part of the consensus agenda.

**Summary and Conclusion**
The extended deadline has generously been granted by SA Health and it is felt by the Regional Public Health Plan Working Group that this is achievable. In order to continue the good working relationship Council has with SA Health it is further felt that every effort should be made to meet this requirement.

The delegation of this authority will ensure Councils’ respect for legislative time lines.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**
Nil.

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

Community Plan

- Community and Culture
- Health and Wellbeing
- How We Work – Good Governance

Corporate Plan
Community and Culture
2.12 Contribute to a safer community

Health and Wellbeing

4.1 Deliver and promote health and wellbeing initiatives in line with the Public Health Plan
4.14 Plan for public health and security risks associated with climatic changes

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.

Legislative Requirements
Section 52, South Australian Public Health Act 2011.

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil.

COMMUNITY CONSULTATION

Internal communication has occurred with relevant Council officers representing all the directorates.
The Project Working Group has conducted external consultation with relevant staff across all regional councils.

8. CONFIDENTIAL MATTER – 9.47AM

8.1 DIRECTOR WORKS AND ENGINEERING – CONFIDENTIAL

8.1.1 ROYALTY PAYMENTS FOR EML 6230 (SPRINTON QUARRY)

B8532 18/63827

The matter of the agenda item being negotiations with the Crown regarding royalty payments for Extractive Minerals Lease (EML) 6230 and the receipt of relevant legal advice triggers various confidential interests pursuant to Section 90(3)(h) and 90(3)(i) of the Local Government Act 1999 (“the Act”) being:

1. the receiving of Legal advice from Council’s solicitor in this matter Whatson Legal that must be considered in confidence.
2. information relating to actual litigation, or litigation that the Council or Council committee believes on reasonable grounds will take place, involving the Council or an employee of Council due to the possibility that negotiations with the Crown may fail which may result in the Crown seeking to take action against Council

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

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

MOVED Cr Miller that Council:

(1) Under the provisions of Section 90(2) of the Local Government Act 1999 make an order to exclude the public from the meeting with the exception of the Chief Executive Officer, Directors of Works and Engineering Services, Development and Environmental Services and Corporate and Community Services and the Minute Secretary, in order to consider in confidence a report relating to Section 90(3)(h) and 90(3)(i) of the Local Government Act 1999 (“the Act”) relating to agenda item
8.1.1 Royalty Payments for EML 6230 (Springton Quarry) being information that must be considered in confidence as it pertains to legal advice and information relating to actual litigation, or litigation that Council or Council committee believes on reasonable grounds will take place, involving the Council or an employee of Council; and

(2) Accordingly, on this basis, Council is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

Seconded Cr Harms  
CARRIED 2014-18/1550

RESUMPTION OF OPEN COUNCIL MEETING – 9.53AM

The open meeting of Council resumed at 9.53am.

In the matter 8.1.1- Royalty Payments for EML 6230 (Springton Quarry)

MOVED Cr Boothby that Council:

(1) Confidential resolution

(2) Having considered this matter in confidence under Section 90(2) of the Local Government Act (the Act) pursuant to Section 90(3)(h) and 90(3)(i) of the Local Government Act 1999, makes and order pursuant to Section 91(7), that the minutes, report, attachments and associated documents other than the minutes relating to this confidentiality order, in relation to Confidential Item 8.1.1 of the Council Meeting held 18 September 2018 and titled Royalty Payments for EML 6230 (Springton Quarry) be kept confidential and not available for public inspection and that the Chief Executive Officer be delegated the power to review and revoke this order.

Seconded Cr Lange  
CARRIED CO2014/18-85

9. REPRESENTATIVES ON COUNCIL COMMITTEES - REPORTS

Nil

10. OTHER BUSINESS

10.1 CR SEAGER – PRESENTATION

Cr Seager made a presentation to Mayor Sloane of a book published to mark the completion and opening of the Lavender Federation Trail a 352 kilometre trail from Murray Bridge to Clare crossing 5 Council areas and built entirely by volunteers.

Cr Seager made the presentation in recognition of Council’s contribution, including but not limited to the erection of signage over the years and thanked Council for nominating him to be their representative on the South Australian Recreation Trails Inc. (SARTI) Board.

Mayor Sloane accepted the book on behalf of Council and thanked Cr Seager for his valued contribution to SARTI over many years

11. NEXT MEETING

Tuesday 16 October 2018 at 9.00am

12. CLOSURE OF MEETING

Mayor Sloane declared the meeting closed at 9.59am.

Confirmed at Council Meeting – Tuesday 16 October 2018

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