



NOTICE OF ORDINARY COUNCIL MEETING
Tuesday 17 October 2023
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa,
commencing at 5.30pm.

A recording of the meeting will be available to view on the
Council's website.

Martin McCarthy
CHIEF EXECUTIVE OFFICER
THE BAROSSA COUNCIL

A G E N D A

Welcome by Mayor

1. ATTENDANCE RECORD

1.1 Members Present

Apologies

Nil

Not Present

Nil

Leave of Absence

Nil

2 CONFIRMATION OF PREVIOUS MINUTES

2.1 Minutes of previous meetings – for confirmation:

- 2.1.1 Council meeting held on Tuesday 19 September 2023 at 5.30pm
- 2.1.2 Special Council meeting held on Wednesday 4 October 2023 at 7.45 pm

2.2 Matters arising from previous minutes

Nil

3 PROCEDURAL ITEMS

3.1 Petitions

Nil

3.2 Deputations/Visitors to the meeting

Nil

3.3 Notice of Motion

Nil

3.4 Questions with Notice

4. MAYOR

- 4.1 Mayor's Report - August/September5
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5. COUNCILLORS' REPORTS

Nil

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9. URGENT OTHER BUSINESS

10. NEXT MEETING

Tuesday 21 November 2023 at 5.30pm

11. CLOSURE

Mayor's Report - August/September 2023

23/75446

AUGUST/SEPTEMBER

- 9/08/2023 Meeting with John Geber – various matters.
- Meeting with owners of Le Mas Barossa at Rowland Flat regarding future tourism opportunities.
- 12/08/2023 Mt Pleasant Caravan Park Opening Event.
- 15/08/2023 Attended a Barossa First Nations and Stakeholders Workshop at Barossa Cellars which was convened by The Northern and Yorke Landscape Board with representatives of the First Nations (Ngadjuri, Peramangk and Kaurna) and targeted stakeholders of the Barossa. The workshop provided an opportunity to commence discussions for possible collaborative activities as part of a broader newly funded project relating to the Barossa Water Security Strategy Implementation Plan activities.
- 10/08/2023 Photo promotion for the Concordia proposed development site.
- 19/08/2023 Tutti Barossa's SALA exhibition guest speaker - Tutti Arts Barossa opened its studio doors as part of the festival. The exhibition has supported learning disabled and neurodiverse artists in the Barossa for over 6 years and now has a dedicated space in Nuriootpa with 'Mavericks & Biscuits' being its first exhibition in its new Barossa home.
- 21/08/2023 Aboriginal trees in Barossa - Meeting with Andrew Holt at Poonawatta to discuss ring trees that mark special areas on Country. These trees mark significant cultural locations in the landscape and have been found at water junctions and inlets, campsites, and burial grounds. Aside from the few rock art sites, the scar, shelter and ceremonial trees across the Barossa represent the last visual representation of the regions indigenous culture. So many significant trees have already been lost, and those that survive risk succumbing to development, fires, and natural attrition.
- Council may wish to consider a process by which these significant trees can be formally identified on our GIS Layers to provide the best possible protection, and in turn be acknowledged as culturally significant.
- 22/08/2023 Attended a site visit The Louise – Seppeltsfield Road with Jo Seabrook, Manager Tourism Services to discuss tourism opportunities.
- 23/08/2023 Phone conversation with Premier Peter Malinauskas regarding possible future Gather Round in the Barossa.
- Flow FM Radio interview regarding various Council matters.

Meeting with Mr Chris Law-Smith from Kalbeeba re: Land issue (Boundary with Springwood Estate).

24/08/2023 Meeting with Bill Gransbury and Acting CEO, Jo Moen regarding Mental Health Services.

Regional drive around with Acting CEO, Jo Moen, Barossa Australia CEO, Scott Hazeldine & Head of Destination, Ben Patten regarding destination tourism opportunities.

28/08/2023 Photo promotion opportunity with the Tanunda Oval user group.

29/08/2023 Attended the Barossa Australia Business Leader Intelligence Session.

Meeting with Cr Jane Evans regarding water security for the Barossa.

31/08/2023 Attended the LGA Roads & Works Conference held in Port Lincoln.

6/09/2023 Regional drive around with Chair of the State Planning Commission, Craig Holden.

7/09/2023 Site visit to Integrated Waste Services at Wingfield and Dublin with Ben Clark, Director Infrastructure and Environmental Services.

Meeting with Tony Robinson from the Leader Newspaper and Acting CEO, Jo Moen regarding news article processes and Council's comments.

8/09/2023 Presentation: IPWEA SA Conference – Development Opportunities, Concordia:

Key points presented:

Council has limited properties available for development in our townships, and no further opportunity for any expansion of townships other than infill and the question is the extent of that infill which needs to be balanced to maintain the character and streetscape within our Barossa villages.

Council's discussions with the developers of Concordia have always been around the heritage and the character of the Barossa greenfield site that embodies the Barossa brand. Council is undertaking a significant role in planning for the future of our area.

Concurrent projects include:

- Greater Adelaide Regional Plan;
- Preparing a Growth and Infrastructure Investment Strategy;
- Undertaking a review of the Character Preservation Area Overlay.

Our vision is to develop Concordia into South Australia's pre-eminent master planned community. A sustainable, resilient, innovative and

inclusive community with an urban form that reflects the character of Barossa and its unique location.

The development will provide significant economic benefit to the region:

- \$3.85 billion in residential construction
- \$1.3 billion in commercial, retail, community, health, education and utility construction
- \$2.62 billion contribution to the Gross State Product
- \$1.44 billion in household consumption
- An average of 520 direct and indirect jobs per annum

10/09/2023 Attended BBBFM's Annual General Meeting.

Mayor's Report - September/October 2023

23/91425

SEPTEMBER/OCTOBER

- 12/09/2023 Grapevine, Texas Formal Sister City delegation visit to sign the official agreement 12/09/2023 - 20/09/2023. Full report being developed for November meeting.
- 22/09/2023 Regional Development SA Annual Summit – The Terrace Function Centre, Gawler.
- 25/09/2023 Barossa Train proposal working group convened by Tony Piccolo MP, Member for Light. A final report is being prepared for distribution.
- 27/09/2023 Forestry SA/Barossa and RDA meeting to discuss possible Eco-Tourism opportunities with Forestry SA. In summary:
- Regional Precincts and Partnerships can offer between \$500k - \$5mil to develop a masterplan for a precinct.
 - Forestry SA suggestion is to focus on an eco-tourism precinct through the Mount Crawford estate, open up opportunities for private investment and connect with neighbouring towns.
 - The proposed partnership could build upon the consultation and plans that have been developed by Council and Community for the area over the past decade.
- 29/09/2023 Meeting with Tony Robinson from the Leader.
- Meeting with David Weetra, Ngadjuri Board Member discussing future engagement opportunities.
- Meeting to discuss Barossa Village development opportunities with CEO, Ben Hall.
- 1/10/2023 The Sporting Car Club of South Australia - Judging best presented competitor. This event was also attended by the Governor of South Australia the Hon Frances Adamson AC and Cr John Angas.
- 3/10/2023 Attended the Barossa Assessment Panel Meeting.
- 4/10/2023 Meeting with the Deputy Premier - The Hon Susan Close MP
Topics for discussion
- Better utilisation of environmental recreational infrastructure
 - Planning and delivery for Climate Resilient Barossa
 - Concordia Development
 - A Thriving Barossa – It's Great for the State

Also, a tour of the Nuriootpa Flood Wall, the 1877 Hill and Son Organ Tanunda at the Barossa Regional gallery and Big Project sites.



5/10/2023 Meeting with Premier of South Australia The Hon Peter Malinauskas MP.

6/10/2023 Video promotion to be streamed into China - Swan Wine Group.

7/10/2023 Hello SA TV filming – Steingarten Lookout, Mt Pleasant Farmers Market and Caravan Park.



7/10/2023 Channel Nine and Seven News interviews advising The Barossa Council has had no communication from the AFL regarding Gather Round.

8/10/2023 Tanunda Bowling Club. Official Opening Day of the Club's Centenary Season.



MATTERS FOR INFORMATION

6.1 ROADSIDE VEGETATION MANAGEMENT PLAN - ENDORSED BY NATIVE VEGETATION COUNCIL 5 SEPTEMBER 2023

**Author: Senior Environmental Officer
23/73327**

To advise Council that the Roadside Vegetation Management Plan 2023-2026 (RVMP) has been endorsed by the native Vegetation Council at their meeting 5 September 2023.

ATTACHMENTS

Attachment 1 Roadside Vegetation Management Plan Endorsement by Native Vegetation Council 5 September 2023 [EXTERNAL] Native vegetation decision NVR 2023/3177 - Barossa Council RVMP [↓](#) 

SUPPORTING REFERENCES

Nil



Native Vegetation Council

Reference: 2023/3177/960, NVAP meeting 126, 5 Sept 2023

81-95 Waymouth St
ADELAIDE SA 5000

Contact: Peter Farmer
Telephone: (08) 8429 7646

GPO Box 1047
Adelaide SA 5001

11/09/2023

Ph| 08 8303 9777

Kim Thompson
Senior Environmental Officer
The Barossa Council
PO Box 867
NURIOTPA SA 5355

nvc@sa.gov.au

DECISION NOTIFICATION

Application – 2023/3177/960

Dear Kim,

I refer to your application to the Native Vegetation Council (NVC) on behalf of the Barossa Council seeking endorsement of the councils Roadside Vegetation Management Plan and associated Operating Guidelines dated 2023-2026 originally lodged on the 19 May 2021, with revised documents supplied 2 May 2023.

At its 5 September 2023 meeting the Native Vegetation Assessment Panel (NVAP) considered the Roadside Vegetation Management Plan for the purpose of managing native vegetation within road reserves in conjunction with the report from the Native Vegetation Branch. NVAP provided the following comments in relation to your application:

- The Barossa Council and consultant, EBS Ecology are commended for the plans content which reflects Council's commitment to undertaking a consistent management approach for maintenance activities to facilitate preservation of roadside vegetation in the district, and
- NVAP considered that the plan was consistent with the statewide NVC guidelines for roadside vegetation management.

Based on the information presented, NVAP resolved to grant consent, subject to the conditions outlined on the attached Decision Notification. As detailed in the attached Decision Notification, you are required to sign and return the Decision Notification Acknowledgement form prior to implementation of the plan.

Yours sincerely,

Dr Marilyn Henderson
Chair
Native Vegetation Assessment Panel

Native Vegetation Council

81-95 Waymouth St, ADELAIDE SA 5000 | GPO Box 1047, ADELAIDE SA 5001
Ph | 08 8303 9777; email | nvc@sa.gov.au



DECISION NOTIFICATION Native Vegetation Regulations 2017

Application Number: 2023/3177/960

To: Kim Thompson
Senior Environmental Officer
The Barossa Council
PO Box 867
NURIOTPA SA 5355
Email: kthompson@barossa.sa.gov.au

Date Received: 19/05/2021
Date Registered: 3/05/2023

Applicant	Kim Thompson, Senior Environmental Officer, The Barossa Council
Landholder	The Barossa Council
Purpose of application	Seeking endorsement of the Barossa Council Roadside Vegetation Management Plan 2023-2026 and the Barossa Council Roadside Vegetation Management Plan – Operating Guidelines 2023-2026.
Description of native vegetation under application	Roadside vegetation within of the Barossa Council local government area.
Location of the Plan	The Roadside Vegetation Management Plan applies to various road reserves within the boundaries of the Barossa Council.

Decision

The Native Vegetation Council has considered your application in accordance with the requirements of *Regulation 11, Schedule 1; Clause 23 of the Native Vegetation Regulations 2017*.

In respect of the application, you are informed that the Native Vegetation Council:

1. **Grants consent** to the Barossa Council for the Barossa Council Roadside Vegetation Management Plan 2023-2026 and the Barossa Council Roadside Vegetation Management Plan – Operating Guidelines 2023-2026 for the purpose of roadside vegetation management.

Reason for Decision:

The clearance of native vegetation meets the requirements of Native Vegetation Regulation 11, Schedule 1; Clause 23.

Conditions of approval

This approval is subject to the conditions specified below. These conditions have been imposed to ensure that the impacts on native vegetation and biodiversity from approved clearance is adequately minimised and mitigated:

1. The Barossa Council review of the Plan after three years, and then at five-year intervals.
2. Provide annual reports to the Native Vegetation Council when required.
3. The Barossa Council to check and updating internal and external document links prior to publishing the documents.
4. The applicant must ensure that only native vegetation approved for removal in accordance with this decision is removed. Prior to clearance commencing, the



**Government
of South Australia**

- 2 -

applicant must advise all persons undertaking the vegetation removal or working on site, of all relevant conditions of approval and associated statutory requirements.

5. Non-compliance with any of the conditions of this approval must be reported to the Native Vegetation Council as soon as practical after the non-compliance being detected but must be within a maximum of seven days. The report must include details of the nature of the breach, the location and extent of the breach and the actions taken and associated timing for completion of those actions, to address the breach.
6. No clearance is to occur until the attached form, "Decision Notification Acknowledgement", is signed and returned to confirm that the applicant and anyone else who is a party to the agreement, understand and will comply with the decision, including all the associated conditions.
7. Members of the NVC or a person who is an authorised officer under the Act may at a reasonable time enter the property of the landowner for the purpose of assessing and recording any matter relevant to this consent. A person undertaking such an assessment may be assisted by other suitable persons. Any such inspection will only be taken after there has been an attempt to contact the landowner.

Expiry date of approval

The approval to clear native vegetation in accordance with this decision ceases after 5 years from the decision date.

Signature	
Name	Dr Marilyn Henderson
Position	CHAIR, NATIVE VEGETATION ASSESSMENT PANEL
Date	5/09/2023 (Decision Date)

Notes

1. Effect of Consent

This Decision Notification grants consent under the *Native Vegetation Act 1991* only and does not imply approval under any other legislation. It is the responsibility of the landowner to obtain all relevant approvals for any proposed development. This includes any approval that might be required in relation to the Commonwealth *Environment Protection & Biodiversity Conservation Act 1999*.

2. Conditions

Please note that these conditions are an integral part of the consent and are legally binding under the *Native Vegetation Act 1991* and *Native Vegetation Regulations 2017*. Should **any** clearance occur in accordance with this decision, the conditions are enforceable in full.

Any conditions of consent are binding on and enforceable against the person granted the approval, any current and future owners of the land, any occupier of the land and any person who acquires the benefit of the clearance.

3. Amended decisions

Where a decision is amended, all previous versions of the decision are null and void.

If an application to amend a decision will substantially alter the nature of the original application or conditions of approval, the Native Vegetation Council may require a new application be submitted.

- 3 -

4. SEB Areas

All areas established as a condition of consent to provide a significant environmental benefit, whether through revegetation, management or protection of an area of native vegetation, are protected in perpetuity under the *Native Vegetation Act 1991*. No clearance of native vegetation within these areas can occur without the consent of the Native Vegetation Council.

5. Monitoring

The Native Vegetation Council undertakes a program of monitoring of conditions attached to any clearance consent. As part of this program, the landowner may be contacted by an officer of Department to arrange inspections. Should it be evident that the conditions have not be applied with in full, the landholder will be informed in writing of the nature of breach of the conditions and given an opportunity to comply with the conditions. However, if the breach of the conditions is substantial, ongoing or irreversibly, then the Council may take compliance actions under Section 31 of the *Native Vegetation Act 1991*.

6. Use of cleared vegetation

Native vegetation authorised for clearance under a Decision Notification may be a useful resource, as a source of seed for local revegetation projects, for woodcraft purposes or providing hollows for relocation. Please consider notifying any local seed collection groups to offer them the opportunity of collecting seed at the time of clearance and making any timber from the cleared trees available for woodcraft or hollow relocation.

- 4 -

DECISION NOTIFICATION ACKNOWLEDGEMENT

Application Number: 2023/3177/960 The Barossa Council Roadside Vegetation Management Plan 2023 – 2026.

The applicant, and all parties to the decision, have received a copy of the Decision Notification (decision date 5/09/2023) are fully aware and will comply with the decision and all the attached conditions.

Name of applicant:

Signature of applicant or seal of Company and authorised signatory, including the signature of any other parties to the decision:

.....

.....

.....

Date:

Note: please sign and return this page to the Native Vegetation Branch by email to peter.farmer@sa.gov.au

MATTERS FOR INFORMATION

6.2 GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY MINUTES

**Author: Chief Executive Officer
23/74468**

Minutes of the Authority's for the:

- Special meeting of 27 July 2023; and
- Ordinary meeting of 17 August 2023;

are hereby tabled for Councils information.

ATTACHMENTS

Attachment 1 Special Meeting Minutes of 27 July 2023 [↓](#) 
Attachment 2 Ordinary Meeting Minutes of 17 August 2023 [↓](#) 

SUPPORTING REFERENCES

Nil

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

PO Box 366, Seacliff Park, SA 5049

P: 0407 717 368

E: eo@grfma.com

W: www.gawler.sa.gov.au/grfma

Dear Member,

NOTICE OF MEETING

Notice is hereby given pursuant to Clause 6 of the Charter that a meeting for the GRFMA Board has been called for:

Date: Thursday 17 August 2023

Time: 9:45am

Place: Town of Gawler

Venue: Admin Centre – 43 High Street, Gawler East SA 5118



David E Hitchcock

EXECUTIVE OFFICER



The Barossa Council

Gawler



AGENDA

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY BOARD

ORDINARY MEETING

9:45am Thursday 17 August 2023

Town of Gawler

Admin Centre – 43 High Street, Gawler East SA 5118

1. Meeting of the Board

- 1.1 Welcome by the GRFMA Chairperson
- 1.2 Present (please sign the Attendance Register)
- 1.3 Apologies
- 1.4 Appointment of Observers
- 1.5 Declarations of Interest

2. Confirmation of Minutes

- 2.1 GRFMA Ordinary Meeting Minutes.....Page 4
- 2.2 GRFMA Confidential Minutes.....Page 20
- 2.3 Actions on Previous Resolutions.....Page 21
- 2.4 Matters Arising from the Minutes

3. Questions on Notice

Nil

4. Motions on Notice

- 4.1 Appointment of GRFMA Chairperson (Cr Malcolm Herrmann, GRFMA Board Member)Page 24

That Part 2 of resolution No. 53/23 dated 15 June 2023 which reads – ‘Following process of public call for expressions of interest, GRFMA Chairperson, Independent Member, and subsequent recommendation by the Panel, endorses Mr. Des Bilske as the preferred candidate for appointment to that position for a term of three years commencing 2/9/2023.’ - be rescinded.

That the Gawler River Floodplain Management Authority and its Constituent Councils acknowledge the service of outgoing Independent Chair, Mr Ian Baldwin, and his contributions to the activities of the Board. In noting Mr Baldwin’s contributions, the Board recognises his leadership in the review of the subsidiary Charter, the evolution of the Stormwater Management Plan and the advocacy role played in the development of the State Government Business Case for an all-of-catchment solution to floodplain management.

5. Presentations**5.1 Gawler River Business Case**

Ms Cate Hart, Executive Director, Environment, Heritage and Sustainability,
Department for Environment and Water

6. Audit Committee.....Page 26

Minutes of the meeting 7/8/2023.

7. Technical Assessment Panel

Nil

8. Reports

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8.2	Gawler River Flood Mitigation, Department for Environment and Water.....	Page 35
8.3	Stormwater Management Plan Progress Report.....	Page 39
8.4	Financial Statements 2022/2023 and Annual Audit.....	Page 41
8.5	GRFMA Annual Report 2022/2023.....	Page 58
8.6	Schedule of Assets.....	Page 77
8.7	Financial Report.....	Page 79
8.8	Executive Officer KPI.....	Page 88
8.9	Riverlea EIS.....	Page 91

9. Correspondence

Nil

10. Confidential

Refer Item 4.1 – Appointment of GRFMA Chairperson.

11. Urgent Matters Without Notice**12. Next Meeting**

- **Date and Time:** Thursday 19 October 2023, 9:45am
- **Host:** Adelaide Plains Council

13. Closure

Gawler River Floodplain Management Authority

Agenda Item: **2.1**
Committee: **Board**
Meeting Date: **17 August 2023**
Title: **GRFMA Ordinary Meeting Minutes**

Recommendation:
That the Minutes of the Gawler River Floodplain Management Authority Board meeting 15/06/2023 and the 28/06/2023 and 27/07/2023 be confirmed as a true and accurate record of the meetings.

Refer attached minutes.

MINUTES

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY BOARD

9:45am Thursday 15 June 2023
The Barossa Council – 43-51 Tanunda Road, Nuriootpa SA

1. Meeting of the Board

1.1 Welcome by the GRFMA Chairperson

Mr Ian Baldwin formally welcomed Board Members, Deputy Board Members, Observers and the Executive Officer and opened the 140th meeting of the Board.

1.2 Present

- Mr Ian Baldwin, Independent Board Member, Chair
- Cr Terry-Anne Keen, Adelaide Plains Council, Board Member
- Ms Sheree Shenk, Adelaide Plains Council, Deputy Board Member
- Mr Ashley Curtis, Adelaide Hills Council, Board Member
- Cr Bruce Preece, The Barossa Council, Board Member
- Mr Martin McCarthy, The Barossa Council, Board Member
- Cr Paul Koch, Town of Gawler, Board Member
- Ms Whendee Young, Town of Gawler, Board Member
- Mr Richard Dodson, Light Regional Council, Board member
- Cr Clint Marsh, City of Playford, Board Member
- Mr Greg Pattinson, City of Playford, Board Member
- Mr David Hitchcock, Executive Officer

1.3 Apologies

- Cr Malcolm Herrmann, Adelaide Hills Council, Board Member
- Mr James Miller, Adelaide Plains Council, Board Member
- Cr Michael Phillips-Ryder, Light Regional Council, Board Member

1.4 Appointment of Observers

GB 35/23 **Observers**
Moved: Cr Terry-Anne Keen
Seconded: Cr Bruce Preece

That Cr John Lush be appointed as an Observer.

CARRIED UNANIMOUSLY

1.5 Declarations of Interest

David Hitchcock declared a general interest in item 6.1 regarding the superannuation element and its relevancy to his role.

2. Confirmation of Minutes**2.1 GRFMA Ordinary Meeting Minutes****GB 36/23 GRFMA Ordinary Meeting Minutes****Moved:** Cr Bruce Preece**Seconded:** Mr Greg Pattinson

That the Minutes of the Gawler River Floodplain Management Authority Board meeting held 20/04/2023 be confirmed as a true and accurate record of that meeting.

CARRIED UNANIMOUSLY**2.2 GRFMA Confidential Meeting Minutes****GB 37/23 GRFMA Confidential Meeting Minutes****Moved:** Cr Bruce Preece**Seconded:** Cr Terry-Anne Keen

That the Confidential Minutes of the Gawler River Floodplain Management Authority Board meeting held 20/04/2023 be confirmed as a true and accurate record of that meeting.

CARRIED UNANIMOUSLY**2.3 Actions on Previous Resolutions**

Noted.

2.4 Matters Arising from the Minutes

Nil

3. Questions on Notice

Nil

4. Motions on Notice

Nil

5. Presentations

Nil

6. Audit Committee**6.1 Audit Committee Meeting Minutes****GB 38/23 Audit Committee Meeting Minutes****Moved:** Mr Martin McCarthy**Seconded:** Cr Clint Marsh

That the GRFMA:

- 1. Receives the minutes of the Gawler River Floodplain Management Authority Audit Committee meeting held 5/06/2023.*

2. *Acknowledges recommendation for adjustment of BR3 to reflect additional cost associated with super guarantee payment liabilities for the 2022/2023 financial year.*
3. *Endorses recommendation that GRFMA seek to replenish cash reserves and minimise any further short-term funding of projects from such reserves.*
4. *Directs that unpaid super guarantee payments and interest be paid as soon as feasibly possible from the BR3 budget within the financial year ended 30/6/2023.*

CARRIED UNANIMOUSLY

7. Technical Assessment Panel

Nil

8. Reports

8.1 Stormwater Management Plan Progress Report

GB 39/23 Stormwater Management Plan Progress Report

Moved: Mr Martin McCarthy

Seconded: Cr Paul Koch

That the GRFMA:

1. *Notes the report.*
2. *Receives correspondence of 25/5/2023 from the Stormwater Management Authority (SMA).*
3. *Requests the Executive Officer to undertake appropriate actions to progress the Gawler River Stormwater Management Plan as indicated by SMA.*

CARRIED UNANIMOUSLY

8.2 Gawler River Flood Mitigation, Department for Environment and Water

The Board discussed the development of an Advocacy Plan.

GB 40/23 Gawler River Flood Mitigation, Department for Environment and Water

Moved: Cr Clint Marsh

Seconded: Mr Richard Dodson

That the GRFMA:

1. *Acknowledges with appreciation the confirmation of funding contributions to the Gawler River Business Case now provided by Constituent Councils.*
2. *Reaffirms support and commitment to assist in completion of the Business Case and to revisit funding contribution considerations at 2023/2024 Budget Review 1.*
3. *Requests the GRFMA Chairperson to write, in reply, to the Acting CEO of the Department for Environment and Water:*
 - a. *advising of the Constituent Council contribution commitment to the Gawler River Business Case and that the GRFMA is not opposed to consideration that Business Case work could be prioritised by re-allocating funds from short term flood management projects.*
 - b. *requesting that the DEW Executive Committee and Steering Committee be informed of the GRFMA considerations.*
4. *Endorses the development of an Advocacy Plan to support the Boards efforts in securing funding from the State and Federal Governments to deliver the preferred flood mitigation measures identified in the Gawler River Stormwater Management Plan and Gawler River Flooding Business Case.*
5. *Seeks the support of the Constituent Council(s) administration in the development of the Advocacy Plan.*

6. *Requests The Advocacy Plan to be presented to the Board no later than the December 2023 Board meeting.*

CARRIED UNANIMOUSLY

8.3 Financial Report and BR3

GB 41/23 Financial Report and BR3

Moved: Mr Martin McCarthy

Seconded: Mr Greg Pattinson

That the GRFMA:

- 1. Receives the financial report as of 31 May 2023 showing a cash at bank balance of \$13,045.85.*
- 2. Notes internal cash lending for CAD offset is \$122,740.*
- 3. Adopts the GRFMA 2022/2023 Budget Review 3 documents May 2023, and the variances contained as its amended and current budget for the period ended 30 June 2023.*

CARRIED UNANIMOUSLY

8.4 Achievements Against the 2022-2023 Annual Business Plan

GB 42/23 Achievements Against the 2022-2023 Annual Business Plan

Moved: Mr Richard Dodson

Seconded: Mr Martin McCarthy

That the GRFMA receives the report.

CARRIED UNANIMOUSLY

8.5 GRFMA Annual Business Plan 2023-2024

GB 43/23 GRFMA Annual Business Plan 2023-2024

Moved: Mr Richard Dodson

Seconded: Mr Greg Pattinson

That pursuant to Clause 12.2 of the Charter, the GRFMA Business Plan 2023-2024 be adopted subject to final ratification from Town of Gawler and The Barossa Council.

CARRIED UNANIMOUSLY

8.6 GRFMA Annual Budget 2023-2024

GB 44/23 GRFMA Annual Budget 2023-2024

Moved: Mr Greg Pattinson

Seconded: Mr Richard Dodson

That the GRFMA resolves subject to final ratification from Town of Gawler and The Barossa Council:

- 1. That pursuant to Section 25 Schedule 2 Part 2 of the Local Government Act 1999, that the GRFMA Budget 2023- 2024 be adopted.*
- 2. That pursuant to Clause 11.1 of the Charter that the subscriptions scheduled below be subscriptions payable for the 2023-2024 year:*

The Schedule:

Part A Flood Mitigation Works – No subscriptions.

Part B Capital works and Maintenance – A total of \$139,758 calculated by the percentage shares prescribed in Clause 10.1 of the Charter:

Adelaide Plains Council	\$40,390
Adelaide Hills Council	\$2,418
The Barossa Council	\$12,117
Town of Gawler	\$24,234
Light Regional Council	\$12,117
City of Playford *	\$48,482
Total	\$139,758

Part C Operation – A total of \$149,630 calculated by even shares prescribed in Clause 11.1 of the Charter

Adelaide Plains Council	\$24,938
Adelaide Hills Council	\$24,938
The Barossa Council	\$24,938
Town of Gawler	\$24,938
Light Regional Council	\$24,938
City of Playford	\$24,938
Total * rounding	\$149,630

CARRIED UNANIMOUSLY

8.7 Big Map

The Board discussed future actions including a potential desktop exercise of a flood event including all relevant agencies. Once the SMP and Business Case have been completed, the Board will consider a way forward.

GB 45/23 Big Map

Moved: Cr Bruce Preece

Seconded: Cr Terry-Anne Keen

That:

1. The key points identified from the 31 May 2023 Big Map exercise be included as component of priority action "Assist the Constituent Councils in communicating with general communities and specific interest groups in relation to flood mitigation for the Gawler River" in the 2023/2024 Business Plan.
2. The GRFMA pursue and promote interstate Reconstruction Department models (Qld & NSW) for implementation in SA.

CARRIED

8.8 Flood Managers Australia

GB 46/23 Flood Managers Australia

Moved: Cr Terry-Anne Keen

Seconded: Cr Paul Koch

That the GRFMA receives the report.

CARRIED UNANIMOUSLY

8.9 New Corporate Details GRFMA**GB 47/23 New Corporate Details GRFMA****Moved:** Mr Martin McCarthy**Seconded:** Mr Greg Pattinson

That changes to new contact details for the GRFMA be noted.

CARRIED UNANIMOUSLY**9. Correspondence**

Correspondence received was reported within items 8.1 and 8.2.

10. Confidential**10.1 GRFMA Executive Services Consultancy Agreement for the 2024-2025 Service Period****GB 48/23 GRFMA Executive Services Consultancy Agreement for the 2024-2025 Service Period****Moved:** Cr Bruce Preece**Seconded:** Ms Sharee Shenk

That:

- 1. Pursuant to Section 90(2) of the Local Government Act 1999, an Order is made that the public be excluded from attendance at the meeting in order to consider in confidence agenda item 10.1 GRFMA Executive Services Consultancy Agreement for the 2024-2025 Service Period, pursuant to Section 90(3)(a) of the Local Government Act 1999 on the basis of: containing information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*
- 2. This matter is confidential because the information herein provides commercial terms and conditions for the position of GRFMA Executive Officer.*
- 3. On the basis of this information, the principle that meetings of the GRFMA should be conducted in a place open to the public has been outweighed in this instance: the Committee consider it necessary to consider this matter in confidence.*

CARRIED UNANIMOUSLY

10:45am David Hitchcock left the meeting.

10:45am the confidential session commenced.

GB 49/23 GRFMA Executive Services Consultancy Agreement for the 2024-2025 Service Period**Moved:** Mr Richard Dodson**Seconded:** Cr Bruce Preece

That the GRFMA:

- 1. Under mutual agreement with David Hitchcock, agrees to void the current Gawler River Flood Plan Management Authority Executive Officer Service Agreement (Contract: 1/22) at the end of day on the 30 June 2023.*
- 2. Agrees to the engagement of David Hitchcock's corporate identity (to be confirmed) to provide Executive Services to the Gawler River Floodplain Management Authority for the period 1 July 2023 – 31 December 2025.*

3. *Requests the Chairperson to engage legal advice to prepare a new Gawler River Floodplain Management Authority Executive Services Agreement with David Hitchcock's corporate identity (to be confirmed) for the period 1 July 2023 – 31 December 2025, incorporating current services rates (CPI adjusted annually capped at 2.5%) and the revised schedule of Key Performance Indicators attached to this report.*

LOST

GB 50/23 GRFMA Executive Services Consultancy Agreement for the 2024-2025 Service Period

Moved: Mr Greg Pattinson

Seconded: Cr Paul Koch

That the GRFMA:

- 1. Under mutual agreement with David Hitchcock, agrees to void the current Gawler River Flood Plan Management Authority Executive Officer Service Agreement (Contract: 1/22) at the end of day on the 30 June 2023.*
- 2. Agrees to the engagement of David Hitchcock's corporate identity (to be confirmed) to provide Executive Services to the Gawler River Floodplain Management Authority for the period 1 July 2023 – 31 December 2025.*
- 3. Requests the Chairperson to engage legal advice to prepare a new Gawler River Floodplain Management Authority Executive Services Agreement with David Hitchcock's corporate identity (to be confirmed) for the period 1 July 2023 – 31 December 2025, incorporating current services rates (to be maintained for 12 months and then reviewed annually) and the revised schedule of Key Performance Indicators attached to this report.*

CARRIED

GB 51/23 GRFMA Executive Services Consultancy Agreement for the 2024-2025 Service Period

Moved: Cr Bruce Preece

Seconded: Cr Terry-Anne Keen

That:

- 1. Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA orders that the following aspects of item 10.1 GRFMA Executive Services Consultancy Agreement for the 2024-2025 Service Period, be kept confidential in accordance with the GRFMA Boards reasons to deal with this item in confidence pursuant to section 90(3)(d)(e) of the Local Government Act 1999:*
 - Report for Item 10.1.*
 - Attachment for item 10.1.*
- 2. This order shall operate until reviewed and determined as part of the annual review by the Authority*

CARRIED UNANIMOUSLY

10:58am the confidential session concluded.

10:58am David Hitchcock returned to the meeting.

10.2 GRFMA Chairperson, Independent Member Panel Report**GB 52/23 GRFMA Chairperson, Independent Member Panel Report****Moved:** Cr Clint Marsh**Seconded:** Ms Sharee Schenk*That:*

- 1. Pursuant to Section 90(2) of the Local Government Act 1999, an Order is made that the public be excluded from attendance at the meeting.
in order to consider in confidence agenda item 10.2 GRFMA Chairperson, Independent Member Panel Report, pursuant to Section 90(3)(a) of the Local Government Act 1999 on the basis of : containing information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*
- 2. This matter is confidential because the information herein provides commercial terms and conditions for the position of GRFMA Chairperson, Independent Member.*
- 3. On the basis of this information, the principle that meetings of the GRFMA should be conducted in a place open to the public has been outweighed in this instance: the Committee consider it necessary to consider this matter in confidence.*

CARRIED UNANIMOUSLY

10:59am the confidential session commenced

The Panel provided a briefing on the decision.

GB 53/23 GRFMA Chairperson, Independent Member**Moved:** Cr Clint Marsh**Seconded:** Cr Bruce Preece*That the GRFMA:*

- 1. Acknowledges the term of appointment of Mr Ian Baldwin GRFMA Chairperson, Independent Member expires on 1/9/2023.*
- 2. Following process of public call for expressions of interest, GRFMA Chairperson, Independent Member, and subsequent recommendation by the Panel, endorses Mr Des Bilske as the preferred candidate for appointment to that position for a term of three years commencing 2/9/2023.*
- 3. Directs the GRFMA Executive Officer to correspond with Constituent Councils seeking resolution for appointment of Mr Bilske, as required pursuant to Section 4.4.1 of the GRFMA Charter.*

CARRIED UNANIMOUSLY**GB 54/23 GRFMA Chairperson, Independent Member****Moved:** Cr Bruce Preece**Seconded:** Cr Paul Koch*That:*

- 1. Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA orders that the following aspects of item 10.2 GRFMA Chairperson, Independent Member Panel Report be kept confidential in accordance with the GRFMA Boards reasons to deal with this item in confidence pursuant to section 90(3) (d) (e) of the Local Government Act 1999:*
 - Report for Item 10.2.*
 - Attachment for item 10.2.*

Gawler River Floodplain Management Authority

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

CARRIED UNANIMOUSLY

11:06am the confidential session concluded.

11. Urgent Matters Without Notice

The Board discussed the recent announcement that the Department for Environment and Water had received \$3M in funding for levy banks.

The Board thanked the Town of Gawler for hosting the 'Big Map' exercise.

12. Next Meeting

Date and Time: Thursday, 17 August 2023

Host: Town of Gawler

13. Closure

The Chairperson thanked the host Council and members for their attendance and contributions and closed the meeting at 11:09am.

Chair _____ Date _____

MINUTES

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY SPECIAL BOARD MEETING

10:00am Wednesday 28 June 2023
MS Teams Online Meeting

1. Meeting of the Board

1.1 Welcome by the GRFMA Chairperson

Mr Ian Baldwin formally welcomed Board Members, Deputy Board Members, Observers and the Executive Officer and opened the 141st meeting of the Board.

1.2 Present

- Mr Ian Baldwin, Independent Board Member, Chair
- Cr Terry-Anne Keen, Adelaide Plains Council, Board Member
- Cr John Lush, Adelaide Plains Council, Observer
- Mr James Miller, Adelaide Plains Council, Board Member
- Cr Malcolm Herrmann, Adelaide Hills Council, Board Member
- Cr Paul Koch, Town of Gawler, Board Member
- Ms Whendee Young, Town of Gawler, Board Member
- Mr Richard Dodson, Light Regional Council, Board member
- Mr Greg Pattinson, City of Playford, Board Member
- Mr David Hitchcock, Executive Officer

10:06am Cr Malcolm Herrmann left the meeting due to technical difficulties.

1.3 Apologies

- Mr Ashley Curtis, Adelaide Hills Council, Board Member
- Cr Bruce Preece, The Barossa Council, Board Member
- Mr Martin McCarthy, The Barossa Council, Board Member
- Cr Michael Phillips-Ryder, Light Regional Council, Board Member (attempted to join – technical difficulties)
- Cr Clint Marsh, City of Playford, Board Member

10:10am Mr David Hitchcock left the meeting.

1.4 Appointment of Observers

GRB 55/23 Observers
Moved: Cr Terry-Anne Keen
Seconded: Mr Greg Pattinson

That Cr John Lush be appointed as Observer.

CARRIED UNANIMOUSLY

1.5 Declarations of Interest

Nil

2. Confidential Reports

2.1 Executive Services Consultancy Agreement Review

GB56/23 Executive Services Consultancy Agreement Review

Moved: Cr Terry-Anne Keen

Seconded: Mr Richard Dodson

That:

1. Pursuant to Section 90(2) of the Local Government Act 1999, an Order is made that the public be excluded from attendance at the meeting.

in order to consider in confidence agenda item 2.1 Executive Services Consultancy Agreement Review, pursuant to Section 90(3)(a) of the Local Government Act 1999 on the basis of: containing information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

2. This matter is confidential because the information herein provides commercial terms and conditions for the position of GRFMA Executive Officer.
3. On the basis of this information, the principle that meetings of the GRFMA should be conducted in a place open to the public has been outweighed in this instance: the Committee consider it necessary to consider this matter in confidence.

CARRIED UNANIMOUSLY

10:11am confidential session commenced.

GB57/23 Executive Services Consultancy Agreement Review

Moved: Mr Greg Pattinson

Seconded: Mr Richard Dodson

That the Board:

1. Under mutual agreement with David Hitchcock of 266 Seacombe Road, Seacliff Park SA agrees to void the current Gawler River Flood Plan Management Authority Executive Officer Service Agreement (Contract: 1/22) at the end of day on the 30 June 2023.
2. Agrees to the engagement of David Hitchcock trading as LUVROK Pty Ltd to provide Executive Services to the Gawler River Floodplain Management Authority for the period 1 July 2023 – 31 December 2025.
3. Requests the Chairperson to engage Norman Waterhouse Lawyers to prepare a Gawler River Floodplain Management Authority Executive Officer Services Agreement with David Hitchcock trading as LUVROK Pty Ltd for the period 1 July 2023 – 31 December 2025, incorporating:
 - a. current services rates adjusted by Adelaide, June 2023 CPI to apply from commencement of Agreement at 1 July 2023, thereafter, adjusted annually by negotiation between the Gawler River Floodplain Management Authority and David Hitchcock trading as LUVROK Pty Ltd; and
 - b. the revised schedule of Key Performance Indicators to be applicable to the Agreement as attached to this report.

Gawler River Floodplain Management Authority

4. Approves the Gawler River Floodplain Management Authority meeting all costs associated with the preparation of this Agreement.
5. Authorises Ian Baldwin, Chair and Independent Member, to execute this Agreement on behalf of the Gawler River Floodplain Management Authority.

CARRIED UNANIMOUSLY

GB58/23 Executive Services Consultancy Agreement Review

Moved: Cr Terry-Anne Keen

Seconded: Cr Paul Koch

That:

1. Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA orders that the following aspects of item 2.1 Executive Services Consultancy Agreement Review, be kept confidential in accordance with the GRFMA Boards reasons to deal with this item in confidence pursuant to section 90(3)(d)(e) of the Local Government Act 1999:
 - Report for Item 2.1.
 - Attachment for item 2.1.
2. This order shall operate until reviewed and determined as part of the annual review by the Authority in accordance with Section 91(9)(a) of the Local Government Act 1999.

CARRIED UNANIMOUSLY

10:14am confidential session concluded.

3. Closure

The Chairperson thanked the members for their attendance and contributions and closed the meeting at 10:15am.

Chair _____ Date _____

MINUTES

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY SPECIAL BOARD

11am Thursday 27 July 2023
City of Playford

1. Meeting of the Board

1.1 Welcome by the GRFMA Chairperson

Mr Ian Baldwin formally welcomed Board Members, Deputy Board Members, Observers and the Executive Officer and opened the 141st meeting of the Board.

1.2 Present

- Mr Ian Baldwin, Independent Board Member, Chair
- Cr Terry-Anne Keen, Adelaide Plains Council, Board Member
- Mr James Miller, Adelaide Plains Council, Board Member
- Ms Sheree Shenk, Adelaide Plains Council, Deputy Board Member
- Cr Malcolm Herrmann, Adelaide Hills Council, Board Member
- Cr Bruce Preece, The Barossa Council, Board Member
- Cr Paul Koch, Town of Gawler, Board Member
- Ms Whendee Young, Town of Gawler, Board Member
- Mr Richard Dodson, Light Regional Council, Board member
- Mr Dale Welsh, City of Playford, Proxy for Greg Pattinson
- Cr Clint Marsh, City of Playford, Board Member
- Mr David Hitchcock, Executive Officer

Guest

- Rebecca Hunt, McArthur Recruitment

1.3 Apologies

- Mr Ashley Curtis, Adelaide Hills Council, Board Member
- Mr Martin McCarthy, The Barossa Council, Board Member
- Cr Michael Phillips-Ryder, Light Regional Council, Board Member
- Mr Greg Pattinson, City of Playford, Board Member
- Cr Brian Sambell, Town of Gawler (Deputy Board Member)

1.4 Appointment of Observers

Nil

1.5 Declarations of Interest

Nil

2. Confidential Report

2.1 Appointment of GRFMA Chairperson

GB55/23 Appointment of GRFMA Chairperson
Moved: Cr Bruce Preece
Seconded: Cr Terry-Anne Keen

That:

1. Pursuant to Section 90(2) of the Local Government Act 1999, an Order is made that the public be excluded from attendance at the meeting, with the exception of:
 - Observers

in order to consider in confidence agenda item 2.1 Appointment of GRFMA Chairperson pursuant to Section 90(3)(a) of the Local Government Act 1999 on the basis of: containing information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

2. *This matter is confidential because the information herein provides matters relating to the appointment of the GRFMA Chairperson.*
3. *On the basis of this information, the principle that meetings of the GRFMA Board should be conducted in a place open to the public has been outweighed in this instance: the Board considers it necessary to consider this matter in confidence.*

CARRIED UNANIMOUSLY

11:10am confidential session commenced.

11:35am Rebecca Hunt left the meeting.

11:35am Sheree Shenk, Adelaide Plains Council, joined the meeting by phone.

11:40am Sheree Shenk left the meeting.

11:43am Richard Dodson left the meeting.

GB56/23 Appointment of GRFMA Chairperson
Kept in Confidence

GB57/23 Appointment of GRFMA Chairperson
Moved: Cr Terry-Anne Keen
Seconded: Cr Bruce Preece

That:

1. Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA orders that the following aspects of item 2.1 Appointment of GRFMA Chairperson be kept confidential in accordance with the GRFMA Boards reasons to deal with this item in confidence pursuant to section 90(3)(d)(e) of the Local Government Act 1999:
 - Report for Item 2.1.
 - Attachment for item 2.1.
 - Minutes for Item 2.1

Gawler River Floodplain Management Authority

2. *The Executive Officer be authorised to provide a copy of the confidential minutes to the Chief Executive Officer of each Constituent Council in confidence.*
3. *This order shall operate until reviewed and determined as part of the annual review by the Authority in accordance with Section 91(9)(a) of the Local Government Act 1999.*

CARRIED UNANIMOUSLY

12:22pm confidential session concluded.

3. Closure

The Chairperson thanked the members for their attendance and contributions and closed the meeting at 12:23pm.

Chair _____ Date _____

Gawler River Floodplain Management Authority

Agenda Item: **2.2**
Committee: **Board**
Meeting Date: **17 August 2023**
Title: **GRFMA Confidential Minutes**

Recommendation:

That the Confidential Minutes of the Gawler River Floodplain Management Authority Board Special Meeting held on 27/07/2023 be confirmed as a true and accurate record of that meeting.

Refer confidential minutes sent under separate cover.

Agenda Item: 2.3
Committee: Board
Meeting Date: 17 August 2023
Title: Actions on Previous Resolutions

Number	Resolution	Action
38/23	<i>That the GRFMA:</i> <i>1. Receives the minutes of the Gawler River Floodplain Management Authority Audit Committee meeting held 5/06/2023.</i> <i>2. Acknowledges recommendation for adjustment of BR3 to reflect additional cost associated with super guarantee payment liabilities for the 2022/2023 financial year.</i> <i>3. Endorses recommendation that GRFMA seek to replenish cash reserves and minimise any further short-term funding of projects from such reserves.</i> <i>4. Directs that unpaid super guarantee payments and interest be paid as soon as feasibly possible from the BR3 budget within the financial year ended 30/6/2023.</i>	Completed
39/23	<i>That the GRFMA:</i> <i>1. Notes the report.</i> <i>2. Receives correspondence of 25/5/2023 from the Stormwater Management Authority (SMA).</i> <i>3. Requests the Executive Officer to undertake appropriate actions to progress the Gawler River Stormwater Management Plan as indicated by SMA.</i>	Refer Agenda Item 8.3
40/23	<i>That the GRFMA:</i> <i>1. Acknowledges with appreciation the confirmation of funding contributions to the Gawler River Business Case now provided by Constituent Councils.</i> <i>2. Reaffirms support and commitment to assist in completion of the Business Case and to revisit funding contribution considerations at 2023/2024 Budget Review 1.</i> <i>3. Requests the GRFMA Chairperson to write, in reply, to the Acting CEO of the Department for Environment and Water:</i> <i>a. advising of the Constituent Council contribution commitment to the Gawler River Business Case and that the GRFMA is not opposed to consideration that Business Case work could be prioritised by re-allocating funds from short term flood management projects.</i> <i>b. requesting that the DEW Executive Committee and Steering Committee be informed of the GRFMA considerations.</i> <i>4. Endorses the development of an Advocacy Plan to support the Boards efforts in securing funding from the State and Federal Governments to deliver the preferred flood mitigation measures identified in the Gawler River Stormwater Management Plan and Gawler River Flooding Business Case.</i>	Completed Completed

	5. Seeks the support of the Constituent Council(s) administration in the development of the Advocacy Plan. 6. Requests The Advocacy Plan to be presented to the Board no later than the December 2023 Board meeting.	Refer Agenda item 8.2																												
43/23	That pursuant to Clause 12.2 of the Charter, the GRFMA Business Plan 2023-2024 be adopted subject to final ratification from Town of Gawler and The Barossa Council.	Ratification received from both from Town of Gawler and The Barossa Council.																												
44/23	That the GRFMA resolves subject to final ratification from Town of Gawler and The Barossa Council: 1. That pursuant to Section 25 Schedule 2 Part 2 of the Local Government Act 1999, that the GRFMA Budget 2023-2024 be adopted. 2. That pursuant to Clause 11.1 of the Charter that the subscriptions scheduled below be subscriptions payable for the 2023-2024 year: <u>The Schedule:</u> Part A Flood Mitigation Works – No subscriptions. Part B Capital works and Maintenance – A total of \$139,758 calculated by the percentage shares prescribed in Clause 10.1 of the Charter: <table><tr><td>Adelaide Plains Council</td><td>\$40,390</td></tr><tr><td>Adelaide Hills Council</td><td>\$2,418</td></tr><tr><td>The Barossa Council</td><td>\$12,117</td></tr><tr><td>Town of Gawler</td><td>\$24,234</td></tr><tr><td>Light Regional Council</td><td>\$12,117</td></tr><tr><td>City of Playford *</td><td>\$48,482</td></tr><tr><td>Total</td><td>\$139,758</td></tr></table> Part C Operation – A total of \$149,630 calculated by even shares prescribed in Clause 11.1 of the Charter <table><tr><td>Adelaide Plains Council</td><td>\$24,938</td></tr><tr><td>Adelaide Hills Council</td><td>\$24,938</td></tr><tr><td>The Barossa Council</td><td>\$24,938</td></tr><tr><td>Town of Gawler</td><td>\$24,938</td></tr><tr><td>Light Regional Council</td><td>\$24,938</td></tr><tr><td>City of Playford</td><td>\$24,938</td></tr><tr><td>Total * rounding</td><td>\$149,630</td></tr></table>	Adelaide Plains Council	\$40,390	Adelaide Hills Council	\$2,418	The Barossa Council	\$12,117	Town of Gawler	\$24,234	Light Regional Council	\$12,117	City of Playford *	\$48,482	Total	\$139,758	Adelaide Plains Council	\$24,938	Adelaide Hills Council	\$24,938	The Barossa Council	\$24,938	Town of Gawler	\$24,938	Light Regional Council	\$24,938	City of Playford	\$24,938	Total * rounding	\$149,630	Ratification received from both from Town of Gawler and The Barossa Council
Adelaide Plains Council	\$40,390																													
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City of Playford *	\$48,482																													
Total	\$139,758																													
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Town of Gawler	\$24,938																													
Light Regional Council	\$24,938																													
City of Playford	\$24,938																													
Total * rounding	\$149,630																													

57/23	<i>That:</i> <i>The key points identified from the 31 May 2023 Big Map exercise be included as component of priority action "Assist the Constituent Councils in communicating with general communities and specific interest groups in relation to flood mitigation for the Gawler River" in the 2023/2024 Business Plan.</i> <i>The GRFMA pursue and promote interstate Reconstruction Department models (Qld & NSW) for implementation in SA.</i>	Noted
57/23	<i>That the Board:</i> <i>Under mutual agreement with David Hitchcock of 266 Seacombe Road, Seacliff Park SA agrees to void the current Gawler River Flood Plan Management Authority Executive Officer Service Agreement (Contract: 1/22) at the end of day on the 30 June 2023.</i> <i>Agrees to the engagement of David Hitchcock trading as LUVROK Pty Ltd to provide Executive Services to the Gawler River Floodplain Management Authority for the period 1 July 2023 – 31 December 2025.</i> <i>Requests the Chairperson to engage Norman Waterhouse Lawyers to prepare a Gawler River Floodplain Management Authority Executive Officer Services Agreement with David Hitchcock trading as LUVROK Pty Ltd for the period 1 July 2023 – 31 December 2025, incorporating:</i> <i>current services rates adjusted by Adelaide, June 2023 CPI to apply from commencement of Agreement at 1 July 2023, thereafter, adjusted annually by negotiation between the Gawler River Floodplain Management Authority and David Hitchcock trading as LUVROK Pty Ltd; and</i> <i>the revised schedule of Key Performance Indicators to be applicable to the Agreement as attached to this report.</i> <i>Approves the Gawler River Floodplain Management Authority meeting all costs associated with the preparation of this Agreement.</i> <i>Authorises Ian Baldwin, Chair and Independent Member to execute this Agreement on behalf of the Gawler River Floodplain Management Authority.</i>	Completed

Agenda Item:	4.1
Committee:	Board
Meeting Date:	17 August 2023
Title:	Appointment of GRFMA Chairperson

Recommendation:**That:**

1. Pursuant to Section 90(2) of the Local Government Act 1999, an Order is made that the public be excluded from attendance at the meeting, with the exception of:

- Observers

in order to consider in confidence agenda item 4.1 Appointment of GRFMA Chairperson pursuant to Section 90(3)(a) of the Local Government Act 1999 on the basis of: containing information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

2. This matter is confidential because the information herein provides matters relating to the appointment of the GRFMA Chairperson.
3. On the basis of this information, the principle that meetings of the GRFMA Board should be conducted in a place open to the public has been outweighed in this instance: the Board considers it necessary to consider this matter in confidence.

Recommendation:

That Part 2 of resolution No. 53/23 dated 15 June 2023 which reads – ‘Following process of public call for expressions of interest, GRFMA Chairperson, Independent Member, and subsequent recommendation by the Panel, endorses Mr. Des Bilske as the preferred candidate for appointment to that position for a term of three years commencing 2/9/2023.’ - be rescinded.

Recommendation:

That the Gawler River Floodplain Management Authority and its Constituent Councils acknowledge the service of outgoing Independent Chair, Mr Ian Baldwin, and his contributions to the activities of the Board. In noting Mr Baldwin’s contributions, the Board recognises his leadership in the review of the subsidiary Charter, the evolution of the Stormwater Management Plan and the advocacy role played in the development of the State Government Business Case for an all-of-catchment solution to floodplain management.

Recommendation:**That:**

1. Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA orders that the following aspects of item 4.1 Appointment of GRFMA Chairperson be kept confidential in accordance with the GRFMA Boards reasons to deal with this item in confidence pursuant to section 90(3)(d)(e) of the Local Government Act 1999:
 - Report for Item 4.1.
 - Attachment for item 4.1.
 2. This order shall operate until reviewed and determined as part of the annual review by the Authority in accordance with Section 91(9)(a) of the Local Government Act 1999.
-

Cr Malcolm Herrmann, GRFMA Board Member:

I give notice that at the Ordinary meeting of the GRFMA to be held on 17 August 2023, I shall move the following motion:

That Part 2 of resolution No. 53/23 dated 15 June 2023 which reads - Following process of public call for expressions of interest, GRFMA Chairperson, Independent Member, and subsequent recommendation by the Panel, endorses Mr. Des Bilske as the preferred candidate for appointment to that position for a term of three years commencing 2/9/2023.- be rescinded.

Refer to confidential item 4.1 for further information.

Gawler River Floodplain Management Authority

Agenda Item: **6**
Committee: **Board**
Meeting Date: **17 August 2023**
Title: **Audit Committee Minutes**

Recommendation:
That the Minutes of the Gawler River Floodplain Management Authority Audit Committee meeting held on 7/8/2023 be confirmed as a true and accurate record of that meeting.

Refer attached minutes.

MINUTES**GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY
AUDIT COMMITTEE MEETING****1pm Monday 7 August 2023****Dean Newbery - 214 Melbourne Street, North Adelaide SA 5006****1. Present**

- Mr Peter Brass, Independent Member, Chair
- Cr Malcolm Herrmann, Adelaide Hills Council
- Mr David Hitchcock, Executive Officer
- Ms Whitney Sandow, External Auditor, Dean Newbery

2. Apologies

- Mr Greg Pattinson, City of Playford

3. Previous Minutes

GAC 23/15 Previous Minutes – GRFMA Audit Committee
Moved: Cr M Herrmann
Seconded: Mr P Brass

That the minutes of the previous GRFMA Audit Committee meeting held on Monday 5 June 2023 as per copies supplied to members be adopted as a true and correct record of that meeting.

CARRIED UNANIMOUSLY**4. Business Arising from the Minutes**

Land Revaluation:

The Executive Officer advised that the value of the recent land revaluation had resulted in an impairment to assets and that the impairment value adjustment of \$17,000 is represented in the 2022/2023 GRFMA financial statements.

5. General Business**5.1 Financial Statements and Audit Report**

The meeting discussed the financial statements and requested word changes to the notes to:

- separately identify payments to the GRFMA Chairperson and Executive Officer; and
- clarify the appointment of LUVROK Pty Ltd to provide Executive Officer services from 1 July 2023.

A minor change to wording (2023 to 2024) in the Management Representation letter was also requested.

Ms Sandow noted that revaluation of the Bruce Eastwick dam has been scheduled for 2023/2024 and that it would be prudent to also review the Dam Valuation Policy following the revaluation process.

GAC 23/16 Financial Statements and Audit report
Moved: Mr P Brass
Seconded: Cr M Herrmann

That the GRFMA Audit Committee:

- 1. Receives and notes the audited Financial Statements for 2022/2023 and the external audit completion report.*
- 2. Recommends that the 'Certification of Auditor Independence' be signed by the Audit Committee Chair and Executive Officer; and*
- 3. Recommends that a 'Certification of Auditor Independence' also be signed by the Chief Executive Officer of each Constituent Council*

CARRIED UNANIMOUSLY

5.2 GRFMA Annual Report

The meeting discussed the annual report document and requested word changes to:

- clarify the process for calling of a special meeting;
- identify Mr P Brass as Independent Member, Chairperson;
- clarify the appointment of LUVROK Pty Ltd to provide Executive Officer services from 1 July 2023; and
- identify that the Charter 2 Review had been completed.

GAC 23/17 GRFMA Annual Report
Moved: Cr M Herrmann
Seconded: Mr P Brass

That the GRFMA Audit Committee receives and notes the GRFMA 2022/2023 Annual Report as amended.

CARRIED UNANIMOUSLY

7. Other Business

Ms Sandow advised that as from 1 July 2023, Dean Newbery has changed from a Partnership to a Corporate Structure. Dean Newbery will be trading under Dean & Newbery Pty Ltd. This will not result in any changes to current services.

Ms Sandow further noted that the current 5-year term contract for external auditor, is set to expire at the conclusion of the 2023/2024 financial year (following completion of all audit process). As an Authority the GRFMA is not bound to change auditor every 5 years, as Councils are: and the Board has discretion to extend the term of appointment should it so determine.

Discussion was also undertaken on the committee terms of reference, being an Audit Committee and value in further consideration of incorporating risk assessment as a role.

Cr Herrman noted he would raise the matters with the Board for discussion.

8. Next Meeting

December 2023

Date	Audit Committee meeting schedule	Action
March 2023	Annual Budget and Business Plan Review; External Audit Plan and Schedule 2023	Completed
June 2023	Annual cost estimates and budget variations consideration.	Completed
August 2023	Annual Financial Statements – Audit report; 2022/2023 – Auditor to attend.	Completed
November 2023	Operation of the Regional Subsidiary – Business Plan progress. Annual cost estimates and budget variations consideration.	
February 2024	Annual Budget and Business Plan Review; External Audit Plan and Schedule 2024	

9. Closure

The Chair thanked the members for their attendance and closed the meeting at 1:47pm.

Chair _____ Date _____

Agenda Item: 8.1
Committee: Board
Meeting Date: 17 August 2023
Title: GRFMA Strategic Plan

Recommendation:

That:

1. The GRFMA establishes a small working group of interested Board Members, to work with the Executive Officer to:
 - a) Facilitate a working program for delivery of GRFMA Strategic Plan actions that will, provide consistency of expectations between the GRFMA and Constituent Councils.
 - b) Identify suitable policy approaches to reporting of relevant KPI's.
2. Membership of the working group, including the Executive Officer consist of:
 - 1.....
 - 2.....

The GRFMA is a small Authority with Strategic, Capital, and Operational requirements.

In accordance with clause 3 of the GRFMA Charter, the primary purpose is to provide physical infrastructure for flood mitigation on the Gawler River. All other parts of clause 3 are subsidiary to that focus.

A Strategic Plan has been recently been developed by the GRFMA Board to guide its activities and communicate its strategic directions and priority actions for the period 2021 to 2026, as well as matters for consideration beyond 2026 (nominally 2036).

Objectives and aspirations of the full plan have been distilled into a concise "plan on a page" document as attached.

See attached document which identifies the strategic objectives, responsibility, and indicative dates for completion.

There is further work to do to maintain momentum with the plan.

It is suggested there is benefit in establishing a small working group of interested Board Members, to work with the Executive Officer to facilitate a working program for delivery of Strategic Plan actions that will, provide consistency of expectations between the GRFMA and Constituent Councils on achievement of objectives.

Examples that will benefit with a joint GRFMA /constituent council consideration.

- *Working with the Constituent Councils, develop a framework to clearly articulate the respective roles and responsibilities of the Authority and the Councils and suitable partnering arrangements to maintain a low-cost base for the Authority.*

- *Develop and implement an annual (or other agreed frequency) assessment by seeking and evaluating Constituent Councils' views about the Authority's performance and actions under the roles and responsibilities framework in Priority Action 2.1, as well as their own performance under the framework.*

This approach could also be utilised in "unpacking" the recently amended and extended Executive Officer KPI reporting requirements. Refer agenda item 8.8.

Example

Actively pursue grant funding for various Gawler River Flood Mitigation Scheme activities.

Time frames: February – report each year that identifies projects that could be funded, funding sources, probability of receiving funding and any other relevant information. Adhoc At next meeting – When new funding programs are announced that are relevant.

Options for application for grant funding

- Capital and infrastructure maintenance and delivery (including disaster mitigation)
- Community awareness (hazard, preparation, and response)
- Communication and information delivery (community and councils, government agencies)
- Environmental initiatives (water, fauna, flora)

Strategy

1. Deliver GRFMA resources to facilitate:
 - Identification of strategic projects and priority
 - Suitable and relevant funding opportunities and programs
 - GRFMA funds for contributions to funding proposals
2. Provide GRFMA resources to:
 - Establish a generic funding application library to be utilized as basis for applications
 - Facilitate regular review and report on current funding program opportunity and to maintain review of the funding strategy.

GRFMA Strategic Plan 2021-2026 on a Page

Our purpose.

In accordance with clause 3 of the GRFMA Charter, our primary purpose is to provide physical infrastructure for flood mitigation on the Gawler River. All other parts of clause 3 are subsidiary to that focus.

Theme 1: Design, build, and maintain physical flood mitigation infrastructure			
Objective: To have in place physical flood mitigation infrastructure that is fit for purpose and achieves the targeted levels of performance.			
Performance Measures: 1) Agreed infrastructure projects are delivered on time and on budget. 2) Infrastructure is fit for purpose and delivers the benefits for which it was designed. 3) Infrastructure is maintained efficiently and to an agreed level of condition.			
Year	Priority Action	Responsibility	Target Dates
1	Priority action 1.1 – Finalise preparation of the Gawler River Stormwater Management Plan.	EO and Project Management Team	December 2023
1	Priority action 1.2 – Review, with Constituent Councils and stakeholders, design standards for infrastructure works including costs and benefits.	GRFMA Board/Councils in conjunction with DEW	Subject to completion of SMP – See 1.1
1	Priority action 1.4 (part) – In conjunction with the Constituent Councils, develop and implement a schedule of flood mitigation infrastructure works for the Gawler River referencing the Gawler River Stormwater Management Plan	GRFMA Board /Councils in conjunction with DEW	Subject to completion of SMP – See 1.1
2	Priority action 1.5 – Report annually on progress with implementation of the Gawler River Stormwater Management Plan, including the planning and delivery of associated works and actions by Constituent Councils and other bodies.	EO	Updates occurring at each GRFMA Board meeting
3	Nil		
4	Nil		
5	Nil		
By Trigger	Priority action 1.3 – Consider the requirement to review hydrological models on the release of new industry accepted climate and rainfall models.		
By Trigger	Priority action 1.4 (part) – In conjunction with the Constituent Councils, develop and implement a schedule of flood mitigation infrastructure works for the Gawler River referencing the Gawler River Stormwater Management Plan	GRFMA Board/Councils in conjunction with DEW	Subject to completion of SMP – See 1.1

Theme 2: Develop and evolve key relationships			
Objective: To maintain key relationships that are most important to the Authority achieving its purpose.			
Performance Measures: 1) Key relationships are in place and are assisting the Authority to undertake its functions. 2) Opportunities to bring together government agencies to improve governance arrangements for managing the Gawler River are adequately pursued. 3) Opportunities to advocate for and/or respond to potential improvements to arrangements for stormwater and floodplain management are adequately pursued. 4) The Board is satisfied that it has an adequate understanding of community views about flooding.			
Year	Priority Action	Responsibility	Target Dates
1	Priority action 2.1 – Working with the Constituent Councils, develop a framework to clearly articulate the respective roles and responsibilities of the Authority and the Councils and suitable partnering arrangements to maintain a low cost base for the Authority.	GRFMA Board	Not actioned Now required
1	Priority action 2.3 – Continue to advocate for improved governance and funding arrangements for flood avoidance, resilience, and mitigation in South Australia.	EO and identified councils assistance	Advocacy strategy to be developed
1	Priority action 2.6 – Assist the Constituent Councils in communicating with general communities and specific interest groups in relation to flood mitigation for the Gawler River.	GRFMA Board/Councils	On completion 1.1 and DEW Business Case July 2023
2	Priority action 2.2 – Develop and implement an annual (or other agreed frequency) assessment by seeking and evaluating Constituent Councils' views about the Authority's performance and actions under the roles and responsibilities framework in Priority Action 2.1, as well as their own performance under the framework.		Not actioned Now required
2	Priority action 2.4 – Proactively pursue governance structures and/or management approaches that bring together the various government agencies involved in water management related to the Gawler River to ensure coordinated action is taken to reduce flood risk, while contributing to greater integration of water management.		Not actioned Now required
2	Priority action 2.5 – With Constituent Councils, monitor community views about flood control and management and factor into communication about the Authority's functions.		Not actioned Now required
3	Nil		
4	Nil		
5	Nil		
By Trigger	Nil		

Theme 3: Ensure good governance and ongoing financial sustainability			
Objective: To ensure that the Authority meets contemporary standards and is financially sustainable for its whole life.			
Performance Measures: 1) The Board has a clear understanding of the Authority's performance and addresses any areas identified as requiring attention. 2) A full suite of strategic documents is developed in the agreed timeframe, kept up to date and used to assist in decision making. 3) Financial sustainability targets are met.			
Year	Priority Action	Responsibility	Target Dates
1	Priority action 3.1 – Implement the agreed outcomes from Charter Review 2 which was finalised in 2020.	GRFMA Board	Completed
1	Priority action 3.2 – Consider annually the Authority's performance and identify any changes that may be required to the Charter, the Strategic Plan, policy settings, relationships, and communication and engagement.	GRFMA Board	Not actioned Now required
2	Nil		
3	Nil		
4	Nil		
5	Priority action 3.4 – Determine the future lifespan of the Authority and scenarios for ownership, management, maintenance, and replacement of its assets.		
By Trigger	Priority action 3.3 – Develop fit for purpose risk management, asset management, and long-term financial plans.	EO/Audit Committee/ GRFMA board	Completed

Agenda Item: 8.2**Committee: Board****Meeting Date: 17 August 2023****Title: Gawler River Flood Mitigation, Department for Environment and Water**

Recommendation:**That the GRFMA notes the report.**

The following motion was passed unanimously at the 15/06/2023 GRFMA Meeting:

That the GRFMA:

1. *Acknowledges with appreciation the confirmation of funding contributions to the Gawler River Business Case now provided by Constituent Councils.*
2. *Reaffirms support and commitment to assist in completion of the Business Case and to revisit funding contribution considerations at 2023/2024 Budget Review 1.*
3. *Requests the GRFMA Chairperson to write, in reply, to the Acting CEO of the Department for Environment and Water:*
 - a. *advising of the Constituent Council contribution commitment to the Gawler River Business Case and that the GRFMA is not opposed to consideration that Business Case work could be prioritised by re-allocating funds from short term flood management projects.*
 - b. *requesting that the DEW Executive Committee and Steering Committee be informed of the GRFMA considerations.*
4. *Endorses the development of an Advocacy Plan to support the Boards efforts in securing funding from the State and Federal Governments to deliver the preferred flood mitigation measures identified in the Gawler River Stormwater Management Plan and Gawler River Flooding Business Case.*
5. *Seeks the support of the Constituent Council(s) administration in the development of the Advocacy Plan.*
6. *Requests The Advocacy Plan to be presented to the Board no later than the December 2023 Board meeting.*

Actions undertaken to effect directions of the resolution are:

- Discussions have been undertaken with the Department for Environment and Water (DEW) to establish a suitable process to facilitate payment of funding contributions to the Gawler River Business Case by Constituent Councils. The agreed process is the GRFMA will invoice Councils and pay the collected funds via a funding agreement now established between GRFMA and DEW.
- The funding agreement provides that DEW must regularly report, with evidence in support, on the progress of the Purpose and on the application and expenditure of the Grant to enable the GRFMA to be satisfied that the Grant is being used effectively and efficiently. Such reports will be provided to the GRFMA and direct to each of the GRFMA Constituent Councils.
- The GRFMA Chairperson has written to the Acting CEO of the Department for Environment and Water.
- The City of Playford has advised it will assist in the development of the Advocacy Plan as identified in item 5 and has nominated two staff members in that regard. The first meeting of the group has been scheduled for early September 2023.

Gawler River Flood Management Projects

The Gawler River Flood Management Projects are being delivered in partnership by the Government of South Australia and local Councils in the Gawler River region.

The projects are overseen by an inter-governmental Steering Committee with representation from numerous agencies from both State and Local Government.

See attached Communique which provides a quarterly update of project progress and recent decisions of the Steering Committee.

Ms Cate Hart, Executive Director, Environment, Heritage and Sustainability, Department for Environment and Water will also provide a presentation to the 17/8/2023 GRFMA meeting on progress and findings of the Gawler River Business Case.

Refer Item 5 Presentations.

Gawler River Flood Management Projects

Communique, June 2023

The Gawler River Flood Management Projects are being delivered in partnership by the Government of South Australia and local councils in the Gawler River region. The projects are overseen by an inter-governmental Steering Committee with representation from numerous agencies from both state and local government.

This Communique provides a quarterly update of project progress and recent decisions of the Steering Committee.

Projects' progress

The Steering Committee noted the progress of the short-term projects and Business Case as at the end of Quarter 4 (April-June 2023).

Table 1: Traffic-light assessment of projects

Project	Overall performance
Project 1: Hillier fire rehabilitation works	●
Project 2: Carmelo and Park Roads drain (first stage)	●
Project 3: Improving flood forecasting and warning	●
Project 4: River survey, levee repair and vegetation management	●
Business Case	● ●

Project 1 is complete, and Town of Gawler are maintaining the weeds and revegetation at the site.

Project 2 is currently on track to deliver the agreed first stage by the revised end date of Dec 2024.

Project 3 is improving the ability to forecast when and where there will be a flood, by upgrading existing and installing new monitoring sites across the region. As at June 2023 five (5) monitoring sites have been upgraded, with works at six (6) more sites to be completed by end-September 2023.

In the interim until the Bureau of Meteorology is ready to engage with South Australia on the national flood warning network, a partnership approach to manage the Gawler River flood warning network will be developed. A *Partnership Overview* document will be used to engage more with stakeholders, and DEW will work with potential partners on the major provisions of a partnership agreement.

Project 4 aims to improve the river's capacity to carry water by removing woody weeds and repairing existing levee banks. Weed control works are underway at a number of priority sites. The approach being considered for levee bank repair for Project 4 will be a pilot and lessons learnt can be used to inform future projects.

Disaster Ready Fund – Improving levee bank management

The Department for Environment and Water (DEW) has been awarded funding from the Australian Government for improving levee bank management. The improving levee bank management project will consist of three components: a planning process for River Murray levee banks; improving state-wide data, policy, guidelines and regulatory frameworks; and continuing to deliver levee bank repair and replacement works along the Gawler River. A breakdown of the expenditure and deliverables is pending detailed project planning.

Business Case

A business case for Gawler River flood management is a critical tool for developing options and attracting investment longer-term. The relevant technical studies (required to provide sufficient evidence to pass the next assurance review) are progressing well. A draft Business Case is expected by the end of July 2023. The Steering Committee will review the draft in August 2023 before a series of activities to consult widely on this.

Social Research Findings

Key findings from a community survey about community flood awareness and preparedness will be used to further develop the Business Case. The survey results support the theory that the more people know about flood risk, the greater their capacity to cope with flooding.

Some key statistics for the survey results are:

- 68% of respondents saying the recent floods had a moderate or high impact on their understanding.
- Almost half of the respondents reported that recent floods had little impact on their motivation to plan for the consequences of flooding / natural disasters. This is confirmed by the only 10% of respondents who have a written flood plan (as this hasn't changed from 2022 to 2023).
- Of those who don't have a written flood plan, the majority think there is either no risk or they will instinctively know what to do.
- The respondents' perceived risk and knowledge of flooding in the Gawler River region was generally consistent from 2022 to 2023. About 5% of respondents believe they are at high risk.

More information

DEWFloodProjects@sa.gov.au

<https://www.environment.sa.gov.au/topics/flood/projects>

Agenda Item:	8.3
Committee:	Board
Meeting Date:	17 August 2023
Title:	Stormwater Management Plan Progress Report

Recommendation:**That the GRFMA receives the report.**

The Gawler River Floodplain Management Authority (GRFMA), has been undertaking to develop a Stormwater Management Plan (SMP) for the Gawler River.

This is being completed in partnership with the Stormwater Management Authority of South Australia, the Green Adelaide Board, the Northern and Yorke Landscape Board, and the Department for Environment and Water.

The purpose of the project is to prepare a SMP to be approved by the Stormwater Management Authority (SMA) and the GRFMA, that will provide background and strategic direction for managing stormwater in the Gawler River for the main channel below the confluence of the North Para and South Para Rivers.

Both the draft State of the Catchment Report document and the draft SMP document have now been provided by Water Technology.

A report at the 15/6/2023 GRFMA meeting advised a meeting of the SMP Steering Committee was held 17/04/2023 to discuss the draft documents with focus on the draft SMP.

The Steering Committee consists of: GRFMA Executive Officer, representatives from each of the six GRFMA Constituent Councils, Green Adelaide representative, Northern and York Landscape Board representative, Department of Environment and Water representative, City of Playford Project SMP project support.

Comments provided by the Steering Committee identified.

- The document as it stands does not present as a SMP usually looks like.
- It was noted that the scope of the SMP as originally agreed was constrained to the Gawler River.
- The SMP document should reflect the agreed scope and the current document has elements missing.
- Preference is for the document to more reflect the SMA SMP guidelines and provisions.
- It will be beneficial to provide further clarity and explanation within the SMP of information utilised from previous reports.
- The document should include further information and attention to water quality, environmental management, and water reuse.
- Involvement and the process of consultation with the relevant First Nation representatives should also be included.

Gawler River Floodplain Management Authority

It was also advised that the Stormwater Management Authority had resolved to establish a working group of SMA staff and two Board Members to work with the GRFMA, the Landscape Boards and DEW to assist with finalising the draft.

The first meeting of the working group is to be held 9/8/2023.

An update on outcomes from the working group meeting will be provided at the 17/8/2023 GRFMA meeting.

Agenda Item:	8.4
Committee:	Board
Meeting Date:	17 August 2023
Title:	Financial Statements 2022/2023 and Annual Audit

Recommendation:**That:**

1. The audited Financial Statements for the year 2022/2023 be adopted for the purposes of Part 4 Financial Statements of the Local Government (Financial Management) Regulations 2011.
 2. The 'Certification of Auditor Independence' be signed by the GRFMA Board Chairperson.
 3. The 'Certification of Financial Statements' be signed by the GRFMA Board Chairperson and Executive Officer.
 4. The Chief Executive Officer of each Constituent Council be requested to sign the 'Certification of Auditor Independence'.
-

The 2022 - 2023 Financial Statements for the GRFMA have been completed and audited by the Authority's auditor Dean Newbery and Partners.

A net operating loss of \$377,737 has resulted.

Add back unfunded depreciation \$328,561 and this results in Net Lending for the Financial Year of (\$49,176). Refer Financial Statements Note 6 and 11.

See separate attachment for the 2022/2023 Financial Statements and notes.

The confidential Management Representation Letter and the Audit Completion Report are provided separate to the 17/8/2023 Agenda documents.

As per 17/08/2023 meeting agenda item 6 the 7/8/2023 GRFMA Audit Committee has noted and considered the above documents and resolved:

That the GRFMA Audit Committee:

1. *Receives and notes the audited Financial Statements for 2022/2023 and the external audit completion report.*
 2. *Recommends that the 'Certification of Auditor Independence' be signed by the Audit Committee Chair and Executive Officer.*
 3. *Recommends that a 'Certification of Auditor Independence' also be signed by the Chief Executive Officer of each Constituent Council.*
-

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY			
STATEMENT OF COMPREHENSIVE INCOME			
for the year ended 30 June 2023			
	Notes	2023 \$	2022 \$
INCOME			
Subscriptions	4	260,321	261,256
Investment income		1,278	1,132
State Government Grants	3	-	70,518
Other Income		100	100
Total Income		261,699	333,006
EXPENSES			
Contractual Services	5	249,296	236,420
Finance Charges		18,926	3,275
Depreciation	1(h), 9	328,561	322,298
Other		42,654	21,831
Total Expenses		639,436	583,824
OPERATING SURPLUS / (DEFICIT)		(377,737)	(250,818)
NET SURPLUS / (DEFICIT)		(377,737)	(250,818)
transferred to Equity Statement			
Other Comprehensive Income			
<i>Amounts which will not be reclassified subsequently to operating result</i>			
Impairment (expense) / recoupments offset to asset revaluation reserve	1(m), 9	(17,000)	-
Total Other Comprehensive Income		(17,000)	-
TOTAL COMPREHENSIVE INCOME		(394,737)	(250,818)
This Statement is to be read in conjunction with the attached Notes.			

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

STATEMENT OF FINANCIAL POSITION

as at 30 June 2023

	Notes	2023 \$	2022 \$
ASSETS			
Current Assets			
Cash and cash equivalents	1(d)	29,496	126,130
Trade and Other Receivables		91,125	98,664
Total Current Assets		120,621	224,794
Non-current Assets			
Infrastructure	9	25,920,879	25,920,879
Accumulated Depreciation Infrastructure	1(h), 9	(4,767,184)	(4,438,623)
Land	9	460,000	477,000
Total Non-current Assets		21,613,696	21,959,256
Total Assets		21,734,317	22,184,050
LIABILITIES			
Current Liabilities			
Trade & other payables		67,733	61,003
Borrowings	1(k)	440,409	502,136
Total Liabilities		508,142	563,138
NET ASSETS		21,226,175	21,620,912
EQUITY			
Accumulated Surplus		12,561,202	12,938,939
Asset Revaluation Reserves	1(g)	8,664,973	8,681,973
TOTAL EQUITY		21,226,175	21,620,912

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

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

STATEMENT OF CHANGES IN EQUITY for the year ended 30 June 2023

		Accumulated Surplus	Asset Revaluation Reserve	TOTAL EQUITY
2023	Notes	\$	\$	\$
Balance at end of previous reporting period		12,938,939	8,681,973	21,620,912
Restated opening balance		12,938,939	8,681,973	21,620,912
Net Surplus / (Deficit) for Year		(377,737)	-	(377,737)
Other Comprehensive Income				
Impairment (expense) / recoupments offset to asset revaluation reserve	1(m), 9		(17,000)	(17,000)
Balance at end of period		12,561,202	8,664,973	21,226,175
2022				
Balance at end of previous reporting period		13,189,757	8,681,973	21,871,730
Restated opening balance		13,189,757	8,681,973	21,871,730
Net Surplus / (Deficit) for Year		(250,818)	-	(250,818)
Other Comprehensive Income				
Gain on revaluation of infrastructure, property, plant & equipment		-	-	-
Balance at end of period		12,938,939	8,681,973	21,620,912

This Statement is to be read in conjunction with the attached Notes

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

STATEMENT OF CASHFLOWS

for the year ended 30 June 2023

		2023	2022
	Notes	\$	\$
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts		267,915	282,547
Interest Receipts		1,323	1,073
Payments		(290,843)	(237,090)
Interest Expense		(13,301)	-
Net Cash provided by (or used in) Operating Activities	8	(34,907)	46,530
CASH FLOWS FROM INVESTING ACTIVITIES			
<u>Payments</u>			
Expenditure on renewal/replacement of assets		-	(591,879)
Net Cash provided by (or used in) Investing Activities		-	(591,879)
CASH FLOWS FROM FINANCING ACTIVITIES			
<u>Receipts</u>			
Proceeds from borrowings		-	502,136
<u>Payments</u>			
Repayments of borrowings		(61,726)	-
Net Cash provided by (or used in) Financing Activities		(61,726)	502,136
Net Increase (Decrease) in cash held		(96,633)	(43,214)
Cash & cash equivalents at beginning of period		126,130	169,344
Cash & cash equivalents at end of period	8	29,496	126,130

This Statement is to be read in conjunction with the attached Notes

**Gawler River Floodplain Management Authority
Notes to and forming part of the Financial Statements
for the year ended 30 June 2023**

Note 1 - Statement of Significant Accounting Policies

a) The Local Government Reporting Entity

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

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

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

b) Basis of Accounting

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

c) Employees

The Authority has no employees.

d) Cash

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

e) Infrastructure

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

f) Land

Land includes the land on which the dam is constructed, rights of way access to the land and 'right to flood' easements over the land upstream from the dam that will be inundated by dam waters for short periods of time during a flood event. Additional Land surrounding the dam was purchased in 2017/18 and was revalued by Town and Country Valuers, Property and Management Consultants as at 30 June 2023 for part lot 750 Kemp Road Kingsford.

g) Revaluation

The Board sought an independent valuation to be applied as at 30th June 2019, of the Bruce Eastick North Para Flood Mitigation Dam. The Board recognises that the dam is a unique infrastructure. The Board sought the advice of Entura (Hydro Tasmania), who provided a replacement cost valuation based on the actual construction contract costs, including some 'owner's costs' which would be incurred in the event of a replacement being necessary. In accordance with Accounting Standard (AASB)13 Fair Value Measurement, the valuation was undertaken as at 30 June 2019 and recorded as a level 3 restricted asset valuation. The next Valuation is scheduled to be undertaken in 2023/2024.

**Gawler River Floodplain Management Authority
Notes to and forming part of the Financial Statements
for the year ended 30 June 2023**

Fair value level 3 valuations of buildings, infrastructure and other assets – There is no known market for these assets and they are valued at depreciated current replacement cost. The method involves:

The determination of the cost to construct the asset (or its modern engineering equivalent) using current prices for materials and labour, the quantities of each being estimated based on recent experience of this or similar Councils, or on industry construction guides where these are more appropriate.

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

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

h) Depreciation

The depreciation period for the Bruce Eastick North Para Flood Mitigation Dam is based on a straight line depreciation method with an expected useful life of 80 years.

The depreciation period for the Access Road is based on a straight line depreciation method with an expected useful life of 15 years.

i) Revenue

The Authority recognises revenue under AASB 1058 Income of Not-for-Profit Entities (AASB 1058) or AASB 15 Revenue from Contracts with Customers (AASB 15) when appropriate.

In cases where there is an 'enforceable' contract with a customer with 'sufficiently specific' performance obligations, the transaction is accounted for under AASB 15 where income is recognised when (or as) the performance obligations are satisfied (i.e. when it transfers control of a product or service to a customer). Revenue is measured based on the consideration to which the Authority expects to be entitled in a contract with a customer.

In other cases, AASB 1058 applies when a not-for-profit (NFP) entity enters into transactions where the consideration to acquire an asset is significantly less than the fair value of the asset principally to enable the entity to further its objectives. The excess of the asset recognised (at fair value) over any 'related amounts' is recognised as income immediately, except in the case where a financial asset has been received to enable the authority to acquire or construct a recognisable non-financial asset that is to be controlled by the authority. In this case, the authority recognises the excess as a liability that is recognised over time in profit and loss when (or as) the entity satisfies its obligations under the transfer.

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

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

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

j) Superannuation

The Authority contributed the statutory 10.5% SCG to the nominated superannuation fund of the Executive Officer.

**Gawler River Floodplain Management Authority
Notes to and forming part of the Financial Statements
for the year ended 30 June 2023**

k) Borrowings

Borrowings are initially recognised at fair value, net of transaction costs incurred and are subsequently measured at amortised cost. Any difference between the proceeds (net of transaction costs) and the redemption amount is recognised in the income statement over the period of the borrowings using the effective interest rate method.

Borrowings are carried at their principal amounts which represent the present value of future cash flows associated with servicing the debt. Interest is accrued over the period to which it relates, and is recorded as part of "Payables"

l) Economic Dependence

The Gawler River Floodplain Management Authority (GRFMA) was formed as a Regional Subsidiary under Section 43 and Schedule 2 of the Local Government Act 1999 in August 2002, by a Charter that was amended and published in The South Australian Government Gazette on 27th February 2020 at page 474.

The Gawler River Floodplain Management Authority (GRFMA) is dependent upon subscriptions levied on the Constituent Councils in accordance with Clause 10.2 of the Charter to fund the construction, operation and maintenance of flood mitigation infrastructure of the Authority which it owns and manages.

m) Impairment

Assets whose future economic benefits are not dependent on the ability to generate cash flows, and where the future economic benefits would be replaced if Council were deprived thereof, are not subject to impairment testing.

Other assets that are subject to depreciation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount (which is the higher of the present value of future cash inflows or value in use).

Where an asset that has been revalued is subsequently impaired, the impairment is first offset against such amount as stands to the credit of that class of assets in Asset Revaluation Reserve, any excess being recognised as an expense.

The impairment has occurred due to the revaluation of Land in 2023.

**Gawler River Floodplain Management Authority
Notes to and forming part of the Financial Statements
for the year ended 30 June 2023**

Note 2 - Schedule of Constituent Council's Interest in Net Assets as at 30th June 2023

Prepared to meet the requirements of Clause 15.5 of the Charter

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

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

Calculation of Net Equity

Assets

Investments / Debtors	\$ 120,621
Infrastructure	\$ 21,153,695
Land	<u>\$ 460,000</u>
	\$ 22,734,317

Less Liabilities

Accounts Payable / Creditors	\$ 67,732
Borrowings	<u>\$ 440,409</u>
NET EQUITY	\$ 21,226,175

Allocation of Councils Interest in Net Assets

Constituent Councils	Accumulated Subscriptions for Operations to 30 June 2023 \$	Accumulated Subscriptions for Maintenance to 30 June 2023 \$	Accumulated Subscriptions for Scheme Works to 30 June 2023 \$	All Subscriptions to 30 June 2022 \$	Percentage of Contributions to the Total	Council's Interests in Net Assets \$
Adelaide Hills Council	228,944	6,352	74,109	309,405	5.14%	1,091,717
The Barossa Council	228,944	31,813	371,133	631,890	10.50%	2,229,587
Town of Gawler	228,944	63,586	741,174	1,033,704	17.18%	3,647,364
Light Regional Council	228,944	31,813	371,133	631,890	10.50%	2,229,587
Adelaide Plains Council	228,944	106,079	1,235,283	1,570,306	26.10%	5,540,733
City of Playford	228,944	127,254	1,482,344	1,838,542	30.58%	6,487,187
	1,373,664	366,897	4,275,176	6,015,737	100%	21,226,175

Schedule of Constituent Councils' Interests in Net Assets' as at the 30th June 2023 adopted by the Board in accordance with Clause 15.5 of the Charter on 17 August 2023.

**Gawler River Floodplain Management Authority
Notes to and forming part of the Financial Statements
for the year ended 30 June 2023**

Note 3 - Functions / Activities of the Authority

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

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

Administration: The operations of the Authority and its Board

Other Environment: Flood Mitigation

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

	Year	Revenue		Expenses		
		Grants \$	Other \$	Total Revenue	Expenses Total	Surplus (deficit)
Administration	2023	-	166,498	\$166,498	\$157,078	\$ 9,420
	2022	-	177,284	\$177,284	\$88,260	\$89,024
Other	2023	-	95,201	\$ 95,201	\$153,798	(\$58,596)
Environment:						
Flood Mitigation	2022	70,518	85,204	155,722	\$173,267	(\$17,545)
	2023	-	261,699	261,699	\$310,876	(\$49,177)
Total	2022	70,518	262,488	333,006	\$261,527	\$71,479

Note 4 - Subscriptions

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

	Maintenance		Operations		TOTALS	
	2023 \$	2022 \$	2023 \$	2022 \$	2023 \$	2022 \$
Constituent Council						
Adelaide Hills Council	1,647	1,474	27,520	29,342	29,167	30,816
The Barossa Council	8,254	7,388	27,520	29,342	35,774	36,730
Town of Gawler	16,508	14,774	27,520	29,342	44,028	44,116
Light Regional Council	8,254	7,388	27,520	29,342	35,774	36,730
Adelaide Plains Council	27,513	24,624	27,520	29,342	55,033	53,966
City of Playford	33,025	29,556	27,520	29,342	60,545	58,898
TOTAL	95,201	85,204	165,120	176,052	260,321	261,256

**Gawler River Floodplain Management Authority
Notes to and forming part of the Financial Statements
for the year ended 30 June 2023**

Note 5- Contractual Services

	2023 \$	2022 \$
Chairperson Honorarium	12,100	8,100
Executive Officer	103,214	56,826
Audit Committee	2,600	2,600
Audit Fees	5,346	5,188
Legal Fees	6,069	2,000
Consultancies	116,750	151,857
Maintenance Contractors	0	9,849
Asset Valuations	3,217	0
Totals	249,296	236,420

Note 6 - Comparison of Budget and Actual Results (excluding depreciation)

	2023		2022	
	Budget \$	Actual \$	Budget \$	Actual \$
Revenue				
Administration	166,430	166,498	176,652	177,284
Other Environment: Flood Mitigation	95,200	95,201	85,200	85,204
State Grant	0	0	70,518	70,518
Total Revenue	261,630	261,699	332,370	333,006
Expenditure				
Administration	153,620	157,079	94,152	88,260
Other Environment: Flood Mitigation	14,700	6,021	15,200	10,035
Maintenance	198,000	147,775	168,995	163,232
Other Environment: Flood Mitigation Capital	0	0	635,000	591,879
Total Expenditure	366,320	310,875	913,347	853,406
Surplus (deficit)	(104,690)	(49,176)	(580,977)	(520,400)

Note 7 - Expenditure Commitment

An agreement had been entered into with David Hitchcock to provide Executive Officer and Supervision of Consultants services to 31 December 2023. The Gawler River Flood Management Authority (GRFMA) under mutual agreement with David Hitchcock has agreed to void the current GRFMA Executive Officer Service Agreement (Contract: 1/22) at the end of the day on the 30 June 2023. On 28/06/2023 the GRFMA engaged LUVROK Pty Ltd to undertake Executive Officer Services, in accordance with the agreed contract for service, for the term 1 July 2023 to 31 December 2025.

Mr David Hitchcock is identified as the key person providing the services pursuant to agreed terms.

**Gawler River Floodplain Management Authority
Notes to and forming part of the Financial Statements
for the year ended 30 June 2023**

Note 8 - Reconciliation Statement of Cash Flows

(a) Reconciliation of Cash

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

	2023	2022
	\$	\$
Total cash & equivalent assets	29,496	126,130
Balances per Cash Flow Statement	29,496	126,130

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

Net Surplus (Deficit)	(377,737)	(250,818)
Non-cash items in Income Statement		
Depreciation, amortisation & impairment	328,561	322,298
	(49,176)	71,480
Add (Less): Changes in Net Current Assets		
Net (increase) decrease in receivables	7,539	(49,386)
Net increase (decrease) in trade & other payables	6,729	24,436
Net Cash provided by (or used in) operations	(34,908)	46,530

**Gawler River Floodplain Management Authority
Notes to and forming part of the Financial Statements
for the year ended 30 June 2023**

Note 9 - Non-Current Assets Summary

	Fair Value Level	2023				2022			
		At Fair Value \$	At Cost \$	Accum Dep'n \$	Carrying Amount \$	At Fair Value \$	At Cost \$	Accum Dep'n \$	Carrying Amount \$
Land and easements	-	460,000	-	-	460,000	477,000	-	-	477,000
North Para Dam Access Roads	3	84,000	-	(25,400)	58,600	84,000	-	(19,800)	64,200
North Para Dam	3	25,245,000	591,879	(4,741,784)	21,095,095	25,245,000	591,879	(4,418,823)	21,418,056
Total Infrastructure and Land		25,789,000	591,879	(4,767,184)	21,613,695	25,806,000	591,879	(4,438,623)	21,959,256
Comparatives		25,806,000	591,879	(4,438,623)	21,959,256	25,806,000	-	(4,116,325)	21,169,675

	2022		Carrying Amount Movements During the Year						2023
	Carrying Amount \$	Additions		Disposals \$	Depreciation \$	Impairment \$	Transfers \$	Net Valuation \$	Carrying Amount \$
		New Upgrade \$	Renewals \$						
Land and easements	477,000	-	-	-	-	(17,000)	-	-	460,000
Access Roads	64,200	-	-	-	(5,600)	-	-	-	58,600
Infrastructure - North Para Dam	21,418,056	-	-	-	(322,961)	-	-	-	21,095,095
Total Infrastructure, Property, Plant & Equipment	21,959,256	-	-	-	(328,561)	(17,000)	-	-	21,613,695
Comparatives	21,169,675	-	591,879	-	(322,298)	-	-	-	21,959,256

**Gawler River Floodplain Management Authority
Notes to and forming part of the Financial Statements
for the year ended 30 June 2023**

Note 10 - Financial Instruments

All financial instruments are categorised as *loans and receivables*.

Accounting Policies - Recognised Financial Instruments

Bank, Deposits at Call, Short Term Deposits	Accounting Policy: initially recognised at fair value and subsequently measured at amortised cost, interest is recognised when earned Terms & conditions: Deposits are returning fixed interest rates between 1.05% and 4.30% (2022: 0.20% and 1.05%). Carrying amount: approximates fair value due to the short term to maturity.
Receivables - Fees & other charges	Accounting Policy: initially recognised at fair value and subsequently measured at amortised cost. An impairment provision is recognised using the expected credit loss method Terms & conditions: Unsecured, and do not bear interest. Although the authority is not materially exposed to any individual debtor, credit risk exposure is concentrated within the Authorities boundaries. Carrying amount: approximates fair value (after deduction of any allowance).
Liabilities - Creditors and Accruals	Accounting Policy: Liabilities are recognised for amounts to be paid in the future for goods and services received, whether or not billed to the Authority. Terms & conditions: Liabilities are normally settled on 30 day terms. Carrying amount: approximates fair value.
Liabilities – Interest Bearing Borrowings	Accounting Policy: initially recognised at fair value and subsequently amortised cost, interest is charged as an expense using the effective interest rate. Terms & conditions: secured over future revenues, borrowings are repayable; interest is charged at fixed or variable rates between 2.8% and 6.05% (2022: 2.80%). Carrying amount: approximates fair value.

Liquidity Analysis

2023	Due < 1 year	Due > 1 year ≤ 5 years	Due > 5 years	Total Contractual Cash Flows	Carrying Values
<u>Financial Assets</u>	\$	\$	\$	\$	\$
Cash & Equivalents	29,496	-	-	29,496	29,496
Receivables	91,125	-	-	91,125	91,125
Total	120,621	-	-	120,621	120,621
<u>Financial Liabilities</u>					
Payables	67,733	-	-	67,733	67,733
Borrowings	96,645	344,229	97,113	537,987	440,409
Total	164,377	344,229	97,113	605,719	508,142

**Gawler River Floodplain Management Authority
Notes to and forming part of the Financial Statements
for the year ended 30 June 2023**

2022	Due < 1 year	Due > 1 year ≤ 5 years	Due > 5 years	Total Contractual Cash Flows	Carrying Values
Financial Assets	\$	\$	\$	\$	\$
Cash & Equivalents	126,130	-	-	126,130	126,130
Receivables	98,664	-	-	98,664	98,664
Total	224,794	-	-	224,794	224,794
Financial Liabilities					
Payables	59,003	-	-	59,003	59,003
Borrowings	70,000	287,788	305,058	662,846	502,136
Total	129,003	287,788	305,058	721,849	561,139

The following interest rates were applicable to the Authority's Borrowings at balance date:

	2023		2022	
	Weighted Av Interest Rate	Carrying Value \$	Weighted Av Interest Rate	Carrying Value \$
Variable Interest Rates	6.05%	440,409	2.8%	502,136
		440,409		502,136

Risk Exposures:

Credit Risk represents the loss that would be recognised if counterparties fail to perform as contracted. The maximum credit risk on financial assets of the Authority is the carrying amount, net of any impairment. All Authority investments are made with the SA Local Government Finance Authority and are guaranteed by the SA Government. Exposure in relation to individual classes of receivables is concentrated within the Authorities boundaries, and there is no material exposure to any individual debtor.

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

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

Interest Rate Risk is the risk that future cash flows will fluctuate because of changes in market interest rates. The Authority has a balance of both fixed and variable interest rate borrowings and investments. Cash flow fluctuations are managed holistically in seeking to minimise interest costs over the longer term in a risk averse manner.

**Gawler River Floodplain Management Authority
Notes to and forming part of the Financial Statements
for the year ended 30 June 2023**

Note 11 Uniform Presentation of Financial Statements

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

All Local Government Councils and Authorities have agreed to summarise annual budgets and long-term financial plans on the same basis.

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

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY				
UNIFORM PRESENTATION OF FINANCIAL STATEMENTS				
for the year ended 30 June 2023				
		2023		2022
		\$		\$
Income		261,699		333,006
Expenses		(639,436)		(583,824)
Operating Surplus / (Deficit)		(377,737)		(250,818)
Less Net Outlays in Existing Assets				
Capital Expenditure on renewal and replacement of Existing Assets	-		(591,879)	
Add back Depreciation Amortisation and Impairment	328,561		322,298	
Proceeds from Sale of Replaced Assets	-		-	
		328,561		(269,581)
Less Net Outlays on New and Upgraded Assets				
Capital Expenditure on New and Upgraded Assets	-		-	
Amounts received specifically for New and Upgraded Assets	-		-	
Proceeds from Sale of Surplus Assets	-		-	
		-		-
Net Lending / (Borrowing) for Financial Year		(49,176)		(520,399)

Note 12 – Contingencies & Assets & Liabilities not recognised in the Balance Sheet

There are no contingencies, asset or liabilities not recognised in the financial statements for the year ended 30 June 2023

**Gawler River Floodplain Management Authority
Notes to and forming part of the Financial Statements
for the year ended 30 June 2023**

Note 13 - Events Occurring After Reporting Date

There were no events subsequent to 30 June 2023 that need to be disclosed in the financial statements.

Note 14 - Related Parties Disclosures

Key Management Personnel

The Key Management Personnel of the Gawler River Floodplain Management Authority (GRFMA) include the Chairman, Board Members, Deputy Board Members and Executive Officer. In all Key Management Personnel were paid the following total compensation:

	2023 \$	2022 \$
Salaries, allowances & Other Short Term Benefits		
Executive Officer	103,214	56,826
Chairperson	12,100	8,300
TOTAL	115,314	65,126

	Amounts received from Related Party during the financial year	Amounts received from Related Party during the financial year
	2023 \$	2022 \$
Adelaide Hills Council	16,042	32,076
The Barossa Council	39,351	36,730
Town of Gawler	24,215	44,116
Light Regional Council	39,351	36,730
Adelaide Plains Council	60,536	53,966
City of Playford	66,600	58,898
TOTAL	246,095	262,516

The Authority has been established for the following purposes:

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

Agenda Item: 8.5
Committee: Board
Meeting Date: 17 August 2023
Title: GRFMA 2022/2023 Annual Report

Recommendation:

That the GRFMA Board receives and adopts the GRFMA 2022/2023 Annual Report.

The Annual Report of the Gawler River Floodplain Management Authority has been prepared for the period 1 July 2022 to 30 June 2023.

It has been prepared pursuant to Clause 17 of the Charter which requires that the Authority must submit an annual report on its work and operations, including its audited financial statements, to each Constituent Council before 30 September.

The annual report was presented to the Audit Committee at its meeting held on 7 August 2023 and resolved:

That the GRFMA Audit Committee receives and notes the GRFMA 2022/2023 Annual Report as amended.

See attached for a copy of the GRFMA 2022/2023 Annual Report.

Note: the 2022/2023 Annual Financial Statements are to be inserted in the report following consideration and adoption of the recommendation of agenda Item 8.4.



The Barossa Council

ANNUAL REPORT 2022-23

Gawler River Floodplain Management Authority

Constituent Councils:

Adelaide Hills Council

Adelaide Plains Council

The Barossa Council

Town of Gawler

Light Regional Council

City of Playford

Gawler



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3. Governance
4. Evaluation of Performance Against the Business Plan
5. Financial Statements 2022-23

Chairperson Foreword

This report period has resulted in a number of primary activities being progressed in investigating preferred flood mitigation works for the Gawler River floodplain.

The Authority has continued its important engagement with the South Australian Government to complete the Gawler River Stormwater Management Plan and projects being undertaken as part of the Department of Environment and Water's Gawler River Flood Mitigation Program and Infrastructure SA Business Case Assurance Framework. More specifically:

Gawler River Stormwater Management Plan:

Consultants engaged by the Authority have now completed a Gawler River Environmental Impact Statement and Draft Stormwater Management Plan Report. The documentation has been assessed by Stormwater Management Plan Steering Committee established by the Authority comprising representation of the Authority, Green Adelaide and Northern and Yorke Landscape Boards, South Australian Department for Environment and Water, and the City of Playford.

The need for further investigation has been identified to ensure the report meets the scope outlined by the South Australian Stormwater Management Authority which ultimately is responsible for its approval. The Gawler River Stormwater Management Plan is now due for completion by the end of December 2023.

Gawler River Flood Mitigation Program:

Authority representatives have worked with the South Australian Department for Environment and Water's established Steering and Project Management Committees to progress the four "no regrets" projects outlined within the Gawler River Flood Mitigation Program primarily funded by the State Government:

1. Removal of trees following Hillier Bushfire (\$350-\$370K)
2. Construction of a drainage system for Virginia, Carmelo and Park Road Drain (\$3.8M)
3. New flood control and warning infrastructure (Gawler West, North Para and Nuriootpa (\$1M)
4. Northern floodway early works, existing levee bank repair, river survey and works (\$3.8M)

Supplementary funding being provided by the Authority's Constituent Councils as necessary. Each project is progressing within allocated budgets.

Gawler River Business Case:

A Gawler River Business Case Executive Committee established by the State Government with a representative from the Authority, Department for Environment and Water and Stormwater Management Authority has been working with a nominated Project Team to progress an Industry SA Assurance Framework process for prospective Gawler River flood mitigation works expected to have a value greater than \$50M.

Infrastructure SA Assurance Framework (ISAAF) has been initiated by the State Government to review, evaluate, and monitor delivery and performance of certain major infrastructure projects. The ISAAF sets out a process whereby Infrastructure SA undertakes a series of independent project reviews in consultation with the relevant public sector agencies.

The Gawler River Business Case is due for completion by end of December 2023.

The resultant investigations and recommendations of both the Gawler River Business Plan and Stormwater Management Plan will potentially identify preferred capital works for flood mitigation in excess of \$50M.

The ISAAF will facilitate pathways to both State and Federal Government funding for recommended capital works. Supplementary funding will be required from Local Government and other identified stakeholders prior to any works being progressed.

All agencies involved with the development of the Gawler River Stormwater Management Plan and Gawler River Business Case will be undertaking consultation with property owners within the floodplain and other stakeholders following completion of investigations and the respective reports.

In addition to the above, the Authority has also progressed the following activities:

- **Charter Review 2 Cost Contribution Model:**
The Authority has endorsed the principles of the Cost Contribution Model, as a starting point, to facilitate negotiation of Constituent Council contributions towards future Gawler River flood mitigation capital works and/or maintenance works exceeding \$1M.

The Authority has also agreed to pursue discussion with the State and Federal Governments to develop a funding model policy whereby the relevant portion of capital cost funding for flood mitigation projects is agreed between each tier of government.

➤ Disaster Relief Australia Big Map Events:

Disaster Relief Australia (NGO) was invited to conduct two “Big Map” flood mitigation events at the Town of Gawler for invited Constituent Councils, State Government Agencies and other stakeholders. Staffed predominately by Australian Defence Force veterans, the “Big Map” event proved an effective flood indication, mitigation and consultation tool.

The Authority will look to engage Disaster Relief Australia to conduct further “Big Map” events following the completion of the Gawler River Stormwater Management Plan and Business Case. The “Big Map” will be upgraded to include revised flood inundation mapping, flood monitoring/warning equipment and potential flood mitigation infrastructure for the purposes of effective communication with all relevant stakeholders.

➤ Board and Committee Appointments/Acknowledgements:

Confirmation of new appointments to the Board were received for:

- Mr Martin McCarthy and Cr Bruce Preece (The Barossa Council)
- Mr Richard Dodson and Cr Michael Phillips-Ryder (Light Region Council)
- Ms Whendee Young (Town of Gawler)
- Cr Clint Marsh (The City of Playford Council)

Mr Ben Clark (The Barossa Council) was also confirmed as a new appointment to the Technical Assessment Panel.

Retiring Board member acknowledgements were made for:

- Mayor Bim Lange and Mr Gary Mavrinac (The Barossa Council)
- Mr Lokesh Anand (Town of Gawler)

Special acknowledgements were made of long-serving Board members:

- Cr Bill Close and Mr Andrew Philpott (Light Regional Council)

Ian J. Baldwin

Chair and Independent Member

Gawler River Floodplain Management Authority (GRFMA)

The Gawler River

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

Purpose of the GRFMA



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

The Charter sets down the powers, functions, safeguards, accountabilities, and an operational framework.

The Authority has been established for the purpose of coordinating the planning, construction, operation, and maintenance of flood mitigation infrastructure for the Gawler River, and for the following functions:

- to raise finance for the purpose of developing, managing, and operating and maintaining works approved by the Board;
- to provide a forum for the discussion and consideration of topics relating to the Constituent Council's obligations and responsibilities in relation to management of flooding of the Gawler River;



- to advocate on behalf of the Constituent Councils and their communities where required to State and Federal Governments for legislative policy changes on matters related to flood mitigation and management and associated land use planning with Gawler River flood mitigation;
- to facilitate sustainable outcomes to ensure a proper balance between economic, social, environmental, and cultural consideration; and
- to provide advice as appropriate to the Constituent Councils in relation to development applications relevant to the Authority's roles and functions.

Governance

The Board

The Authority is governed by the Board of management. The Board comprises of:

- One independent person, who is not an officer, employee, or elected member of a Constituent Council, to be appointed as the Chairperson of the Board of Management of the GRFMA for a term of three years.
- Two persons appointed from each of the six Constituent Councils (12 members in total). Council appointees comprise of the Council CEO, or delegate and one Elected Member.
- Deputy Board members as appointed by each Constituent Council

The Members of the Board are:

Council	Board Members	Deputy Board Members
Chairperson & Independent Member	Mr Ian Baldwin	
Adelaide Hills Council	Cr Malcolm Herrmann Mr Ashley Curtis	Ms Natalie Armstrong
Adelaide Plains Council	Cr Terry-Anne Keen Mr James Miller	Cr John Lush Ms Sheree Schenk
The Barossa Council	Cr Bruce Preece Mr Martin McCarthy	Ben Clark
Town of Gawler	Cr Paul Koch Ms Whendee Young	Cr Brian Sambell
Light Regional Council	Cr Michael Phillips-Ryder Mr Richard Dodson	
City of Playford	Cr Clinton Marsh Mr Greg Pattinson	Cr Peter Rentoulis

Meetings of the Board are held at such time and such place as the Board decides subject only to the requirement that there will be at least one meeting in every two calendar months. Any Constituent Council, the Chairperson or three Board Members may by delivering a written request to the Executive Officer require a special meeting of the Board to be held and any such special meeting shall constitute a special meeting of the Authority.

Ordinary meetings of the Board are generally held bi-monthly on the third Thursday of the even months commencing at 9.45am: excepting December which is held on the second Thursday. Meetings are hosted by the Constituent Councils on a rotational roster with six Board meetings and two Special Board Meetings held during the year as follows:

Ordinary Board Meetings:

- Thursday 18 August 2022 – Town of Gawler
- Thursday 20 October 2022 – Adelaide Plains Council
- Thursday 8 December 2022 – City of Playford
- Thursday 16 February 2023 – Light Regional Council
- Thursday 20 April 2023 – Adelaide Hills Council
- Thursday 15 June 2023 – The Barossa Council

Two Special Board Meetings:

- Thursday 16 March 2023 – City of Playford
- Wednesday 28 June 2023 – Electronic Meeting

Technical Assessment Panel

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

The Members of the Panel are:

- Mr Ian Baldwin, Independent Chair
- Ms Ingrid Franssen, Manager Flood Management, DEWNR
- *Vacant*, Principal Engineer Dams, SA Water
- Mr Ben Clark, The Barossa Council, Council representative
- Mr Braden Austin, City of Playford, Council representative
- Mr David Hitchcock Executive Officer

No meetings of the Panel were held during the year.

Audit Committee

An Audit Committee has been appointed to review:

- the annual financial statements to ensure that they present fairly the situation to the Board; and
- the adequacy of the accounting, internal control, reporting and other financial management systems and practices to the Board on a regular basis.

The Committee held four (4) meetings during the year:

- Monday 8 August 2022
- Monday 28 November 2022
- Monday 6 March 2023
- Monday 5 June 2023

The members of the Committee are:

- Mr Peter Brass, Independent Member and Chairperson
- Mr Greg Pattinson, City of Playford
- Cr Malcolm Herrmann, Adelaide Hills Council

Membership of the GRFMA Audit Committee is for two years, until 30 June 2024.

Executive Officer

An agreement had been entered into with David Hitchcock to provide Executive Officer and Supervision of Consultants services to 31 December 2023. The Gawler River Flood Management Authority (GRFMA) under mutual agreement with David Hitchcock has agreed to void the current GRFMA Executive Officer Service Agreement (Contract: 1/22) at the end of the day on the 30 June 2023.

On 28/06/2023 the GRFMA engaged LUVROK Pty Ltd to undertake Executive Officer Services, in accordance with the agreed contract for service, for the term 1 July 2023 to 31 December 2025. Mr David Hitchcock is identified as the key person providing the services pursuant to agreed terms.

External Auditor

Dean Newbery and Partners have been appointed as the external auditor for 2020-2024. The Board has discretion to extend the term of appointment should it so determine.

GRFMA Policies

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

- Procurement Policy
- Grant Policy
- Fraud, Corruption and Maladministration Prevention Policy
- Internal Review of Decisions Policy
- Code of Practice Meeting Procedures
- Anti – Discrimination Fair Treatment Policy
- Consultation Policy
- Work Health and Safety Policy
- Access to Meetings and Documents Policy
- Dam Valuation Policy
- Treasury Management Policy
- Freedom of Information Statement

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

Meetings

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

No Freedom of Information requests were received during the year.

Forum	Total Resolutions for the year	Resolutions to exclude the Public – S90(3)	Purpose	Order for docs to remain confidential - S91(7)	%
Board	62	5		5	8
Technical Assessment Panel	0	0		0	0
Audit Committee	24	1		1	4

Key Strategic initiatives 2023

Strategic Plan

As a requirement of Charter Review the GRFMA has now established the inaugural Strategic Plan 2021-2026. The plan consists of a 5-year Strategic Plan (2026) and identifies relevant longer term strategic issues to 2036. The plan has established 3 key themes:

- Theme 1: Design, build, and maintain physical flood mitigation infrastructure
Objective: To have in place an agreed extent of physical flood mitigation infrastructure that is fit for purpose and achieves the targeted levels of performance.
- Theme 2: Develop and evolve key relationships
Objective: To maintain key relationships that are most important to the Authority achieving its purpose.
- Theme 3: Ensure good governance and ongoing financial sustainability
Objective: To ensure that the Authority meets legislative requirements and contemporary standards of governance and is financially sustainable for the long term.

Progressing the Gawler River Stormwater Management Plan

Stormwater management plans are strategic plans which should provide for the management of stormwater in an integrated and holistic way. They:

- Identify issues, risks and opportunities relating to stormwater management in a catchment.
- Outline the functions and responsibilities of all stakeholders involved in stormwater management, including Local Government authorities and State Government agencies.
- Set objectives for the protection and enhancement of the economic, environmental, social and cultural values in a catchment (as they relate to stormwater quality, water security and flood hazard).
- Identify and prioritise investments and initiatives that contribute to achievement of these objectives and address stormwater issues in a considered and coordinated manner.
- Outline a plan for implementation of the prioritised investments and initiatives.

Development of the plan stalled during 2022. Following representation from the GRFMA to the principal consultancy further work was able to be undertaken in late 2022. A draft copy of the State of the Catchment Report and Storm Water Management Plan was received late December 2022. Work is continuing to facilitate completion of the plan in conjunction with the Stormwater Management Authority.

Gawler River Flood Management business case development

Gawler River Flood Management was prioritised for business case development in the Infrastructure SA Capital Intentions Statement 2021. Through the collaborative State-Local Government Steering Committee established to oversee Gawler River Flood Management projects, a commitment has been made to progressing Gawler River Flood Management through the Infrastructure SA Assurance Framework (ISAAF) to develop a business case.

The Department for Environment and Water (DEW) is the sponsor agency for the Gawler River Flood Management Business Case.

The GRFMA and Constituent Councils are working collaboratively with and providing funds to DEW to complete the Business Case by 31 December 2023.

Bruce Eastick North Para Flood Mitigation Dam (BENPFM) Maintenance.

The BENPFM dam was designed as a dry detention basin to provide attenuation during flooding events. The dam attenuates high rainfall flows from the North Para by temporarily storing floodwater and then managing flow volume (downstream) through the dam.

Periodic inspections have been undertaken to ensure the dam is maintained in good condition and continues to operate at required services standards.

A scheduled and costed maintenance program (10 year plan) will be initiated from 1 July 2023.

Evaluation of Performance Against the Business Plan

Part A: Funding

Performance Targets:	Timings:	To be measured By:	Actual Achievements
Grant Claims	At all times	Lodge claims monthly for the payment of Commonwealth and State Government Grants.	☒ Claims lodged according to grant conditions
Maintain positive Cash Flow	At all times	Positive bank account balances at all times.	☒ Positive cash flow maintained

Part B: Proposed Flood Mitigation Scheme Works

Gawler River Flood Mitigation Scheme	
One	What will the Mark Two Scheme Include? (Note these steps may occur concurrently and not necessarily in the following order)
Two	Reconfirm with the Constituent Councils that a 1 in 100-year level of protection is the protection standard that is to be pursued in the development of the Gawler River Flood Mitigation Scheme - Mark Two Strategy. N.B. The protection standard does not guarantee full protection for all flood events. <i>The Findings Report 2016 advised the 1 in 100 ARI event is the minimum desirable level of flood protection for new development as well as for much of the existing floodplain development. GRFMA Strategic Plan Priority action 1.2 - Review, with Constituent Councils and stakeholders, design standards for infrastructure works including costs and benefits. The Findings Report 2016 advised enlarging the existing Bruce Eastick North Para Flood Mitigation Dam on the North Para offers the greatest level of protection with least impacts and is rated as the most favoured structural mitigation option. This option deferred pending completion of the Gawler River Storm Water Management Plan 2023 and the current process of the Gawler River Flood Mitigation Business Case (DEW). Noting feasibility of raising the height of the Bruce Eastick Dam is still a strategic consideration. GRFMA Strategic Plan Priority action 1.4 – In conjunction with the Constituent Councils, develop and implement a schedule of flood mitigation infrastructure works for the Gawler River referencing the Gawler River Stormwater Management Plan.</i>

Three	The Gawler River Floodplain Mapping Model should be maintained as the reference tool to demonstrate the level of flood protection and validity of design of land proposed for development as part of the approval process. To achieve this, the model should be upgraded to include recent works such as the Northern Expressway works, and the additional floodplain mapping completed as part of the Light River Templers Creek Salt Creek Mapping Study by the Adelaide Plains Council. Completed.
Four	To further develop the preliminary assessment of possible local area levees prepared in the 2008 Gawler River Floodplain Mapping Study at Gawler, Angle Vale and Two Wells and develop a levee strategy for Virginia to a robust design standard with a staging plan. Undertake a cost benefit study for each stage of the plan. Will be a consideration of the Gawler River Stormwater Management Plan 2023.
Five	Establish a protocol with the Floodplain Councils that where development of land in areas identified as 'at risk of flooding' is planned to proceed by the implementation of a local area levee that mapping of the proposed levees on the Gawler River Floodplain Mapping Study Model will be required. GRFMA Strategic Plan Priority action 1.4 – In conjunction with the Constituent Councils, develop and implement a schedule of flood mitigation infrastructure works for the Gawler River referencing the Gawler River Stormwater Management Plan.
Six	Maintain a working relationship with the Australian Rail Track Corporation to ensure that any changes to Railtrack infrastructure of culverts and rail heights are mapped on the Gawler River Floodplain Mapping Study Model to identify any changes to flooding impacts. Ongoing - new replacement of the rail bridge completed April 2021.
Seven	Develop a funding strategy for flood protection that is delivered by local area levees on the questions of who should own and maintain the levees and whether local area levees are regional works that the GRFMA should fund or are they local works that are the responsibility of the local Council. Will be a consideration of the Gawler River Stormwater Management Plan 2023 and the Gawler River Flood Mitigation Business Case (DEW).
Eight	Investigate opportunities for funding partners and grants to undertake the necessary assessments and designs. Ongoing. GRFMA is currently working with Department of Environment and Water on the \$9 Mil Gawler River Flood Mitigation projects 3 and 4 and the Gawler River Flood Mitigation Business Case (DEW). GRFMA Strategic Plan Priority action 2.4 – Proactively pursue governance structures and/or management approaches that bring together the various government agencies involved in water management related to the Gawler River to ensure coordinated action is taken to reduce flood risk, while contributing to greater integration of water management.

Nine The Scheme will also seek to clarify, through the Local Government Association, the policy and legal framework around maintenance of rivers and creeks where those rivers and creeks are part of the regional flood management plan. Under current legislation a landowner is responsible for the condition of a creek or waterway on private land. ***Pending finalisation of the review by Department Environment and Water. GRFMA submission provided.***

Part B: Maintenance of the Scheme

Performance Targets:	Timings:	To be measured by:	Actual Achievements
Six monthly inspection	June and December	Completion of Inspection Report	☑ Routine inspections completed

Part C: Operation of the Regional Subsidiary

Performance Targets:	Timings:	To be measured by:	Actual Achievements
Reports to Stakeholders	Bi-Monthly	Key Outcomes Summary to be published following each Board Meeting	☑ Key Outcomes Summary prepared following GRFMA meetings
Maintain effective Regional Subsidiary	December	The performance of the Executive Officer be reviewed annually. Charter Review	☑ Review conducted in December 2022 ☑ Charter Review 2 Funding Model adopted April 2023 ☑ Charter Review 2 completed April 2023
	August	The appointment of Auditor, Bank Operators, levels of insurance, appropriate registrations, delegations, and policies be reviewed annually.	☑ New External Auditor 2019-2024 appointed June 2019 ☑ Appropriate levels of insurance reviewed in July 2022

Performance Targets:	Timings:	To be measured by:	Actual Achievements
Review of the Business Plan	By 31 st March	Review the Business Plan prior to preparing the Budget. Forward to the Councils	☒ June 2022 - Business Plan 2022- 2023 adopted ☒ June 2023 - Achievements against the Business Plan 2022-2023 presented
Annual Budget	By 31 st March, June, October, December	Adopt for consultation forward to Councils- Adopt Budget – copy to Councils in 5 days- Conduct Budget Reviews	☒ 2023-2024 Draft Budget forwarded in March 2023 to Consistent Councils for consultation ☒ Budget Reviews 1, 2 and 3 reviewed by GRFMA Audit Committee
Subscriptions	June December	Send half year subscriptions to Council.	☒ All first half subscriptions paid ☒ All Second half subscriptions paid
Report to Constituent Councils	Following each Board meeting By 30 th September	The receipt of the following reports by Councils, Board Meeting Key Outcome Summary Annual Report including Annual Financial Statements	☒ Key Outcomes Summary prepared for meetings ☒ Annual Report forwarded electronically to Councils
Governance	Ongoing	Policies and new management framework documents developed and reviewed	☒ Independent review of GRFMA policies completed April 2023 ☒ Management Framework documents now adopted GRFMA Strategic Plan Asset Management Plan and Long Term Financial Plans ☒ Charter Review 2 Funding Model adopted April 2023 ☒ Charter Review 2 completed April 2023

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Performance Targets:	Timings:	To be measured by:	Actual Achievements
Annual Operations		Implementation of requirements of the BENPFM Dam Operation and Maintenance Manual. Periodical inspections of BENPFM dam and lands Removal of deposited flood debris at upstream wall of BENPFM Dam Continuation of the revegetation program around land associated with the BENPFM Dam. Weed control	☒ Ongoing - Programmed management costed and funded in 2023/2024 draft Budget ☒ Ongoing ☒ As required ☒ Ongoing, within budgeted funds, in collaboration with Light Regional Council ☒ Annually as required. ☒ Annual land management lease in place

Financial Statements 2022-23

1. Certification of Financial Statements
2. Financial Statements and Notes
3. Related Parties Disclosures
4. Statement of Auditors Independence
5. Certification of Auditor Independence

Agenda Item: 8.6
Committee: Board
Meeting Date: 17 August 2023
Title: Schedule of Assets

Recommendation:

That the Schedule of Constituent Council's Interest in Net Assets 30 June 2023 be adopted in accordance with Clause 15.5 of the Charter.

Schedule of Constituent Council's Interest in Net Assets as at 30th June 2023

Prepared to meet the requirements of Clause 15.5 of the Charter

Note 2 - Schedule of Constituent Council's Interest in Net Assets as at 30th June 2023

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

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

Calculation of Net Equity**Assets**

Investments / Debtors	\$ 120,621
Infrastructure	\$ 21,153,695
Land	\$ 460,000
	\$ 22,734,317

Less Liabilities

Accounts Payable / Creditors	\$ 67,732
Borrowings	\$ 440,409
NET EQUITY	\$ 21,226,175

Allocation of Councils Interest in Net Assets

Constituent Councils	Accumulated Subscriptions for Operations to 30 June 2023 \$	Accumulated Subscriptions for Maintenance to 30 June 2023 \$	Accumulated Subscriptions for Scheme Works to 30 June 2023 \$	All Subscriptions to 30 June 2022 \$	Percentage of Contributions to the Total	Council's Interests in Net Assets \$
Adelaide Hills Council	228,944	6,352	74,109	309,405	5.14%	1,091,717
The Barossa Council	228,944	31,813	371,133	631,890	10.50%	2,229,587
Town of Gawler	228,944	63,586	741,174	1,033,704	17.18%	3,647,364
Light Regional Council	228,944	31,813	371,133	631,890	10.50%	2,229,587
Adelaide Plains Council	228,944	106,079	1,235,283	1,570,306	26.10%	5,540,733
City of Playford	228,944	127,254	1,482,344	1,838,542	30.58%	6,487,187
	1,373,664	366,897	4,275,176	6,015,737	100%	21,226,175

Agenda Item: 8.7
Committee: Board
Meeting Date: 17 August 2023
Title: Financial Report

Recommendation:

1. **Receives the financial report as of 31 July 2023 showing a cash at bank balance of \$44,326.13.**
 2. **Notes internal cash lending for CAD offset is \$129,200.**
-

Financial Report 31 July 2023

See attachments for the monthly reconciliations:

- ✧ Reconciliation to 31/07/2023
- ✧ Balance Sheet 31/07/2023
- ✧ Budget result to 31/07/2023

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Gawler River Floodplain Manage Auth

266 Seacombe Road
Seacliff Park SA 5049

ABN: 12 925 534 861

Email: davidhitchcock@bigpond.com

Reconciliation Report

ID No.	Date Memo/Payee	Deposit	Withdrawal
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Account: 1-1110 Bank SA Account
 Date Of Bank Statement: 31/07/2023
 Last Reconciled: 30/06/2023
 Last Reconciled Balance: \$28,689.94

Cleared Cheques

BPay	30/06/2023	ATO	\$1,668.50
EFT	30/06/2023	Ian Baldwin	\$2,000.00
EFT	30/06/2023	Mc Arthur	\$2,860.00
EFT	30/06/2023	David Hitchcock	\$3,883.36
EFT	30/06/2023	Norman Waterhouse	\$1,650.00
EFT	30/06/2023	Business Risk Assurance Strategy Solutions	\$650.00
EFT	30/06/2023	Emma Pink	\$760.00
EFT	30/06/2023	VRM Accounting	\$95.70
EFT	30/06/2023	Mc Arthur	\$2,145.00
GJ000137	1/07/2023	Reverse transfer to Accrued Payables	\$57,012.28
GJ000139	24/07/2023	MYOB Subs	\$65.00
SC310723	31/07/2023	Safe deposit fee	\$5.00
Total:			\$0.00 \$72,794.84

Cleared Deposits

GJ000136	30/06/2023	Transfer outstanding Cheques to Accrued Payable:	\$57,012.28
GJ000141	14/07/2023	ATO BAS refund	\$20,227.80
CR000176	18/07/2023	Payment; Adelaide Hills Council	\$16,041.85
GJ000140	31/07/2023	Pay CAD to bank	\$40,000.00
Total:			\$133,281.93 \$0.00

Outstanding Cheques

EFT	30/06/2023	Water Technology	\$35,684.00
EFT	30/06/2023	Water Technology	\$5,615.72
Total:			\$0.00 \$41,299.72

Reconciliation:		
AccountRight Balance On 31/07/2023:		\$47,877.31
Add: Outstanding Cheques:		\$41,299.72
SubTotal:		\$89,177.03
Deduct: Outstanding Deposits:		\$0.00
Expected Balance On Statement:		\$89,177.03 ✓

Business Banking Online



Transaction History Report

Please advise any error or unauthorised transaction promptly to the bank

Account name GAWLER RIVER FLOODPLAIN MANAGEMENT
 Account number 010 0101 248 140
 BSB 105-010
 Currency AUD
 Opening balance 28,689.94CR
 Transaction period from 01/07/2023 to 31/07/2023

Date	Description	Serial number	Debit	Credit	Balance
05/07/2023	INTERNET WITHDRAWAL 05JUL10:32 Accounting		95.70 ✓		28,594.24CR
05/07/2023	INTERNET WITHDRAWAL 05JUL10:32 Chair Audit June		650.00 ✓		27,944.24CR
05/07/2023	INTERNET WITHDRAWAL 05JUL10:32 First Nations eng SMP		760.00 ✓		27,184.24CR
05/07/2023	INTERNET WITHDRAWAL 05JUL16:50 Chair Hon June23		2,000.00 ✓		25,184.24CR
05/07/2023	INTERNET WITHDRAWAL 05JUL16:50 EO services June 23		3,883.36 ✓		21,300.88CR
05/07/2023	INTERNET WITHDRAWAL 05JUL10:32 SA9922Chair Recruit		5,005.00 ✓		16,295.88CR
10/07/2023	INTERNET WITHDRAWAL 10JUL12:01 IN5134219		1,650.00 ✓		14,645.88CR
10/07/2023	TFR WDL BPAY INTERNET 10JUL12:01 004007926611621121 TAX OFFICE PAYMENTS		1,668.50 ✓		12,977.38CR
14/07/2023	ATO ATO129255348611001			20,227.80 ✓	33,205.18CR
18/07/2023	Bank AdelHillsCouncil			16,041.85 ✓	49,247.03CR
20/07/2023	SAFE DEPOSIT FEE (INC GST)		5.00 ✓		49,242.03CR
26/07/2023	MYOB Australia MYOB 1-87484704314		65.00 ✓		49,177.03CR
31/07/2023	OSKO DEPOSIT 31JUL14:27 23911 LOCAL GOVERNMENT FINANCE AUTHORIT			40,000.00 ✓	89,177.03CR
	TOTAL		15,782.56	76,269.65	89,177.03CR ✓

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Gawler River Floodplain Manage Auth

266 Seacombe Road
Seacliff Park SA 5049

ABN: 12 925 534 861

Email: davidehitchcock@bigpond.com

Reconciliation Report

ID No.	Date Memo/Payee	Deposit	Withdrawal
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Account: 1-1130 LGFA Investment Account
Date Of Bank Statement: 31/07/2023
Last Reconciled: 30/06/2023
Last Reconciled Balance: \$805.60

Cleared Deposits

IE310723	31/07/2023	Int LGFA	\$54.61	
			Total:	\$54.61 \$0.00
Reconciliation:				
			AccountRight Balance On 31/07/2023:	\$860.21
			Add: Outstanding Cheques:	\$0.00
			SubTotal:	\$860.21
			Deduct: Outstanding Deposits:	\$0.00
			Expected Balance On Statement:	\$860.21

Gawler River Floodplain Management Authority

**Transaction Statement from 01/07/2023 to 31/07/2023 inclusive****Council Deposits**

Deal	Action Date	Transaction	Interest Rate	Amount	Balance
Gawler River General					
Council Dep - 24HR Mthly - 61548					
	01/07/2023	Opening Balance	4.30%		\$805.60
61548	03/07/2023	Capitalise Interest	4.30%	\$54.61	\$860.21
	31/07/2023	Closing Balance	4.30%		\$860.21
Accrued Interest for Selected Period				\$3.10	
Unpaid Accrued Interest for Interest Period				\$3.10	
Gawler River General Total for Selected Period				\$3.10	
Gawler River General Total Unpaid for Interest Period				\$3.10	

Summary

Council	Accrued Interest	Unpaid Accrued Interest
Gawler River General Total	\$3.10	\$3.10
Grand Total	\$3.10	\$3.10

Local Government Finance Authority of South Australia
 Suite 1205, 147 Pirie Street, ADELAIDE SA 5000
 E: admin@lgfa.com.au P: 08 8223 1550 W: www.lgfa.com.au ABN: 80 189 672 209

Gawler River Floodplain Management Authority



Local Government Finance Authority of SA

Consolidated Loans and Investments as at close of business 02/08/2023

Debenture Loans

Counterparty	Deal	Deb. No.	Orig. Principal	Rate	Instalment Date	Instalment	Principal	Interest	Current Principal
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Cash Advance Debentures

Counterparty	Deal	Instrument	Maturity Date	Facility End Date	Rate	Current Principal	Limit	Available Balance
Gawler River General CA 1 Cash Advance	60459	Council Loan-CAD Variable	03/08/2023	15/12/2031	6.05%	-\$486,033.73	\$700,000.00	\$213,966.27
Totals						-\$486,033.73	\$700,000.00	\$213,966.27

Council Deposits

Counterparty	Deal	Instrument	Maturity Date	Rate	Balance
Gawler River General	61548	Council Dep - 24HR Mthly	03/08/2023	4.30%	\$863.31
Totals					\$863.31

Summary as at close of business 02/08/2023

Local Government Finance Authority of South Australia
 Suite 1205, 147 Pirie Street, ADELAIDE SA 5000
 E: admin@lgfa.com.au P: 08 8223 1550 W: www.lgfa.com.au ABN: 80 189 672 209



Entity	Amount
Cash Advance Debentures	-\$486,033.73
CAD Limit Available	\$213,966.27
Council Deposits	\$863.31
Net Position	-\$485,170.42
Weighted Average Interest Rate % (Deposits)	4.30%
Weighted Average Interest Rate % (Loans)	6.05%

Local Government Finance Authority of South Australia
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Gawler River Floodplain Manage Auth

Profit & Loss [Budget Analysis]

July 2023 To June 2024

ABN: 12 925 534 861

	Selected Period	Budgeted	\$ Difference
Income			
Admin of GRFMA			
Member Subscriptions	\$74,814	\$149,630	-\$74,816
Interest LGFA	\$55	\$419	-\$364
Other	\$0	\$104	-\$104
Total Admin of GRFMA	\$74,869	\$150,153	-\$75,284
Maint Flood Mit Scheme			
Council Subscriptions	\$69,879	\$139,758	-\$69,879
Total Maint Flood Mit Scheme	\$69,879	\$139,758	-\$69,879
Total Income	\$144,748	\$289,911	-\$145,163
Gross Profit	\$144,748	\$289,911	-\$145,163
Expenses			
Admin of GRFMA			
Executive Officer Contract	\$0	\$58,656	-\$58,656
Adv, printing, stationery post	\$0	\$1,300	-\$1,300
Travelling Expenses	\$0	\$4,160	-\$4,160
Insurance PL & PI	\$3,121	\$7,280	-\$4,159
Audit Committee	\$0	\$2,756	-\$2,756
Audit Fees	\$0	\$5,824	-\$5,824
Bank Fees	\$5	\$125	-\$120
Legal Fees	\$0	\$2,080	-\$2,080
Honorarium - Chairperson	\$0	\$9,048	-\$9,048
Super Guarantee	\$0	\$6,500	-\$6,500
Other	\$959	\$6,344	-\$5,385
Total Admin of GRFMA	\$4,084	\$104,073	-\$99,989
Gawler River Scheme Mark 2			
Consultancies	\$0	\$46,080	-\$46,080
Total Gawler River Scheme Mark 2	\$0	\$46,080	-\$46,080
Maint Flood Mitigation Scheme			
BENPFM Dam repairs	\$0	\$69,550	-\$69,550
Rates & Levies	\$0	\$208	-\$208
Total Maint Flood Mitigation Scheme	\$0	\$69,758	-\$69,758
Depreciation			
Depreciation	\$0	\$322,298	-\$322,298
Total Expenses	\$4,084	\$542,209	-\$538,125
Operating Profit	\$140,663	-\$252,298	\$392,961
Total Other Income	\$0	\$0	\$0
Other Expenses			
Interest Expense	\$0	\$70,000	-\$70,000
Total Other Expenses	\$0	\$70,000	-\$70,000
Net Profit/(Loss)	\$140,663	-\$322,298	\$462,961

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Gawler River Floodplain Manage Auth

266 Seacombe Road
Seacliff Park SA 5049

ABN: 12 925 534 861

Email: davidehitchcock@bigpond.com**Balance Sheet**

As of 4/08/2023

Assets		
Current Assets		
Bank Accounts		
Bank SA Account	\$43,465.92	
LGFA Investment Account	\$860.21	
Total Bank Accounts		\$44,326.13
Other Current Assets		
Trade Debtors	\$213,895.76	
Debtor	\$54.61	
ATO Payments & Refunds	\$20,296.00	
Total Other Current Assets		\$234,246.37
Total Current Assets		\$278,572.50
Non-Current Assets		
Infrastructure	\$25,836,878.99	
Accum. Depr. Infrastructure	-\$4,741,783.60	
Land	\$460,000.00	
Access Roads	\$84,000.00	
Accumulated Dep Access Rd	-\$25,400.00	
Total Non-Current Assets		\$21,613,695.39
Total Assets		\$21,892,267.89
Liabilities		
Current Liabilities		
GST Liabilities		
GST Collected	\$34,697.16	
GST Paid	-\$396.94	
Total GST Liabilities		\$34,300.22
Other Current Liabilities		
Accrued Expense	\$10,720.16	
Cash Advance Debenture	\$480,409.37	
Total Other Current Liabilities		\$491,129.53
Total Current Liabilities		\$525,429.75
Total Liabilities		\$525,429.75
Net Assets		\$21,366,838.14
Equity		
Accumulated Surplus	\$15,974,461.00	
Asset Revaluation Reserves	\$8,664,973.10	
Retained Earnings	-\$3,413,259.12	
Current Year Surplus/Deficit	\$140,663.16	
Total Equity		\$21,366,838.14

This report includes Year-End Adjustments.

Page 1 of 1

Agenda Item: 8.8
Committee: Board
Meeting Date: 17 August 2023
Title: Executive Officer KPI

Recommendation:

That the GRFMA

1. **Receives the report.**
2. **Directs that strategic priority and reporting mechanisms of GRFMA Executive Officer KPIs be included in the remit of the working group established to facilitate a program for delivery of Strategic Plan actions.**

On 28/06/2023 the GRFMA engaged LUVROK Pty Ltd to undertake GRFMA Executive Officer services, in accordance with the agreed contract for service, for the term 1 July 2023 to 31 December 2025.

Mr David Hitchcock is identified as the key person providing the services pursuant to agreed terms.

The new contract provides.

Services means the services described in Item 10 of Schedule 1 or such other services as may be agreed in writing by the Principal and the Contractor from time to time.

Item 10 Schedule 1 In accordance with the requirements of GRFMA EO Key Performance Indicators 1 July 2023. The Contractor will report to the Board of the Principal and provide a written report at every Board meeting.

Refer attached for a copy of the contracted performance indicators (Schedule 3).

A work management program has now separately been established, to identify and measure actions and resources required to deliver the services required.

See attached copy "GRFMA work requirements August 2023".

In noting GRFMA has budgeted 8.5 hours a week (0.25 FTE) for provision of GRFMA Executive Officer services by LUVROK Pty Ltd, it is clear there is a lot to do, and prioritising of actions will be beneficial for effective delivery. Efficiency in mechanisms for reporting to the Board will also assist.

Subject to considerations of Agenda item 8.1 Strategic Plan it is suggested there is benefit in include CEO KPIs in the remit of that proposed working group.

Schedule 3 – Performance Indicators – Effective 1 July 2023

Specific Actions	To be measured by	Reporting Frequency	Due Date
To maintain the business office of the Authority and to inform the Board of its responsibilities.	Compliance with its Charter and the Local Government Act and Regulations and other relevant legislation.	Annually.	June.
To attend all meetings of the Authority and its Committees, prepare Agendas & Minutes and to attend the subsequent actions as required.	The timely preparation of Agendas, reports, minutes, key outcomes and correspondence.	Six times per year; Agendas Minutes Key Outcomes Actions	5 business days prior to scheduled meetings Within 5 business after meeting Within agreed timeframe
Management of the GRFMA strategic management documents consisting of: • Strategic Plan; • Asset Management Plan; • Annual Business Plan; and • Long Term Financial Plan.	Progress reports to the Board.	Twice per year.	February & August.
To prepare the Draft Annual Report.	In accordance with the Local Government Act and Regulations.	Annually.	August.
To prepare the Draft Annual Business Plan, Budgets and reports in a timely manner for consideration and endorsement by the constituent councils and the Board.	Adoption of the Annual Business Plan & Long Term Financial Plan.	Annually.	June.
To liaise with constituent councils, Green Adelaide, Northern Yorke Landscape Board, Stormwater Management Authority and other agencies to promote the Authority.	Present to constituent councils and engage with other agencies and stakeholders as required.	Annually; Present to councils Others	Each council once per financial year Each agency once per financial year and reported at next meeting of Authority.
With Chair of the GRFMA, engage with relevant federal and state ministers/MPs & CEOs to ensure Gawler River Floodplain remains at the forefront on Government in terms of flood and risk mitigation.	Report on meetings or engagements with ministers & CEOs.	Six times per year.	Update report on engagements at each meeting.

Specific Actions	To be measured by	Reporting Frequency	Due Date
Actively pursue grant funding for various Gawler River Flood Mitigation Scheme activities.	Actions undertaken to pursue new flood mitigation management initiatives and associated funding.	Annually. Adhoc.	February – report each year that identifies projects that could be funded, funding sources, probability of receiving funding and any other relevant information. At next meeting – When new funding programs are announced that are relevant.
Proactively promote the works and activities of the Authority.	Media releases issued, a minimum of 4 per year.	Six times per year.	Each meeting.

Agenda Item:	8.9
Committee:	Board
Meeting Date:	17 August 2023
Title:	Riverlea EIS

Recommendation:**That the GRFMA**

- 1. Notes that further information is required to further understand the potential impacts of additional stormwater discharge to the Gawler River from the proposed variation to the previously approved Buckland Park (Riverlea) Township Major Development.**
 - 2. Endorses the GRFMA submission made to the Secretary, State Planning Commission on 24/07/2026, in that regard.**
-

DTI-PLUS is currently assessing a variation to the previously approved Buckland Park (Riverlea) Township Major Development (now Impact Assessed development).

The proposed variation is detailed in an Amendment to the Environmental Impact Statement (AEIS) and includes a revised stormwater and flood mitigation strategy comprising a saltwater lake system, a revised road network pattern, land division layout and staging plan, and related infrastructure for Precinct 2.

The Minister for Planning released the AEIS for public consultation for a period of **30-business days**, commencing Wednesday 14 June 2023.

A public notice was published in the Advertiser newspaper to notify the public about the consultation process and how to access a copy of the documents and to make a submission (primarily via the Plan SA Portal).

Referral bodies (State Government agencies / Councils) were also invited to provide any comments on the AEIS by **26 July 2023**.

The AEIS is accessible via the PlanSA 'Impact Assessment' page:

https://plan.sa.gov.au/development_applications/state_development/impact-assessed-development/majors/major_projects/majors/buckland_park_township and the 'Applications on Notification' page:
https://plan.sa.gov.au/have_your_say/notified_developments/state_developments

As Riverlea is situated on the lower reaches of the Gawler River, the GRFMA Executive Officer engaged independent consultancy, Tonkin, to consider the AEIS and comment on what the amended proposal might have on the Gawler River in regards:

- to flood waters as they might occasion from upstream catchment; and
 - observation of any stormwater from the Riverlea infrastructure (into the river) that might impact on the water flow of the Gawler River or integrity of the channel.
-

The purpose is to ensure the GRFMA is aware of likely impacts (or not) and to enable relevant comment to be submitted as the GRFMA position.

In summary Tonkin advised

Review of the amended EIS for Riverlea Park identified that the broader stormwater and flood management systems generally remains consistent with what had been outlined in previous stormwater management statements.

One exception relates to the description of a northern outlet from the northwest of the site which is stated to discharge to the Gawler River.

For the post-development scenario, the general surface flow direction remains towards the southwest and the main discharge point is the Thompson Creek Outlet Channel. However, the Water Quality Modelling report (Appendix F of the Stormwater Management report by WGA) states that wetlands in the northwest portion of the site in the MUSIC modelling will treat stormwater prior to discharge to the Gawler River.

No stated intent to discharge to the Gawler River was noted in the previous EIS prepared for Riverlea Park. Review of the information provided did not clearly note the expected flow rates and volumes discharging through the northern outlet to the Gawler River.

All discussion around stormwater flow mitigation relates to detention within the salt water lakes and the detention basin at the southern extent of the site.

To thoroughly understand the potential impacts of this addition discharge to the Gawler River, information around the expected infrastructure sizing, flow rates and volumes should be presented. Design of any future stormwater outlet would also need to be carefully managed to avoid creating an instability in the riverbank.

Further information is requested to provide greater confidence that the proposed outlet would not have a negative impact on the Gawler River channel.

This information was submitted to the Secretary, State Planning Commission on 24/07/2026.

Cost of the consultancy was \$3,343 excluding GST.

See attached the report from Tonkin.



231303L001RevA

21 July 2023

Gawler River Floodplain Management Authority
David Hitchcock – Executive Officer
266 Seacombe Road
Seacliff Park SA 5049

Attention: David Hitchcock

Dear David

RE: REVIEW OF RIVERLEA AMENDED ENVIRONMENTAL IMPACT STATEMENT

Walker Corporation Pty Ltd (Walker) lodged a major development application for a subdivision and development at Buckland Park (now named Riverlea Park). Gawler River forms the northern boundary of the development. In the lower reaches, Gawler River is a perched channel meaning that the top of banks is elevated above the surrounding land and local runoff would not drain directly into the main channel. Flood modelling indicated that breakouts from the Gawler River, both along the northern boundary and further upstream of Port Wakefield Road, traverse the development extent.

The Riverlea development was subject to an Environmental Impact Statement (EIS). Components of the application were approved in 2010. Alterations occurred between 2010 and 2014, to facilitate the Precinct 2 subdivision. This resulted in an amended EIS. Further approval was granted in 2017.

Walker has further reviewed Precinct 2 and an alteration has been made to the original approval, triggering an amendment to the EIS. The main alteration relates to the inclusion of a saltwater lake system commencing within Precinct 2. This was primarily to replace the broad open channel system and provides a greater level of amenity. This has altered the stormwater and floodway strategy for the development.

Tonkin has been engaged by the Gawler River Floodplain Management Authority (GRFMA) to undertake an independent review of the amended EIS. The review is to provide specific advice regarding any potential impacts on flood waters from upstream catchments and any stormwater from Riverlea Park that might impact on water flow of the Gawler River or impact on the integrity of the Gawler River main channel.

Amended Environmental Impact Assessment Review

Stormwater Management

Gawler River main channel is perched and pre-development flows from the Riverlea Park site generally drain towards the southwest. There is no direct discharge into the Gawler River main channel.

The stormwater management strategy outlined in the Riverlea Park Stormwater Management report (WGA, 2023) was reviewed. This details that surface water management within the site will be through a conventional network of pipes to collect runoff from roof and road areas. This drainage network discharges to a series of open channels, wetlands, salt water lakes and a large detention basin near the southern boundary.

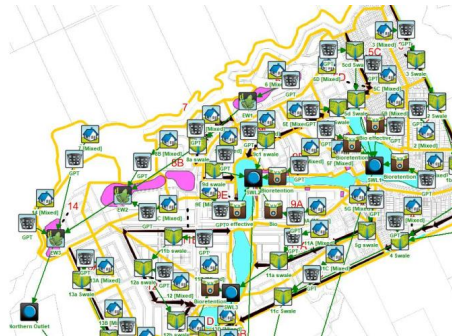
Tonkin Consulting ABN 67 606 247 876 ACN 606 247 876
Level 2, 170 Frome Street Adelaide SA 5000
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Adelaide | Berri | Mt Gambier | Mildura | Darwin | Brisbane | Sydney

Building
exceptional
outcomes
together

1



For the post-development scenario, the general surface flow direction remains towards the southwest and the main discharge point is the Thompson Creek Outlet Channel. However, the Water Quality Modelling report (Appendix F of the Stormwater Management report by WGA) states that wetlands in the northwest portion of the site (see below (left) referred to as EW1, EW2, and EW3 in the MUSIC modelling (right)) will treat stormwater prior to discharge to the Gawler River.



No stated intent to discharge to the Gawler River was noted in the previous EIS prepared for Riverlea Park. Review of the information provided did not clearly note the expected flow rates and volumes discharging through the northern outlet to the Gawler River. All discussion around stormwater flow mitigation relates to detention within the salt water lakes and the detention basin at the southern extent of the site. To thoroughly understand the potential impacts of this addition discharge to the Gawler River, information around the expected infrastructure sizing, flow rates and volumes should be presented. Design of any future stormwater outlet would also need to be carefully managed to avoid creating an instability in the riverbank.

Flood Management

The Riverlea Park layout incorporates a series of lineal drainage channels located to effectively convey breakouts from the Gawler River through the site to the Thomson Creek Outlet Channel. The amended Precinct 2 layout incorporating the salt water lake system retains the regional lineal drainage channels. Updated hydraulic modelling of the 1% AEP flood event for the Gawler River is detailed in the WGA report. This illustrates that the open channel system conveys Gawler River breakouts through the site along the eastern and southern boundary. A sensitivity analysis was also completed to consider the impacts of a partial blockage within the Gawler River main channel north of Riverlea Park at several separate locations. These modelling scenarios did not suggest that flows through Riverlea Park would be greatly increased by a partial blockage of the Gawler River channel north of the site.

The flood management system does not seek to protect Riverlea Park through a series of levees and generally maintains the natural flood flow paths away from the Gawler River main channel. This approach is unlikely to functionally alter the flood hydraulics of the Gawler River. It is reasonable to consider that the development of Riverlea Park and associated open channel system would not have significant adverse impacts on the Gawler River from a flood management perspective.

Summary

Review of the amended EIS for Riverlea Park identified that the broader stormwater and flood management systems generally remains consistent with what had been outlined in previous stormwater management statements. The one potential exception relates to the description of a northern outlet from the north west of the site which is stated to discharge to the Gawler River.



Minimal detail is provided about this discharge location in terms of infrastructure requirements, discharge flow rates and volumes. Further information could be requested to provide greater confidence that the proposed outlet would not have a negative impact on the Gawler River channel.

If you have any questions regarding the information provided above, please call me on 8273 3100.

Yours sincerely,

Ben Taylor

Senior Engineer

Tonkin

MINUTES

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY BOARD

9:45am Thursday 17 August 2023
Town of Gawler – Admin Centre, 43 High Street, Gawler East

1. Meeting of the Board

1.1 Welcome by the GRFMA Chairperson

Mr Ian Baldwin formally welcomed Board Members, Deputy Board Members, Observers and the Executive Officer and opened the 143rd meeting of the Board.

1.2 Present

- Mr Ian Baldwin, Independent Board Member, Chair
- Cr Terry-Anne Keen, Adelaide Plains Council, Board Member
- Mr James Miller, Adelaide Plains Council, Board Member
- Cr John Lush, Adelaide Plains Council, Observer
- Cr Malcolm Herrmann, Adelaide Hills Council, Board Member
- Mr Ashley Curtis, Adelaide Hills Council, Board Member
- Cr Bruce Preece, The Barossa Council, Board Member
- Mr Ben Clark, The Barossa Council, Deputy Board Member
- Cr Paul Koch, Town of Gawler, Board Member
- Ms Whendee Young, Town of Gawler, Board Member
- Mr Richard Dodson, Light Regional Council, Board member
- Cr Clint Marsh, City of Playford, Board Member
- Mr Greg Pattinson, City of Playford, Board Member
- Mr David Hitchcock, Executive Officer

Presenter: Catharine Ward, Department for Environment and Water

1.3 Apologies

- Mr Martin McCarthy, The Barossa Council, Board Member
- Cr Brian Sambell, Town of Gawler, Deputy Board Member
- Cr Michael Phillips-Ryder, Light Regional Council, Board Member
- Cate Hart, Department for Environment and Water

1.4 Appointment of Observers

GB58/23 **Observers**
Moved: Cr Terry-Anne Keen
Seconded: Mr James Miller

That Cr John Lush be appointed as Observer.

CARRIED UNANIMOUSLY

1.5 Declarations of Interest

Nil

2. Confirmation of Minutes**2.1 GRFMA Ordinary Meeting Minutes****GB59/23 GRFMA Ordinary Meeting Minutes****Moved:** Cr Bruce Preece**Seconded:** Mr James Miller

That the Minutes of the Gawler River Floodplain Management Authority Board meetings held on 15/06/2023, 28/06/2023 (Special Board Meeting) and 27/07/2023 (Special Board Meeting) be confirmed as a true and accurate record of those meetings.

CARRIED UNANIMOUSLY**2.2 GRFMA Confidential Meeting Minutes****GB60/23 GRFMA Confidential Meeting Minutes****Moved:** Cr Terry-Anne Keen**Seconded:** Cr Malcolm Herrmann

That the Confidential Minutes of the Gawler River Floodplain Management Authority Board Special Meeting held on 27/07/2023 be confirmed as a true and accurate record of that meeting.

CARRIED UNANIMOUSLY**2.3 Actions on Previous Resolutions**

Noted.

2.4 Matters Arising from the Minutes

Nil

3. Questions on Notice

Nil

GB61/23 Agenda Order of Business**Moved:** Cr Bruce Preece**Seconded:** Cr Terry-Anne Keen

That the Motions on Notice be received, and that item 4 be deferred in the agenda order of business until after item 9.

CARRIED UNANIMOUSLY

5. Presentations

5.1 Gawler River Business Case

Ms Catharine Ward, Project Manager for Gawler River Floodplain Management, Department for Environment and Water provided a presentation on the Business Case.

9:56am Cr Clint Marsh arrived at the meeting.

10:46am James Miller left the meeting.

10:50am James Miller returned to the meeting.

11:00am the Chair Ian Baldwin adjourned meeting procedures to allow time for a short break.

11:10am Catharine Ward left the meeting.

11:10am meeting procedures resumed.

6. Audit Committee

6.1 Audit Committee Meeting Minutes

GB62/23 **Audit Committee Meeting Minutes**
Moved: Cr Malcolm Herrmann
Seconded: Cr Bruce Preece

That the Minutes of the Gawler River Floodplain Management Authority Audit Committee meeting held on 7/8/2023 be received.

CARRIED UNANIMOUSLY

7. Technical Assessment Panel

Nil

8. Reports

8.1 GRFMA Strategic Plan

GB63/23 **GRFMA Strategic Plan**
Moved: Cr Clint Marsh
Seconded: Mr James Miller

That the GRFMA establishes a small working group of interested Board Members, to work with the Executive Officer to:

- a) Facilitate a working program for delivery of GRFMA Strategic Plan actions that will, provide consistency of expectations between the GRFMA and Constituent Councils.*
- b) Identify suitable policy approaches to reporting of relevant KPI's.*

CARRIED UNANIMOUSLY

GB64/23 GRFMA Strategic Plan**Moved:** Cr Clint Marsh**Seconded:** Mr Richard Dodson

That Membership of the Strategic Plan working group, including the Executive Officer consist of:

- 1. Cr Bruce Preece*
- 2. Ms Whendee Young*
- 3. Mr Greg Pattinson*

CARRIED UNANIMOUSLY**8.2 Gawler River Flood Mitigation, Department for Environment and Water****GB65/23 Gawler River Flood Mitigation, Department for Environment and Water****Moved:** Mr Greg Pattinson**Seconded:** Cr Malcolm Herrmann

That the GRFMA notes the report.

CARRIED UNANIMOUSLY**8.3 Stormwater Management Plan Progress Report**

David Hitchcock provided a verbal update.

GB66/23 Stormwater Management Plan Progress Report**Moved:** Cr Terry-Anne Keen**Seconded:** Cr Clint Marsh

That the GRFMA receives the report.

CARRIED UNANIMOUSLY**8.4 Financial Statements 2022/2023 and Annual Audit****GB67/23 Financial Statements 2022/2023 and Annual Audit****Moved:** Cr Malcolm Herrmann**Seconded:** Cr Clint Marsh

That:

- 1. The audited Financial Statements for the year 2022/2023 be adopted for the purposes of Part 4 Financial Statements of the Local Government (Financial Management) Regulations 2011.*
- 2. The 'Certification of Auditor Independence' be signed by the GRFMA Board Chairperson.*
- 3. The 'Certification of Financial Statements' be signed by the GRFMA Board Chairperson and Executive Officer.*
- 4. The Chief Executive Officer of each Constituent Council be requested to sign the 'Certification of Auditor Independence'.*

CARRIED UNANIMOUSLY

8.5 GRFMA Annual Report 2022/2023**GB68/23 GRFMA Annual Report 2022/2023****Moved:** Mr Richard Dodson**Seconded:** Ms Whendee Young

That the GRFMA Board receives and adopts the GRFMA 2022/2023 Annual Report.

CARRIED UNANIMOUSLY**8.6 Schedule of Assets****GB69/23 Schedule of Assets****Moved:** Mr Greg Pattinson**Seconded:** Cr Clint Marsh

That the Schedule of Constituent Council's Interest in Net Assets 30 June 2023 be adopted in accordance with Clause 15.5 of the Charter.

CARRIED UNANIMOUSLY**8.7 Financial Report****GB70/23 Financial Report****Moved:** Cr Bruce Preece**Seconded:** Mr Richard Dodson

That the Board:

- 1. Receives the financial report as of 31 July 2023 showing a cash at bank balance of \$44,326.13.*
- 2. Notes internal cash lending for CAD offset is \$129,200.*

CARRIED UNANIMOUSLY**8.8 Executive Officer KPI****GB71/23 Executive Officer KPI****Moved:** Cr Terry-Anne Keen**Seconded:** Cr Clint Marsh

That the GRFMA

- 1. Receives the report.*
- 2. Directs that strategic priority and reporting mechanisms of GRFMA Executive Officer KPIs be included in the remit of the working group established to facilitate a program for delivery of Strategic Plan actions.*

CARRIED UNANIMOUSLY

The Board requested that a report be added to future Board meetings from the Chair and Executive Officer outlining meetings that have occurred between Board meetings.

11:37am Cr Clint Marsh left the meeting.

8.9 Riverlea EIS**GB72/23 Riverlea EIS****Moved:** Cr Paul Koch**Seconded:** Cr Bruce Preece*That the GRFMA*

- 1. Notes that further information is required to further understand the potential impacts of additional stormwater discharge to the Gawler River from the proposed variation to the previously approved Buckland Park (Riverlea) Township Major Development.*
- 2. Endorses the GRFMA submission made to the Secretary, State Planning Commission on 24/07/2026, in that regard.*

CARRIED UNANIMOUSLY**9. Correspondence**

Nil

10. Confidential

Refer item 4.1.

4. Motions on Notice**4.1 Appointment of GRFMA Chairperson**

11:40am James Miller left the meeting.

11:42am Cr Bruce Preece left the meeting.

11:43am Cr Bruce Preece returned to the meeting.

GB73/23 Appointment of GRFMA Chairperson**Moved:** Cr Terry-Anne Keen**Seconded:** Cr Bruce Preece*That:*

- 1. Pursuant to Section 90(2) of the Local Government Act 1999, an Order is made that the public be excluded from attendance at the meeting, with the exception of:*
 - Observers**in order to consider in confidence agenda item 4.1 Appointment of GRFMA Chairperson pursuant to Section 90(3)(a) of the Local Government Act 1999 on the basis of: containing information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*
- 2. This matter is confidential because the information herein provides matters relating to the appointment of the GRFMA Chairperson.*
- 3. On the basis of this information, the principle that meetings of the GRFMA Board should be conducted in a place open to the public has been outweighed in this instance: the Board considers it necessary to consider this matter in confidence.*

CARRIED UNANIMOUSLY

11:44am the confidential session commenced.

GB74/23 Appointment of GRFMA Chairperson
Kept confidential

GB75/23 Appointment of GRFMA Chairperson
Kept confidential

GB76/23 Appointment of GRFMA Chairperson
Kept confidential

GB77/23 Appointment of GRFMA Chairperson
Kept confidential

GB78/23 Appointment of GRFMA Chairperson
Moved: Cr Paul Koch
Seconded: Mr Greg Pattinson

That:

1. Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA orders that the following aspects of item 4.1 Appointment of GRFMA Chairperson be kept confidential in accordance with the GRFMA Boards reasons to deal with this item in confidence pursuant to section 90(3)(d)(e) of the Local Government Act 1999:
 - Report for Item 4.1.
 - Minutes for Item 4.1.
 - Attachment for item 4.1.
2. This order shall operate until reviewed and determined as part of the annual review by the Authority in accordance with Section 91(9)(a) of the Local Government Act 1999 with the exception of the minutes to be released once all concerned parties have been advised of the outcome of the meeting.

CARRIED UNANIMOUSLY

12:35pm confidential session concluded.

12:40pm the Acting Chair James Miller suspended meeting procedures to allow for informal discussion.

12:43 meeting procedures resumed.

GB79/23 Leave of Absence Chairperson
Moved: Cr Terry-Anne Keen
Seconded: Cr Malcolm Herrmann

That Cr Bruce Preece be appointed as acting Chairperson during the leave period for Ian Baldwin from 4 September 2023 to 23 October 2023.

CARRIED UNANIMOUSLY

12:44pm Ian Baldwin returned to the meeting and resumed the position of Chair.

Gawler River Floodplain Management Authority

11. Urgent Matters Without Notice**GB80/23 External Auditor****Moved:** Cr Malcolm Herrmann**Seconded:** Cr Terry-Anne Keen

Noting that the term of Dean Newbery as the external Auditor is due to expire following the completion of the 2023/24 financial year audit, the GRFMA Board requests the Audit Committee to provide advice on the appointment and term of the external auditor for 2024/2025 and onwards.

CARRIED UNANIMOUSLY**GB81/23 Audit Committee Terms of Reference****Moved:** Cr Malcolm Herrmann**Seconded:** Cr Terry-Anne Keen

That the GRFMA Board seeks advice from the Audit Committee on its Terms of Reference such advice to include reference to risk.

CARRIED UNANIMOUSLY**12. Next Meeting****Date and Time:** 19 October 2023**Host:** Adelaide Plains Council**13. Closure**

The Chairperson thanked the members for their attendance and contributions and closed the meeting at 12:49pm.

Chair _____ Date _____

MATTERS FOR INFORMATION

6.3 LEGATUS ANNUAL REPORT

**Author: Chief Executive Officer
23/74904**

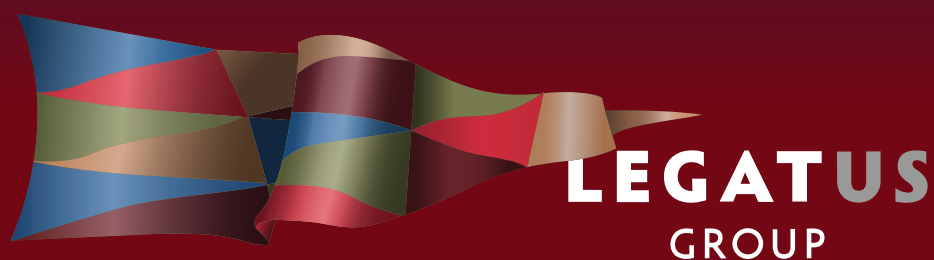
The Legatus Annual Report incorporating the Financial Statements for the 2022-23 Financial Year are hereby tabled for Council's information.

ATTACHMENTS

Attachment 1 Legatus Annual Report incorporating The Financial Statements for 2022-2023 Financial Year [!\[\]\(10f8862fc183b400327470ea85afe9ae_img.jpg\) !\[\]\(4ba8d838a2aa5445d51c9dee78fcb0cc_img.jpg\)](#)

SUPPORTING REFERENCES

Nil



ANNUAL REPORT

2022 / 2023

“ *Legatus Group:
Regional Local Government
ambassador and advocate* ”

The Central Local Government Region was established in 1998 under Section 200 of the Local Government Act 1934 as a controlling authority and continues as a regional subsidiary of its establishing councils under Part 2 of Schedule 2 of the Local Government Act 1999 ("the Act") by virtue of the provisions of Section 43 of the Local Government (Implementation) Act 1999.

In 2016 the Central Local Government Region of South Australia adopted the name of the Legatus Group to which it is now referred.

ANNUAL REPORT

LEGATUS GROUP - 2022 / 2023

THE LEGATUS GROUP CHARTER CLAUSE 6.3 ANNUAL REPORT

- 6.3.1 *The Legatus Group must each year, produce an Annual Report summarising the activities, achievements and financial performance of the Legatus Group for the preceding Financial Year.*
- 6.3.2 *The Annual Report must incorporate the audited financial statements of the Legatus Group for the relevant Financial Year.*
- 6.3.3 *The Annual Report must be provided to the Constituent Councils by 30 September each year.*

The Central Local Government Region was established in 1998 under Section 200 of the Local Government Act 1934 as a controlling authority. It now continues in existence as a regional subsidiary of its member Councils under Part 2 of Schedule 2 of the Local Government Act 1999 by the provisions of Section 25 of the Local Government (Implementation) Act 1999.

In 2016 the Central Local Government Region of South Australia adopted the trading name of Legatus Group to which it is now referred.

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

CONTACT DETAILS

Address: 20 King Street Mintaro SA 5415 PO Box 1 Mintaro SA 5415

Telephone: 0407819000

Email: ceo@legatus.sa.gov.au

Website: www.legatus.sa.gov.au

LEGATUS GROUP BOARD OF MANAGEMENT

The Board consists of all principal members (Mayors) of the Constituent Councils which for 2022/2023 saw changes following the November 2022 elections.

COUNCIL	DELEGATE
Adelaide Plains Council	Mayor Mark Wasley
Barunga West Council	Mayor Leonie Kerley
Clare & Gilbert Valleys Council	Mayor Wayne Thomas - Mayor Allan Aughey OAM
Copper Coast Council	Mayor Roslyn Talbot
District Council of Mount Remarkable	Mayor Phillip Heaslip - Mayor Stephen McCarthy
District Council of Orroroo Carrieton	Mayor Kathie Bowman
District Council of Peterborough	Mayor Ruth Whittle OAM
Light Regional Council	Mayor Bill O'Brien
Northern Areas Council	Mayor Ben Browne - Mayor Sue Scarman
Port Pirie Regional Council	Mayor Leon Stephens
Regional Council of Goyder	Mayor Peter Matthey OAM - Mayor Bill Gebhardt
The Barossa Council	Mayor Bim Lange OAM
The Flinders Ranges Council	Mayor Greg Flint - Mayor Ken Anderson
Wakefield Regional Council	Mayor Rodney Reid
Yorke Peninsula Council	Mayor Darren Braund

ANNUAL REPORT

LEGATUS GROUP - 2022 / 2023

OFFICE BEARERS FOR 2022/23

POSITION	DELEGATE
Chairman	Mayor Phillip Heaslip until 9 September 2022 then Mayor Rodney Reid
Deputy Chairs	Mayor Bill O'Brien Mayor Rodney Reid until 9 September 2022 Mayor Ken Anderson from 19 May 2023
South Australian Regional Organisation of Councils	Mayor Bill O'Brien Mayor Peter Matthey OAM until 18 August 2023 then Mayor Rodney Reid
Chief Executive Officer	Mr Simon Millcock
Auditor	Dean Newbery and Partners

The following meetings of the Board of Management were held during the 2022/23 year:

- 18 August 2022 Special Meeting online
- 9 September 2022 Annual General Meeting - Burra
- 9 September 2022 Ordinary General Meeting - Burra
- 16 December 2022 Ordinary General Meeting - Kadina
- 10 February 2023 Ordinary General Meeting - Port Pirie
- 19 May 2023 Ordinary General Meeting - Bundaleer North
- 2 June 2022 Special Meeting online

There were five advisory committees in 2022/2023:

- Audit and Risk Management Committee
- Regional Management Group
- Road Transport and Infrastructure Advisory Committee
- Waste Management Advisory Committee
- Community Wastewater Management Advisory Committee

All agendas and minutes from the Board meetings and these committees are published on the Legatus Group Website.

All advisory committee minutes were provided with the agendas to the Legatus Group meetings.

The Constituent Councils are provided during the year with Board Agendas, Minutes, Annual Report, Business Plan, Budget and Financial Reports.



ANNUAL REPORT

LEGATUS GROUP - 2022 / 2023

COMMITTEE MEMBERS

AUDIT COMMITTEE	MEMBERS
	- Mayor Kathie Bowman (Orroroo Carrieton) - Mayor Rodney Reid (Wakefield) - Mr Peter Ackland (Port Pirie) - Mr Stephen Rufus (Chair) (Peterborough) - Mr Ian McDonald (Independent)

MANAGEMENT GROUP (COUNCIL CEOS)	MEMBERS
	- Mr Sam Johnson OAM (Mt Remarkable) - Mr James Miller (Adelaide Plains) - Mr Martin McCarthy (Barossa) - Ms Maree Wauchope (Barunga West) - Dr Helen Macdonald (Clare & Gilbert Valleys) - Mr Russell Peate (Copper Coast) - Mr Eric Brown (Flinders Ranges) - Mr David Stevenson (Goyder) - Mr Richard Dodson (Light) - Ms Kelly Westell (Northern Areas) - Mr Paul Simpson (Orroroo Carrieton) - Mr Stephen Rufus (Peterborough) - Mr Peter Ackland (Pirie Regional) - Mr Andrew MacDonald (Wakefield) (Chair) - Mr Andrew Cameron (Yorke Peninsula)



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LEGATUS GROUP - 2022 / 2023

COMMITTEE MEMBERS

ROAD TRANSPORT INFRASTRUCTURE ADVSORY COMMITTEE	MEMBERS
	• Dr Helen Macdonald (Clare & Gilbert Valleys) (Chair) • Mayor Leon Stephens (Port Pirie) • Lee Wallis (Goyder) • Steve Kaesler (Barossa) • Tim Neumann (Copper Coast) • Andre Kompler (Yorke Peninsula) • Karen Lee-Jones (Department of Planning, Transport and Infrastructure) • Daniel Willson (CEO RDA YMN) • Stuart Roberts (Wakefield) • Mitchell Foote (Flinders Ranges)

WASTE MANAGEMENT ADVISORY COMMITTEE	MEMBERS
	• Mayor Mark Wasley (Adelaide Plains) (Chair) • Ivan Nolte (Copper Coast) • Tom Jones (Adelaide Plains) • Aaron Curtis (Barossa) • Glen Growden (Wakefield Regional) • Andre Kompler (Yorke Peninsula) • Lynette Seccafien (Adelaide Plains) • Stephen Rufus CEO (Peterborough)

COMMUNITY WASTE MANAGEMENT ADVISORY COMMITTEE	MEMBERS
	• Mayor Leon Stephens (Port Pirie) (Chair) • Gary Easthope (Clare and Gilbert Valleys) • Grant Smith (Yorke Peninsula) • Nathan Berry (Light) • Kirsty Morgan (Wakefield)

ANNUAL REPORT

LEGATUS GROUP - 2022 / 2023

CHAIRMAN'S REPORT MAYOR RODNEY REID

“ *It has been an honour to have been elected as Chairman of the Legatus Group at the September 2022 AGM and to move from previous role as Deputy.* ”

Firstly, I wish to acknowledge that there has been 5 new members to the board with 4 new Mayors and 1 returning Mayor which has provided some level of continuity. The Local Government elections in late 2022 did cause some level of complexity around appointments and decision making. With this in mind we held an induction session and following the board's approval we distributed a draft strategic plan and I took the opportunity to visit all member councils along with our CEO.

It was a pleasure to have Mayor Bill O'Brien as a Deputy Chairman and fellow member of the South Australian Regional Organisation of Councils (SAROC) and to welcome Mayor Ken Anderson in May 2023 as a joint Deputy Chairman.

At the May 2023 meeting Mayor Bowman announced her intention to resign and the Legatus Group thanked her for her long service to her community and the Legatus Group including as inaugural member of the Legatus Group Audit and Risk Management Committee.

There had been a decline in the attendance at board meetings prior to my appointment plus a break down in the connections between the Management Group (CEOs) and their involvement with the board.

I am of the opinion that this has since turned the corner following a workshop I attended with the Management Group and a new approach to the board meetings agendas which includes relevant examples of projects and programs from member councils.

The Legatus Group at the 19 May 2023 meeting committed to having an independent review of the charter and the strategic plan which is designed to assist in clarifying our direction. This will allow both Board Members and the CEOs to be further engaged on the future of the Legatus Group and allow them to provide input to their member councils.

It should be noted that the Barunga West Council has provided the 18 months' notice required of their withdrawal of membership according to our charter and CEO Simon Milcock acknowledged this through a return email to Barunga West Council.

The board has taken an approach over the past five years to not significantly increase members fees whilst using the reserves to undertake both administration and project work including the appointment of an Administration Officer. The board last year noted this needed reviewing in 2022/2023, which occurred through our Annual Business Plan and Budget for 2023/2024, whilst the plan to meet the targets for our reserves as previously agreed to by June 2023 occurred.

For the second year in a row the Legatus Group has paid for the membership of member councils to the SA Coastal Council Alliance. With a desire from the members seeking more user pay for the various projects taken on by Legatus, the funding for the SA Coastal Council Alliance memberships has not been included in the adopted Legatus 2023/2024 budget.

The board has continued to focus on the key areas of:

- Roads and Transport Infrastructure
- Waste Management – including Wastewater
- Community Capacity Wellbeing
- Environmental Sustainability



ANNUAL REPORT

LEGATUS GROUP - 2022 / 2023

CHAIRMAN'S REPORT

MAYOR RODNEY REID (CONTINUED)

The Legatus Group provides a pivotal role to member councils in advocating on regional and state-wide issues and this has included:

- Rating equity associated with major energy producers continues through the recommendations and reports by the Legatus Group to the LGA.
- Wellbeing and Mental Health with a delegation of local MPs' Lifeline and the Legatus Group meeting with Minister for Health to gain support for retaining and expanding the Community Connect Centre model delivered by Lifeline. This included attendance by Dr John Brayley Chief Psychiatrist to the December 2022 Legatus Group meeting.
- Assisted with matters relating to Community Wastewater Management Schemes which saw a review and CWMS reform program.
- Delivery of the Northern and Yorke Drought Resilience Plan in partnership with Regional Development Australia Organisations and the Northern and Yorke Landscape Board.
- Review of the methodology used in assessing applications for the Special Local Roads Program.
- The role of Regional LGAs and SAROC to reduce any ambiguity associated with the Regional LGAs being able to provide reports to SAROC so that they can provide both a filtering mechanism for members and submit appropriate reports to SAROC.
- Support to the Flinders Ranges Council in their approach to have a review of appointments to LGA Board and SAROC and timing of the AGM.
- Support to the Goyder Council in their advocacy on the lack of backup power to telecommunications towers.
- Recommendations that the LGA consider creating a new committee for areas of support sought by member councils associated with CWMS.
- Support to the Flinders Ranges Council in their advocacy for the reintroduction of electronic attendance by Councillors at Council meetings.
- Approach by the Legatus Group to lobby for increased funding for the SLRP Program.
- Support to the Orroroo Carrieton Council opposition to the model Fee Structure being set by ESCOSA.



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LEGATUS GROUP - 2022 / 2023

CHAIRMAN'S REPORT

MAYOR RODNEY REID (CONTINUED)

The Legatus Group provided support at a regional and state level with forums, workshops and webinars which attracted over 400 people throughout the year and they included:

- SA CWMS Conference (partnership with LGA) - Adelaide
- Legatus Group Waste Forum (partnership with KESAB) – Peterborough
- Prosper! Interdisciplinary solutions for Prosperous Regions Forum (partnership UniSA) - Nuriootpa
- Yorke Mid North Alliance Regional Planning Forum (partnership Northern and Yorke Alliance) - Tanunda
- Legatus Group Regional Roads Forum – Maitland
- Accessible Tourism Forum (partnership Catalyst Foundation) – Kadina
- Ageing and Disability Lifestyle Expo – Kadina
- Community Development Forum – Burra
- Native Foods Cultural Awareness Forum – Quorn
- Urban Sustainability Forum – Freeling

Key reports and projects supported this year by the Legatus Group were:

- Updated Report - Wellbeing Gap Analysis Legatus Group Northern Councils released.
- Attracting, Developing and Retaining Regional Local Government Workforce Report released.
- Career Pathways & Workforce Toolkit for Regional SA Councils commenced.
- MoU established with Lions International to support Waste reduction.
- Northern and Yorke Community Continuity Planning for Disasters.
- Stormwater Harvesting.
- Legatus Group Regional Local Roads Plan database updates and Expansion of Regional Road Transport GIS and including Bridge and Culverts.
- NHVR Strategic Local Government Asset Assessment Project with National Heavy Vehicle Regulator.
- CWMS on-line training project.
- Assessment of Bridge and Culverts report
- Legatus Group Waste and Resource Recovery Strategy and Action Plan 2021-2026.
- Northern and Yorke Climate Change Sector Agreement.
- Northern and Yorke Drought Resilience Plan.

ANNUAL REPORT

LEGATUS GROUP - 2022 / 2023

CHAIRMAN'S REPORT

MAYOR RODNEY REID (CONTINUED)

Direct support has been provided to grant applications for the region which have resulted in close to \$4.5m of value to the region. They include:

- 2022 SLRP grants resulting in \$4.056m across 4 councils from a total \$13.356m allocated to regional councils in 2022 or approx. 30% of the funding.
- Preparing your community for disasters and emergencies – Northern and Yorke Region of SA secured \$92,000 funding from SAFECOM.
- Pilot Organics Processing Plant at Peterborough (successful).
- Carbon Offsetting for Local Government – being led by City of Adelaide (successful).
- Climate Resilient Asset Capacity Augmentation for Community Wastewater Management with Constructed Floating Wetland Systems – being led by UniSA (successful).
- Caravan / RV Dump Point Project – being led by Flinders University (successful).
- LG Career Pathways & Workforce Toolkit for Regional SA Councils – being led by Torrens University (successful).
- Landscape Board Future Drought Fund: Extension and Adoption of Drought Resilience Farming Practices Grants Program application.
- Adelaide Plains Council Heavy Vehicle Safety Initiative.
- Uni SA Solar PV Recycling.

The Legatus Group continued to support the South Australia Drought Resilience Adoption and Innovation Hub as a Local Government project partner.

There has been significant support for equity associated with the Special Local Roads Program funding and we were pleased to see the positive outcomes especially for the Yorke Peninsula Council application.

We continue to encourage and foster closer working relationships with the three Regional Development Australia (RDA) organisations and the Northern and Yorke Landscape Board.

The Legatus Group have supported and are an active partner in the Northern and Yorke Landscape Board Aboriginal Engagement Committee.

The board has made a concerted effort to reduce the amount of project work being undertaken and progress more on advocacy and providing a partnership approach with others on projects.

The Legatus Group CEO and staff committed large amounts of time to the development of many Conferences and Forums which have all been highly regarded and of great value to those attending and especially member councils. I also note with positivity the CEO efforts to support regional councils across the State.

ANNUAL REPORT

LEGATUS GROUP - 2022 / 2023

CHAIRMAN'S REPORT

MAYOR RODNEY REID (CONTINUED)

The Audit and Risk Management Group Committee have ensured that the work plan has assisted us in improving our governance and recommendations around variations to our policies. The other advisory committees have played a key role in supporting and recommending actions to the board. It is pleasing to see more board members and council staff being active on these committees. I would like to acknowledge all the Board members and council CEOs and staff who have committed time to the Advisory Committees.

I thank CEO Simon Millcock for the reports prepared and the introduction of the bi-monthly newsletter which is distributed to stakeholders and partners in all spheres of government. I wish to thank him for his commitment and passion for the local government sector and his willingness to work with all members and to accept and progress the ongoing changes within the Legatus Group.

2022/2023 has been a year of listening to each other, learning from each other and redirecting our focus as we work together to support and strengthen our region.



Mayor Rodney Reid
Chairman Legatus Group

ANNUAL REPORT

LEGATUS GROUP - 2022 / 2023

CEO REPORT MR SIMON MILLCOCK

“ *Firstly, I would like to acknowledge the support provided to me by Chairman Mayor Rodney Reid and Deputy Chairman Mayor Bill O'Brien, Board Members, CEOs, Committees, Regional Partners and the Legatus Group staff over the past year.*

This year saw the focus on a more consolidated approach to advocacy and increased partnerships.

There were three grants secured in 2023/2024 which were:

1. **Regional Capacity Building Allocations – LGA**
2. **Joint Services Arrangements CWMS – LGA CWMS**
3. **Preparing your community for disasters and emergencies – SAFECOM**

Items 2 and 3 allowed for the employment of part time Project Officers Dr Paul Chapman and Robert Bunch. All contracts for grants and projects have been reported on according to the agreements with a delay experienced in securing the first payment of the SAFECOM funds due to the reference group meeting late in June 2023 to approval a draft document required by SAFECOM.

This year 54% of the Legatus Group's income came from its membership fees. The 15-member council contributions during the previous six years had been on average around 30% of the Legatus Group income.

Due to a reduction in project work, there were less grants obtained although they did make up around 33% of the Legatus Group income. Interest rates increased, which resulted in a better than predicted return on investment income.

This reduction in grant funding was also reflected in a major reduction in contractor and consultant costs compared to the previous 4-5 years.

Areas with increases in expenses to those budgeted were due to motor vehicle costs as the change over to a new vehicle was not able to occur due to supply delays. The meeting and conference costs were substantially higher than the previous year but this was budgeted for as the Legatus Group had responsibility to manage the Annual Forum for the Northern and Yorke Alliance. Telephone, Internet and Websites were around half of the costs from 2022 and this was due to working from home and the website being updating in 2022.

The financial result is that the Legatus Group continues to be in a sound financial position to cover its forthcoming liabilities and within the targets set by the board for its reserves. Previous decisions by the Legatus Group were to have around 18 months of operational costs / commitments available with some funds as a contingency for any possible immediate project. The amount that has been identified previously was \$450,000 and this year the amount in the accumulated surplus and other reserves is just slightly under \$500,000.

The Legatus Group budget for 2022/2023 had shown an operating deficit of \$172,800 and the actual deficit was \$119,340. Noting that the instalments from SAFECOM of \$42,000 and \$3,000 from the LGA for projects whilst invoiced were not received by 30 June 2023.

The closure of the Legatus Group office has continued to assist with reduced administration costs with all staff working from their home offices. Plus, there was a reduction in travel required by the CEO although this was countered by the inability to secure a new vehicle so vehicle maintenance costs were higher.

ANNUAL REPORT

LEGATUS GROUP - 2022 / 2023

CEO REPORT

MR SIMON MILLCOCK (CONTINUED)

The board has noted that the current use of reserves to fund administration costs is not sustainable and following support from 11 of the member councils for the 2023/2024 Legatus Group Business Plan and Budget there will be an increase in membership fees. This will be further addressed in the coming year with a review of the Charter and Strategic Plan.

This year saw my attendance and delivery of agendas, minutes and reports to over 40 Legatus Group Board, Advisory Committees, Yorke Mid North Alliance and SAROC meetings whilst managing the delivery of state and regional forums, workshops and webinars.

The board continued to support having a part time administration officer and the contract with Tracey Rains was extended and this has provided beneficial outcomes.

The 2 reviews of the Legatus Group Strategic Plan during the year were not able to reach a conclusion with the first version being approved by 14 of the 15 constituent councils and following the Local Government election the second version approved by 11 of the 15 constituent councils. As the charter requires all 15 member councils to approve this was not achieved.

I am a member of the Yorke Mid North Alliance, Regional LGA CEOs Forum and the Northern and Yorke Landscape Board Aboriginal Engagement Committee (proxy for Mayor O'Brien). Whilst I provided a regional voice to help support the local government sector in several areas including:

- EPA and the State of the Environment Report Assurance Group
- Orroroo and Roseworthy Drought Hub Nodes
- Local Govt Regional Climate Partnerships Network
- UniSA C-Edge Advisory Board
- Volunteer SA NT – Volunteer Strategy

The Legatus Group Website updates include increased information from all forums undertaken as a resource plus the bi-monthly CEO Newsletter gains positive feedback. The social media presence has continued to grow with increased followers on both Facebook and LinkedIn.



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LEGATUS GROUP - 2022 / 2023

CEO REPORT

MR SIMON MILLCOCK (CONTINUED)

Reports distributed and or published include:

- Legatus Group Road Transport Plan Expansion to now include QGIS and Roads Data Base Update.
- Wellbeing Gap Analysis from the Northern Councils Update.
- Attracting, Developing and Retaining Regional Local Government Workforce Report.
- Northern and Yorke Drought Resilience Plan.

Projects which have commenced and that are being supported are:

- Preparing your community for disasters and emergencies – Northern and Yorke Region of SA (Legatus Group).
- Extending the capacity of regional Community Wastewater Management Systems (UniSA).
- Local Government Career Pathways & Workforce Toolkit for Regional South Australia (Torrens University).
- Stormwater Harvesting (Space Down Under).
- Carbon Offsetting for Local Government (consortium of councils via City of Adelaide).
- Caravan / RV Dump Point Project (Flinders Uni).
- Prosperous Regions Conference (UniSA).
- Native Foods Supply Chain (UniSA).
- Drought Future Fund - Community Impact project (Northern and Yorke Alliance via RDA BGLAP).
- Northern and Yorke Landscape Board Resilient Coastal Ecosystems on YP and Gulf and Ranger Project.
- NHVR / Legatus Group Heavy Vehicle Priority Route Collaboration.
- District Council of Peterborough Pilot Organics Processing Plant.

Whilst support was provided to:

- Adelaide Plains Councils application for Heavy Vehicle Safety Initiative.
- UniSA Solar PV Recycling.
- LGA application to the Coastal and Estuarine Risk Mitigation Program.
- LGA Building Sector Capability Project.
- UniSA Support for uaDA Grant - Digital Data Connectivity and Sharing Platform for Climate Resilience and Adaptation Planning in Regional SA.

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LEGATUS GROUP - 2022 / 2023

CEO REPORT MR SIMON MILLCOCK

Advocacy support continues to be a priority and this has included.

- Legatus Group request for changes to SLRP applications.
- Legatus Group support for an LGA CWMS Advisory Committee.
- Yorke Peninsula Council with the North Coast Road Point Turton SLRP application.
- The Flinders Ranges Council re Councillor participation at council meetings through electronic means.
- District Council of Orroroo Carrieton re Equity in cost by ESCOSA.
- Lifeline Community Connect – Centralised model for the delivery of Mental Health.
- Rating Equity for Councils from Power Generators.

The second half of the year has seen the LGA advise that Regional LGAs previous approach for engagement as both a filtering mechanism and being able to provide direct reports on matters to SAROC is not supported. This has caused a level of concern in the Legatus Group and this is being addressed by the LGA and Regional LGAs.

I sincerely thank the support I received from Paul Chapman, Tracey Rains, Robert Bunch and Colin Davies. Working in isolation across a broad region has its challenges but the resulting work from all reflected well for the Legatus Group.



Simon Millcock
CEO Legatus Group

ANNUAL REPORT

LEGATUS GROUP - 2022 / 2023

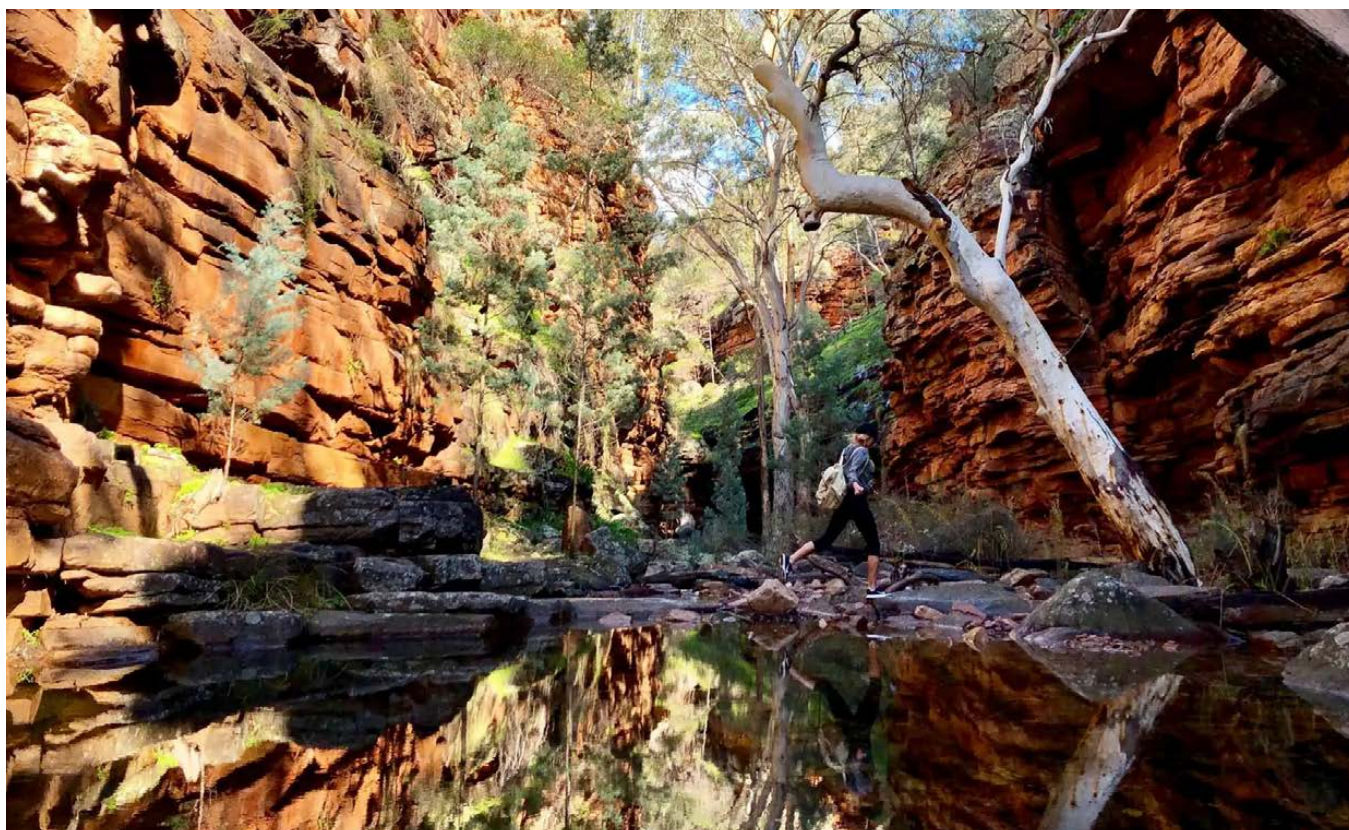
CHAIRMAN LEGATUS GROUP AUDIT AND RISK COMMITTEE – STEPHEN RUFUS

This is a summary of activities undertaken, and recommendations made during 2022-2023.

The committee met on 4 occasions.

DATE	NO OF MEMBERS ATTENDING
25 August 2022	5
8 December 2022	3
31 January 2023	4
5 May 2023	5

COMMITTEE MEMBER	NO OF MEETINGS ATTENDING
Mayor Kathie Bowman	3
Mayor Rodney Reid	4
Peter Ackland	2
Stephen Rufus	4
Ian McDonald	4



ANNUAL REPORT

LEGATUS GROUP - 2022 / 2023

The following table sets out the principal issues addressed by the Committee for 2022-2023.

PRINCIPAL ISSUES EXAMINED	COMMENT
Audit Committee Chair	That there is an Independent Member of the Audit Committee to Chair approved and Stephen Rufus appointed.
Annual Financial Report	No issues, unqualified audit, adopted for the 21/22 financial year.
Review of Budget Against Actuals	Noted no issues and supported the allocation of the expenditure identified of carry over reserves and accumulated surplus for business plan and budgets.
Review of Work Plan, Internal Controls	1. Work planned maintained and adoption of recommendations by Auditor re policies. 2. Recommended and supported workshop on strategic plans and long term financial plan with appropriate recommendations to the board.
Charter	Recommended the Legatus Group adopt a variation to the Legatus Group Charter regrading adoption of Annual Business Plan and Budget.
Business, Budget and Strategic Plan	1. Monitored the 2022-2023 business plan and budget and its quarterly updates. 2. Noted, supported and provided input to Legatus Group Strategic Plan reviews. 3. Reported on a need to align the Business Plan and Budget to Strategic Plan. 4. Recommended a procedure be developed for preparing the annual business plan and budget. 5. Recommended a review be undertaken of the formatting for the Long Term Financial Plan.
Policies	Recommendations to the board for adoption of 3 new policies: • Board Induction • Records and Information Management • Risk Management
Membership	The final meeting noted the contribution Mayor Kathie Bowman had provided to the committee.
Equity / Reserves	Recommendations to Board on the levels to be held.

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LEGATUS GROUP - 2022 / 2023

FINANCIALS

CENTRAL LOCAL GOVERNMENT REGION OF SA

TRADING AS



ANNUAL FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR

1 JULY 2022 - 30 JUNE 2023

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LEGATUS GROUP - 2022 / 2023

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LEGATUS GROUP

General Purpose Financial Reports for the year ended 30 June 2023

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LEGATUS GROUP

ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 June 2023

CERTIFICATION OF FINANCIAL STATEMENTS

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

- the accompanying financial statements comply with the Local Government Act 1999, Local Government (Financial Management) Regulations 2011 and Australian Accounting Standards.
- the financial statements present a true and fair view of the Legatus Group's financial position at 30 June 2023 and the results of its operations and cash flows for the financial year.
- internal controls implemented by the Legatus Group provide a reasonable assurance that the Group's financial records are complete, accurate and reliable and were effective throughout the financial year.
- the financial statements accurately reflect the Legatus Group's accounting and other records.


Simon MILLCOCK
CHIEF EXECUTIVE OFFICER


Mayor Rodney REID
CHAIR

Date: 25 August 2023.

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LEGATUS GROUP - 2022 / 2023

FINANCIALS

STATEMENT OF COMPREHENSIVE INCOME for the year ended 30 June 2023

	Notes	2023 \$	2022 \$
INCOME			
Council Contributions	2	173,850	170,400
Grants, subsidies and contributions	2	107,600	93,783
Investment income	2	22,035	7,032
Other income	2	18,329	3,108
Total Income		321,814	274,323
EXPENSES			
Employee costs	3	272,632	263,171
Materials, contracts & other expenses	3	167,150	305,395
Depreciation, amortisation & impairment	3	1,372	7,209
Total Expenses		441,154	575,775
OPERATING SURPLUS / (DEFICIT)		(119,340)	(301,453)
Other Comprehensive Income		-	-
NET SURPLUS / (DEFICIT)		(119,340)	(301,453)
TOTAL COMPREHENSIVE INCOME		(119,340)	(301,453)

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

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LEGATUS GROUP - 2022 / 2023

FINANCIALS

LEGATUS GROUP

STATEMENT OF FINANCIAL POSITION as at 30 June 2022

	Notes	2023 \$	2022 \$
ASSETS			
Current Assets			
Cash and cash equivalents	4	504,240	657,733
Trade & other receivables	4	91,100	2,152
Total Current Assets		595,340	659,885
Non-current Assets			
Infrastructure, property, plant & equipment	5	13,409	13,872
Total Non-current Assets		13,409	13,872
Total Assets		608,749	673,757
LIABILITIES			
Current Liabilities			
Trade & other payables	6	74,037	15,037
Provisions	6	13,457	23,881
Total Current Liabilities		87,494	38,918
Non-current Liabilities			
Provisions	6	21,423	15,667
Total Non-current Liabilities		21,423	15,667
Total Liabilities		108,917	54,585
NET ASSETS		499,832	619,172
EQUITY			
Accumulated Surplus		230,062	349,402
Other Reserves	7	269,770	269,770
TOTAL EQUITY		499,832	619,172

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

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LEGATUS GROUP - 2022 / 2023

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LEGATUS GROUP

STATEMENT OF CHANGES IN EQUITY for the year ended 30 June 2023

		Accumulated Surplus	Other Reserves	TOTAL EQUITY
2023	Notes	\$	\$	\$
Balance at end of previous reporting period		349,402	269,770	619,172
Net Surplus / (Deficit) for Year		(119,340)	-	(119,340)
Other Comprehensive Income				
Transfers between reserves	7	-	-	-
Balance at end of period		230,062	269,770	499,832
2022				
Balance at end of previous reporting period		650,854	269,770	920,624
Net Surplus / (Deficit) for Year		(301,453)	-	(301,453)
Other Comprehensive Income				
Transfers between reserves	7	-	-	-
Balance at end of period		349,402	269,770	619,172

This Statement is to be read in conjunction with the attached Notes

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LEGATUS GROUP - 2022 / 2023

FINANCIALS

LEGATUS GROUP

STATEMENT OF CASH FLOWS for the year ended 30 June 2023

	Notes	2023 \$	2022 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
<u>Receipts</u>			
Council Contributions		173,850	170,400
Investment receipts		22,035	7,032
Grants utilised for operating purposes		18,652	131,599
Reimbursements		-	-
Other revenues		18,329	3,108
<u>Payments</u>			
Employee costs		(277,300)	(255,086)
Materials, contracts & other expenses		(108,150)	(327,520)
Net Cash provided by (or used in) Operating Activities	8	(152,584)	(270,467)
CASH FLOWS FROM INVESTING ACTIVITIES			
<u>Receipts</u>			
Sale of replaced assets		-	-
<u>Payments</u>			
Expenditure on renewal/replacement of assets		-	-
Expenditure on new/upgraded assets		(909)	(1,720)
Purchase of investment property		-	-
Net purchase of investment securities		-	-
Development of real estate for sale		-	-
Loans made to community groups		-	-
Capital contributed to equity accounted Council businesses		-	-
Net Cash provided by (or used in) Investing Activities		(909)	(1,720)
CASH FLOWS FROM FINANCING ACTIVITIES			
<u>Receipts</u>			
Proceeds from borrowings		-	-
Proceeds from aged care facility deposits		-	-
<u>Payments</u>			
Repayments of borrowings		-	-
Repayment of finance lease liabilities		-	-
Repayment of aged care facility deposits		-	-
Net Cash provided by (or used in) Financing Activities		-	-
Net Increase (Decrease) in cash held		(153,493)	(272,187)
Cash & cash equivalents at beginning of period	8	657,733	929,919
Cash & cash equivalents at end of period	8	504,240	657,733

This Statement is to be read in conjunction with the attached Notes

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LEGATUS GROUP - 2022 / 2023

FINANCIALS

LEGATUS GROUP

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30 June 2023

Note 1 - SIGNIFICANT ACCOUNTING POLICIES

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

1. Basis of Preparation

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

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

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

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

1.1 Historical Cost Convention

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

1.2 The Local Government Reporting Entity

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

The Constituent Councils are:

- | | |
|--------------------------------------|--|
| 1. The Barossa Council | 2. District Council of Mount Remarkable |
| 3. Barunga West Council | 4. Northern Areas Council |
| 5. Clare and Gilbert Valleys Council | 6. District Council of Orroroo/Carrieton |
| 7. Copper Coast Council | 8. District Council of Peterborough |
| 9. The Flinders Ranges Council | 10. Port Pirie Regional Council |
| 11. Regional Council of Goyder | 12. Wakefield Regional Council |
| 13. Light Regional Council | 14. Yorke Peninsula Council, and |
| 15. Adelaide Plains Council. | |

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

1.3 Income recognition

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

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

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NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30 June 2023

Note 1 - SIGNIFICANT ACCOUNTING POLICIES (Continued)

1.4 Cash, Cash Equivalents and other Financial Instruments

Cash Assets include all amounts readily convertible to cash on hand at the Group's option with an insignificant risk of changes in value with a maturity of three months or less from the date of acquisition.

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

All financial instruments are recognised at fair value at the date of recognition. A detailed statement of the accounting policies applied to financial instruments forms part of Note 10.

1.5 Vehicles & Contents

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

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

Contents	\$2,000
Motor Vehicles	\$5,000

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

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

Contents	1 to 5 years
Motor Vehicles	3 to 5 years

1.6 Payables

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

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

1.7 Employee Benefits

Salaries, Wages & Compensated Absences

The Group has 2 FTE employees as at the 30 June 2023, a Chief Executive Officer, a part-time Project Officer and a part-time Admin Officer. Liabilities for employees' entitlements to salaries, wages and compensated absences expected to be paid or settled within 12 months of reporting date are accrued at nominal amounts (including payroll based oncosts) measured in accordance with AASB 119.

Liabilities for employee benefits not expected to be paid or settled within 12 months are measured as the present value of the estimated future cash outflows (including payroll based oncosts) to be made in respect of services provided by employees up to the reporting date. Present values are calculated using government 10 year bond rates.

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NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30 June 2023

Note 1 - SIGNIFICANT ACCOUNTING POLICIES (Continued)

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

1.8 Superannuation

The Group contributes the statutory 10.5% SGC superannuation to the nominated superannuation funds for all staff. This will increase to 11.0% for the 2023-24 financial year.

1.9 GST Implications

In accordance with UIG Abstract 1031 "Accounting for the Goods & Services Tax"

- Receivables and Creditors include GST receivable and payable.
- Except in relation to input taxed activities, revenues and operating expenditures exclude GST receivable and payable.
- Non-current assets and capital expenditures include GST net of any recoupment.
- Amounts included in the Statement of Cash Flows are disclosed on a gross basis.

1.10 Leases

In the previous year, the Group performed an assessment of the potential impact of AASB 16 *Leases*. The Group was only engaged in a short-term lease as per Section 5 of AASB 16 and therefore the lease was recognised as an operating expense on a straight-line basis over the term of the lease. There were no leases for the year 22-23.

1.11 New Accounting Standards

In the current year, the Group adopted all of the new and revised Standards and Interpretations issued by the Australian Accounting Standards Board (AASB) that are relevant to its operations and effective for the current reporting period. The adoption of the new and revised Standards and Interpretations has not resulted in any material changes to the Group's accounting policies.

The Group has not applied any Australian Accounting Standards and Interpretations that have been issued but are not yet effective. Certain new accounting standards and UIG interpretations have been published that are not mandatory for the 30 June 2023 reporting period and have not been used in preparing these reports.

- AASB 2020-1 Amendments to Australian Accounting Standards – Classification of Liabilities as Current or Non-current
- AASB 2020-3 Amendments to Australian Accounting Standards – Annual Improvement 2018-2020 and Other Amendments
- AASB 2020-6 Amendments to Australian Accounting Standards – Classification of Liabilities as Current or Non-current
- AASB 17 Insurance Contracts

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

1.12 Economic Dependencies

The Group is aware of its current dependence on Grants Revenue received from the Commonwealth Government, State Government and the Local Government Association for the ongoing operations of the Group. Should the Group not secure funding or a significantly reduced level of funding in future years, it may impact on the ability of the Group to continue operating as a going concern.

1.13 Disclaimer

Nothing contained within these statements may be taken to be an admission of any liability to any person under any circumstance.

1.14 Comparative Information

During the financial year, the Group has reviewed the allocation and classification of some transactions which have been updated in the comparative information presented. Changes in classification has resulted in no change to the previously reported financial performance and position of the Group.

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NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
for the year ended 30 June 2023

Note 2 - INCOME

	2023 \$	2022 \$
COUNCIL CONTRIBUTIONS		
General Contribution	173,850	170,400
	<u>173,850</u>	<u>170,400</u>
INVESTMENT INCOME		
Interest on investments		
Local Government Finance Authority	22,035	7,032
Banks	-	-
	<u>22,035</u>	<u>7,032</u>
OTHER INCOME		
Conference Registrations & Sponsorship	13,211	3,108
Sundry	5,118	-
	<u>18,329</u>	<u>3,108</u>
GRANTS, SUBSIDIES, CONTRIBUTIONS		
CWMS	31,000	28,000
Disaster Recovery	29,100	-
Volunteering	7,500	-
Regional Capacity	40,000	42,783
SA Road Funding	-	15,000
NRM - - Landscape Priority	-	8,000
	<u>107,600</u>	<u>93,783</u>
<i>The functions to which these grants relate are shown in Note 10.</i>		
Sources of grants		
Commonwealth government	-	-
State government	29,100	8,000
LGA	71,000	85,783
Other	7,500	-
	<u>107,600</u>	<u>93,783</u>

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NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30 June 2023

Note 3 - EXPENSES

	2023 \$	2022 \$
EMPLOYEE COSTS		
Salaries and Wages	200,665	198,882
Employee leave expense	37,008	31,768
Superannuation	25,358	22,064
Workers' Compensation Insurance	2,920	4,232
Professional Development	461	127
FBT	6,220	6,098
Total Operating Employee Costs	272,632	263,171
 Total Number of Employees	 1.9	 2.0
<i>(Full time equivalent at end of reporting period)</i>		
MATERIALS, CONTRACTS & OTHER EXPENSES		
<u>Prescribed Expenses</u>		
Auditor's Remuneration	2,441	2,338
Subtotal - Prescribed Expenses	2,441	2,338
<u>Other Materials, Contracts & Expenses</u>		
Contractors & Consultants	107,179	241,380
Legal Expenses	-	80
Unleaded Fuel	3,939	4,075
Other Motor Vehicle Costs	3,538	2,752
Members Allowances & Support	4,500	4,125
Meetings & Conferences	13,381	4,807
Insurance	10,537	8,921
Rental - Premises	-	9,603
Advertising	1,268	704
Accommodation	1,230	1,932
Airfares, Taxi Fares & Parking	223	263
Travel - Reimbursement	2,079	1,124
Catering & Meals	7,507	7,372
Telephone & Internet	2,981	3,871
IT & Web	5,354	10,963
Postage/Stationery	644	784
Sundry	349	300
Subtotal - Other Materials, Contracts & Expenses	164,709	303,057
	167,150	305,395
 DEPRECIATION, AMORTISATION & IMPAIRMENT		
Depreciation		
Motor Vehicle	1,372	5,489
Contents	-	1,720
	1,372	7,209

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NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30 June 2023

Note 4 - CURRENT ASSETS

CASH & EQUIVALENT ASSETS

Cash at Bank	38,081	12,324
Deposits at Call	466,159	645,409
	<u>504,240</u>	<u>657,733</u>

TRADE & OTHER RECEIVABLES

Accrued Revenues	1,780	495
Other levels of Government	89,320	-
GST / FBT Recoupment	-	1,657
	<u>91,100</u>	<u>2,152</u>

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NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
for the year ended 30 June 2023

Note 5 - NON-CURRENT ASSETS - VEHICLES & CONTENTS

	2022				2023			
	\$				\$			
	AT FAIR VALUE	AT COST	ACCUM DEP'N	CARRYING AMOUNT	AT FAIR VALUE	AT COST	ACCUM DEP'N	CARRYING AMOUNT
Motor Vehicles	-	28,967	(15,095)	13,872	-	29,876	(16,467)	13,409
Contents	-	3,678	(3,678)	-	-	3,678	(3,678)	-
TOTAL PLANT & EQUIPMENT	-	32,645	(18,773)	13,872	-	33,554	(20,145)	13,409
<i>Comparatives</i>	-	32,915	(13,554)	19,361	-	32,645	(18,773)	13,872

	2022	CARRYING AMOUNT MOVEMENTS DURING YEAR							2023
	\$	\$							\$
	CARRYING AMOUNT	Additions		Disposals	Depreciation	Impairment	Transfers		Net Revaluation
		New/Upgrade	Renewals				In	Out	
Motor Vehicles	13,872	909	-	-	(1,372)	-	-	-	-
Contents	-	-	-	-	-	-	-	-	-
TOTAL PLANT & EQUIPMENT	13,872	909	-	-	(1,372)	-	-	-	-
<i>Comparatives</i>	<i>19,361</i>	<i>1,720</i>	<i>-</i>	<i>-</i>	<i>(7,209)</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>

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NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30 June 2023

Note 6 - LIABILITIES

	2023		2022	
	\$		\$	
	Current	Non-current	Current	Non-current
TRADE & OTHER PAYABLES				
Goods & Services	-	-	2,205	-
Payments received in advance	49,100	-	7,500	-
Accrued expenses - employee entitlements	4,919	-	4,082	-
Accrued expenses - other	2,250	-	1,250	-
GST & PAYG	17,768	-	-	-
	<u>74,037</u>	<u>-</u>	<u>15,037</u>	<u>-</u>
PROVISIONS				
Employee entitlements - Annual Leave	13,457	-	23,881	-
Employee entitlements - Long Service Leave	-	21,423	-	15,667
	<u>13,457</u>	<u>21,423</u>	<u>23,881</u>	<u>15,667</u>

Note 7 - RESERVES

	1/7/2022	Transfers to Reserve	Transfers from Reserve	30/6/2023
OTHER RESERVES				
General Reserve	269,770	-	-	269,770
TOTAL OTHER RESERVES	<u>269,770</u>	<u>-</u>	<u>-</u>	<u>269,770</u>
<i>Comparatives</i>	269,770			269,770

PURPOSES OF RESERVES

Other Reserves

This reserve was established to provide for one year of basic operation (employee costs, vehicle costs, insurance, materials), should no revenue be received.

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NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30 June 2023

Note 8 - RECONCILIATION TO CASH FLOW STATEMENT

(a) Reconciliation of Cash

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

	Notes	2023 \$	2022 \$
Total cash & equivalent assets	4	504,240	657,733
Less: Short-term borrowings	8	-	-
Balances per Cash Flow Statement		<u>504,240</u>	<u>657,733</u>

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

Net Surplus (Deficit)	(119,340)	(301,453)
Non-cash items in Income Statement		
Depreciation, amortisation & impairment	1,372	7,209
Net increase (decrease) in unpaid employee benefits	(4,668)	8,085
	(122,636)	(286,159)
Add (Less): Changes in Net Current Assets		
Net (increase) decrease in receivables	(88,948)	37,818
Net (increase) decrease in other current assets	(909)	-
Net increase (decrease) in trade & other payables	59,000	(22,125)
Net Cash provided by (or used in) operations	(153,493)	(270,466)

Note 9 - FUNCTIONS

The activities of the Region are categorised into the following programs, projects & activities:

- 1 A - Corporate Function
- 2 P001 - Regional & Community Sustainability
- 3 P006 - Disaster & Emergency Management
- 4 P009 - CWMS & Climate Change Co-ordinator
- 5 P017 - Waste Management Composting
- 6 P022 - Roads & Transport
- 7 P027 - Community Capacity Building
- 8 P028 - Regional Capacity Building
- 9 P034 - N&Y Coastal Management Action Plan
- 10 P038 - Regional Waste Strategy
- 11 P040 - Disability Inclusion Action Plan
- 12 P045 - Aboriginal Engagement Committee
- 13 P046 - DCP Pilot Organics Plant

Income and expenses have been attributed to the functions/activities throughout the financial year.

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NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30 June 2023

Note 10 - FINANCIAL INSTRUMENTS

All financial instruments are categorised as *loans and receivables*.

Accounting Policies - Recognised Financial Instruments

Bank, Deposits at Call, Short Term Deposits **Accounting Policy:** Carried at lower of cost and net realisable value; Interest is recognised when earned.

Terms & conditions: Short term deposits are available on 24 hour call with the LGFA and have an interest rate of 4.30% as at 30 June 2023

Carrying amount: approximates fair value due to the short term to maturity.

Receivables - Trade & other debtors **Accounting Policy:** Carried at nominal value.

Terms & conditions: Amounts due have been calculated in accordance with the terms and conditions of the respective programs following advice of approvals, and do not bear interest.

Carrying amount: approximates fair value.

Liabilities - Creditors and Accruals **Accounting Policy:** Liabilities are recognised for amounts to be paid in the future for goods and services received, whether or not billed to the Group.

Terms & conditions: Liabilities are normally settled on 30 day terms.

Carrying amount: approximates fair value.

Liquidity Analysis

2023	Due < 1 year	Due > 1 year; ≤ 5 years	Due > 5 years	Total Contractual Cash Flows	Carrying Values
Financial Assets	\$	\$	\$	\$	\$
Cash & Equivalents	504,240	-	-	504,240	504,240
Receivables	91,100	-	-	91,100	91,100
Other Financial Assets	-	-	-	-	-
Total	595,340	-	-	595,340	595,340
Financial Liabilities					
Payables	2,250	-	-	2,250	2,250
Current Borrowings	-	-	-	-	-
Non-Current Borrowings	-	-	-	-	-
Total	2,250	-	-	2,250	2,250
2022	Due < 1 year	Due > 1 year; ≤ 5 years	Due > 5 years	Total Contractual Cash Flows	Carrying Values
Financial Assets	\$	\$	\$	\$	\$
Cash & Equivalents	657,733	-	-	657,733	657,733
Receivables	2,152	-	-	2,152	2,152
Other Financial Assets	-	-	-	-	-
Total	659,885	-	-	659,885	659,885
Financial Liabilities					
Payables	1,250	-	-	1,250	1,250
Current Borrowings	-	-	-	-	-
Non-Current Borrowings	-	-	-	-	-
Total	1,250	-	-	1,250	1,250

Net Fair Value

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

Risk Exposures

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

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

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

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

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NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30 June 2023

Note 11 - FINANCIAL INDICATORS

	2023	2022	2021
--	------	------	------

These Financial Indicators have been calculated in accordance with *Information Paper 9 - Local Government Financial Indicators* prepared as part of the LGA Financial Sustainability Program for the Local Government Association of South Australia. Detailed methods of calculation are set out in the SA Model Statements.

The Information Paper was revised in May 2015 and the financial indicators for previous years have been re-calculated in accordance with the revised formulas.

Operating Surplus Ratio

<u>Operating Surplus</u>	(37.1%)	(109.9%)	(49.8%)
Total Operating Income			

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

Net Financial Liabilities Ratio

<u>Net Financial Liabilities</u>	(151%)	(221%)	(148%)
Total Operating Income			

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

Asset Renewal Funding Ratio

<u>Net Asset Renewals</u>	0%	0%	0%
Depreciation Expenditure			

Net asset renewals expenditure is defined as net capital expenditure on the renewal and replacement of existing assets, and excludes new capital expenditure on the acquisition of additional assets.

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LEGATUS GROUP

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30 June 2023

Note 12 - UNIFORM PRESENTATION OF FINANCES

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

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

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

	2023 \$	2022 \$
Income	321,814	274,323
Expenses	(441,154)	(575,775)
Operating Surplus / (Deficit)	(119,340)	(301,453)
Net Outlays on Existing Assets		
Capital Expenditure on renewal and replacement of Existing Assets	-	-
Add back Depreciation, Amortisation and Impairment	1,372	7,209
Proceeds from Sale of Replaced Assets	-	-
	1,372	7,209
Net Outlays on New and Upgraded Assets		
Capital Expenditure on New and Upgraded Assets (including investment property & real estate developments)	(909)	(1,720)
Amounts received spec. for New and Upgraded Assets	-	-
Proceeds from Sale of Surplus Assets (including investment property and real estate developments)	-	-
	(909)	(1,720)
Net Lending / (Borrowing) for Financial Year	(118,877)	(295,964)

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NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30 June 2023

Note 13 - RELATED PARTY DISCLOSURES

KEY MANAGEMENT PERSONNEL

The Key Management Personnel of the Group include the 15 Mayors/Chairpersons of the constituent Councils and the CEO. In all, 1 person was paid the following total compensation:

	2023	2022
	\$	\$
Salaries, allowances & other short term benefits	163,432	158,801
Member Allowance	4,500	4,125
Post-employment benefits	17,160	15,880
Long term benefits	-	-
FBT	6,220	6,098
Termination benefits	-	-
TOTAL	191,312	184,904

The Group received the following amounts in total:

	2023	2022
	\$	\$
Contributions for fringe benefits tax purposes	-	-
TOTAL	-	-

PARTIES RELATED TO KEY MANAGEMENT PERSONNEL

During the reporting period, no Key Management Personnel or parties related to them had any transactions on more favourable terms than those available to the general public.

OTHER RELATED PARTIES

Amounts received from Related Parties during the financial year and owed by Related Parties at the end of the financial year (inclusive of GST).

	Received 2023	Outstanding 2023
	\$	\$
The Barossa Council	12,749	-
Barunga West Council	12,749	-
Clare and Gilbert Valleys Council	12,749	-
Copper Coast Council	12,749	-
The Flinders Ranges Council	12,749	-
Regional Council of Goyder	12,749	-
Light Regional Council	12,749	-
Adelaide Plains Council	12,749	-
District Council of Mount Remarkable	12,749	-
Northern Areas Council	12,749	-
District Council of Orroroo / Carrieton	12,749	-
District Council of Peterborough	12,749	-
Port Pirie Regional Council	12,749	-
Wakefield Regional Council	12,749	-
Yorke Peninsula Council	12,749	-
TOTAL	191,235	-

Description of Services provided to all Related Parties above:

The Legatus Group is the peak regional local government organisation that is focused on the interests of its communities. The Legatus Group's primary purpose focuses on the wealth, wellbeing and social cohesion of these communities via a sustainable approach of productive landscapes and natural environment. Its focus is on the key roles of local government.

The Group has Five Primary Goals and numerous strategies to achieve these are outlined in the Group's Strategic Plan 2018-2028 which is available on the Group's website.

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NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30 June 2023

Note 14 - CONTINGENCIES & ASSETS & LIABILITIES NOT RECOGNISED IN THE STATEMENT OF FINANCIAL POSITION

There are no contingencies, assets or liabilities not recognised in the financial statements for the year ended 30 June 2023.

Note 15 - EVENTS OCCURRING AFTER REPORTING DATE

There were no events subsequent to 30 June 2023 that need to be disclosed in the financial statements.

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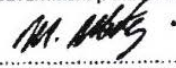
LEGATUS GROUP

ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 June 2023

CERTIFICATION OF AUDITOR INDEPENDENCE

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of the Legatus Group for the year ended 30 June 2023, the Council's Auditor, Dean Newbery & Partners, has maintained its independence in accordance with the requirements of the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 made under that Act.

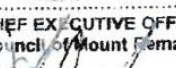
This statement is prepared in accordance with the requirements of Regulation 22(3) Local Government (Financial Management) Regulations 2011.


CHIEF EXECUTIVE OFFICER
The Barossa Council

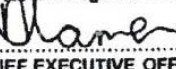

CHIEF EXECUTIVE OFFICER
Clare & Gilbert Valleys Council


CHIEF EXECUTIVE OFFICER
The Flinders Ranges Council


CHIEF EXECUTIVE OFFICER
Light Regional Council


Acting CHIEF EXECUTIVE OFFICER
District Council of Mount Remarkable

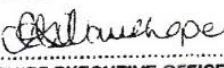

CHIEF EXECUTIVE OFFICER
Port Pirie Regional Council


CHIEF EXECUTIVE OFFICER
York Peninsula Council


CHIEF EXECUTIVE OFFICER
Wakefield Regional Council


CHIEF EXECUTIVE OFFICER
Legatus Group

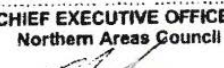
Date: 25 AUGUST 2023


CHIEF EXECUTIVE OFFICER
Barunga West Council


CHIEF EXECUTIVE OFFICER
Copper Coast Council


CHIEF EXECUTIVE OFFICER
Regional Council of Gynder


CHIEF EXECUTIVE OFFICER
Adelaide Plains Council


CHIEF EXECUTIVE OFFICER
Northern Areas Council


CHIEF EXECUTIVE OFFICER
District Council of Ororoo Carleton


CHIEF EXECUTIVE OFFICER
District Council of Peterborough


CHAIR, Legatus Group
Audit & Risk Management Committee


CHAIR
Legatus Group

MATTERS FOR INFORMATION

6.4 LOCAL GOVERNMENT ASSOCIATION ANNUAL GENERAL MEETING

Author: Chief Executive Officer
23/75646

The Local Government Association of South Australia has released the Annual General Meeting (AGM) Agenda, and the link is provided below.

The Mayor attends as the voting delegate of Council and aligns any matters of debate on the agenda to the Council known positions. If Members wish to discuss any matters on the agenda, please notify the Mayor and CEO, prior to the Council meeting so that those matters can be listed and prepared for conversation and if necessary, Members can provide a direction to the Mayor on any matters arising for decision at the meeting. A summary of the matters for decision and alignment to Council policy are outlined in the following table:

Agenda Item	Notes - Proposal	Proposed Voting
5.1-5.2	Minutes and updates on actions – for information only	Support all
6.1-6.8	General accountability reporting, annual reports, allowances, and terms of reference for the two supporting groups feeding into the LGA Board.	Support all
7.1	That the Annual General Meeting request the Local Government Association (LGA) Secretariat to advocate to the Essential Services Commission SA (ESCOSA) for a change to the cost structure being applied to the Strategic Management Plan Advice Scheme, conducted by ESCOSA pursuant to section 122 of the Local Government Act 1999, to an approach that has costs allocated to councils on a proportional basis consistent with the value assigned to votes of delegates of the LGA at an LGA General Meeting (as set out in clause 17 of the LGA Constitution).	Support – does not alter Councils contribution requirements.
7.2	That the Annual General Meeting request that the Local Government Association: 1. Amend its Policy Manual to recognise and advocate on factors that impact regional youth participation in post-secondary education in light of skills shortages and localised social and economic impacts for regional communities; and	Support – aligns to Community Plan theme of Community and Culture and Health and Wellbeing specifically <u>Goal 4</u> The Barossa fosters community resilience, connection and

	2. Advocate for removal of the parental income test as a qualifying criterion for Youth Allowance eligibility for regional students relocating to pursue post-secondary education, and other measures that encourage youth/regional participation in further education.	wellbeing through its social planning, recreation, safety, education, preventative health and social strategies especially for our youth and vulnerable people; and <u>Goal 9</u> Our community has fair and equitable access to the resources and services they need to lead a safe, healthy, inclusive and connected lifestyle.
8.1	That the Annual General Meeting: 1. Requests that the LGA support with coordination and advocacy to reconcile the Electricity Regulations, which suppress canopy coverage, with the state government targets set to increase canopy coverage; and 2. Notes that if the item is approved by members at the 2023 LGA Annual General Meeting, the LGA Secretariat would undertake the following activities: a) the LGA writes to the Minister for Energy and Mining and the Minister for Climate, Environment and Water about the barrier imposed by the Electricity (Principles of Vegetation Clearance) Regulations 2021 to the State Government in achieving its urban greening agenda; and b) the LGA continues its current advocacy through existing channels with SAPN and Green Adelaide, and takes advantage of other potential avenues which may arise, to support these changes to the Regulations.	Support – aligns to Community Plan theme of Natural Environment and Built Heritage specifically. <u>Goal 3</u> We take a proactive approach in responding to key environmental challenges such as climate change, water security and waste management.
8.2	That the Annual General Meeting requests that the LGA: 1. Investigate the current capacity/rehoming issues for dogs and cats	Support – no direct alignment to Community Plan however will contribute to better animal management.

	currently faced by South Australian Councils; and 2. Undertake a scoping study into all potential animal pound and rehoming models, including the feasibility of a state-wide impounding and rehoming facility and associated services, considering the costs and risks with each model and how this could be practically implemented to meet the needs of regional and metropolitan Councils.	
8.3	That the Annual General Meeting: 1. Requests the LGA advocate to the Department for Infrastructure and Transport to seek the Department's commitment to reducing the heat island impact on their road assets, including a review of current technical documentation (operational Instructions) to consider greater flexibility to support greening initiatives whilst not compromising vehicle safety, and partnering with Councils to cost share works undertaken (including ongoing maintenance); and 2. Notes that if the Item is approved by members at the 2023 Annual General Meeting, the LGA Secretariat would write to the Minister for Infrastructure and Transport as well as the Minister for Climate, Environment and Water seeking support for ongoing review of the Operational Guideline to consider greater flexibility to encourage greening initiatives while not compromising vehicle safety on roads managed by the Department for Infrastructure and Transport.	Some concern as to rural and regional application, given the management of roadside risk and trees/greening often falls to Council and or adjacent landowners. Further there is significant greening already in rural and regional areas. Suggest the work be undertaken at metropolitan level in the first instance rather than state-wide.
8.4	That the Annual General Meeting requests the LGA to lobby the State Government to undertake legislative reform to enable Council Member appointees to subsidiaries to remain in a meeting, participate and vote in a matter being considered by council or a committee, where the outcome would result in a benefit or loss for the subsidiary; rather than the current legislative obligation that appointees must declare a material conflict of interest.	Support the need to have subsidiary represents as part of this decision making is critical to sound debate, a fully informed Council and the fundamental connection to subsidiary activities as the representatives.

ATTACHMENTS

Nil

SUPPORTING REFERENCES

[ECM_801004-Agenda-Annual-General-Meeting-26-October-2023.pdf \(lga.sa.gov.au\)](#)

MATTERS FOR INFORMATION

6.5 ROAD CLOSURES - EVENT RELATED

**Author: Manager, Engineering Services
23/81069**

Under Instrument of General Approval and Delegation to Council Use of Traffic Control devices, Road closure and Granting of Exemptions for Events, officers have recently endorsed road closures associated with the following events:

- 2023 Odyssey Festival – Saturday 21 October 2023
- 2023 Angaston Christmas Parade – Friday 24 November 2023
- 2023 Barossa Christmas Parade – Friday 1 December 2023
- 2023 Mount Pleasant Street Parade and Party – Saturday 2 December 2023
- 2024 Valley Hot Rodders Cruise On – Saturday 20 January 2024

ATTACHMENTS

Nil

SUPPORTING REFERENCES

Nil

MATTERS FOR INFORMATION

6.6 LOCAL GOVERNMENT FINANCE AUTHORITY ANNUAL REPORT

**Author: Chief Executive Officer
23/83878**

The Local Government Finance Authority annual report incorporating financial statements for the 2022-23 financial year have been received and is tabled for Councils information.

ATTACHMENTS

Nil

SUPPORTING REFERENCES

[LGFA-AnnualReport2023-FinalWeb.pdf](#)

MATTERS FOR INFORMATION

6.7 GOVERNMENT OF SOUTH AUSTRALIA COMMUNITY CLIMATE CONVERSATIONS

**Author: Sustainability Officer
23/85332**

The South Australian Government has launched Community Climate Conversations. that are labelled '[the largest conversation of its kind on climate in the country](#)'.

Community Climate Conversations are an opportunity for local communities to come together and talk about climate change and what can be done to reduce our greenhouse gas emissions. The data from conversations will be collated and analysed and provided to the South Australian Government to inform their net zero actions.

The South Australian Government has set goals to reduce South Australia's greenhouse gas emissions by more than 50% below 2005 levels by 2030, and to achieve net zero emissions by 2050. The Hon Susan Close MP, Deputy Premier & Minister for Climate Environment and Water says "*Discussions in the community are an integral part of the state's journey toward a net zero future. I encourage the community to get involved in these important discussions as part of informing our response to climate change*" ([Accelerating to Net Zero – DemocracyCo](#)).

Anyone can lead or take part in a climate conversation including schools, community groups, homes, and workplaces across all country and metropolitan areas of South Australia. The State Government have developed a [conversation guide](#), [host kit](#) and [group response form](#) to support conversations. Groups are encouraged to be involved even if they must skip questions to fit a conversation into their schedule. Feedback closes 30 November 2023 and Councils are encouraged to help share information about being involved in Community Climate Conversations.

With regards to climate response and The Barossa Council, the Corporate Plan 2023 - 2027 provides for the development of a Carbon Management Plan (Strategic Action CS17-1). Work on developing this plan will likely start early to mid-2024.

ATTACHMENTS

Nil

SUPPORTING REFERENCES

[Media Release - South Australia beings nation-leading conversation on climate change](#)

[Accelerating to Net Zero – DemocracyCo](#)

[Community Climate Conversations Guide](#)

[Community Climate Conversations Host Kit](#)

[Community Climate Conversations Group Response Form Survey](#)

MATTERS FOR INFORMATION

6.8 WILLIAMSTOWN HOTEL CAR PARK LICENCE

**Author: Manager Development Services
23/87912**

Council resolved at the 20 June 2023 ordinary meeting to undertake public consultation in respect to a proposed registration of a license to Williamstown Hotel over the Williamstown car park land.

Should objections not be received, Council approved for the Chief Executive Officer to negotiate a licence in support of parking requirements for the Williamstown Hotel development application 22035759 to make improvements to the Hotel.

Following the Council resolution, a 3 week consultation period was undertaken from 5 July to 26 July and no submissions were received during the period of public consultation.

The license has subsequently been negotiated with the Williamstown Hotel and the license executed under seal. The execution of the license has enable grant of Planning Consent and the Hotel is now working through obtaining Building Consent, such that development approval can be obtained to undertake the works.

ATTACHMENTS

Nil

SUPPORTING REFERENCES

Nil

MATTERS FOR INFORMATION

6.9 LOCAL NUISANCE AND LITTER CONTROL ACT 2016 REFORMS

**Author: Manager Development Services
23/87917**

Following introduction of the *Local Nuisance and Litter Control Act 2016* in 2017, the Government have made amendments to the *Regulations* to remove the Residential Tenancies Act exclusion from Schedule 1 of the Regulations and to introduce nuisance from refrigerated vehicles and declaration of light as an agent of local nuisance. The latter reforms come into effect on 1 April 2024 while the amendment to Residential Tenancies Act comes into immediate effect.

A copy of the *Local Nuisance and Litter Control (Amendment of Act, Schedule 1) Regulations 2023* can be viewed via the following link:

<https://www.governmentgazette.sa.gov.au/>

Council has made previous submissions to the EPA in respect to the proposed reforms. During consultation of the review of the Act in 2019, Council made a submission as contained in *Attachment 1*, which objected to the introduction of light as an agent of local nuisance. A further submission was made by staff in 2022 and is contained in *Attachment 2* in respect to the draft Regulations and the submission reiterated concerns in respect to the introduction of light as an agent of local nuisance.

The implication of the reform is that from 1 April 2024, staff will need to investigate complaints pertaining to light as an agent of local nuisance, subject to various exemptions that are outlined within the Regulations. The removal of the Residential Tenancies Act will mean that Councils will be responsible to investigate local nuisance, irrespective of whether the premises is subject to a residential tenancy.

ATTACHMENTS

Attachment 1 Submission to Environment Protection Authority - Review of Local Nuisance and Litter Control Act [!\[\]\(47734e4656765d20df4fdbd5b7aff048_img.jpg\)](#) [!\[\]\(effba44ea72cb8c77bdc1dac75561f86_img.jpg\)](#)

Attachment 2 Submission to EPA Local Nuisance and Litter Control Act 2022 10.02.23(3) [!\[\]\(bd3b31712ad9bab5a241210fa6925cdd_img.jpg\)](#) [!\[\]\(882be629d4a853dc90d60f084b0d185d_img.jpg\)](#)

SUPPORTING REFERENCES

Local Nuisance and Litter Control Act 2016

Local Nuisance and Litter Control (Amendment of Act, Schedule 1) Regulations 2023

Reference: HPE B3262, 19/58781

1 October 2019

Program Manager – Legislation and Policy
Environment Protection Authority
GPO Box 2607
Adelaide SA 5001
Via Email: epainfo@sa.gov.au

Dear Sir/Madam,

Submission on the Review of the Local Nuisance and Litter Control Act.

Thank you for the opportunity to provide a Submission in relation to the review of the *Local Nuisance and Litter Control Act 2016* (the LNLCA).

On behalf of The Barossa Council (Council), the following comments are provided for your consideration in response to the Discussion Paper.

Since the inception of the LNLCA, councils have been required to investigate on a range of new matters, many of which were previously outside of the jurisdiction of Local Government with no additional funding.

Whilst we appreciate that a review is being undertaken, Council raises concerns about any amendment that would increase the resourcing pressures and shift further burden and costs to Local Government.

4.1 Local Nuisance associated with Licenced Venues and Events

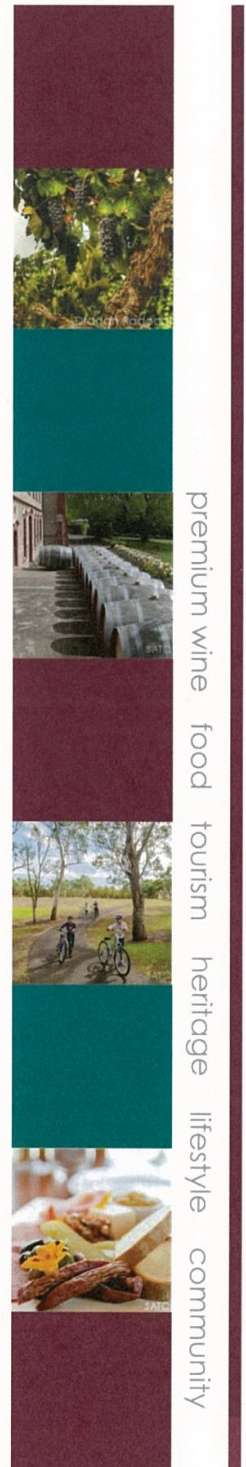
The Discussion Paper outlines possible amendments in relation to nuisances associated with licenced premises or events to which a Liquor Licence applies.

This reform would expand the responsibilities of councils so that Officers are required to deal with noises and nuisances which are not strictly associated with patrons or the service of alcohol (ie Machine noise). Whilst this appears logical, the ongoing impact has the potential to be significant and Council does not support amendments which further impact resourcing and increase Council's responsibility under the Act.

In addition, the proposal to include nuisance arising from outdoor events, including entertainment and patron behaviour is a concern. Councils are not equipped to effectively respond to complaints associated with outdoor licenced events and patron behaviour, particularly those associated with alcohol consumption. The majority of these events occur on weekends and outside of normal business hours. Such matters need to remain the responsibility of SA Police and Consumer and Business Services.

4.3 Animals Living in their Natural Habitat

Currently, common nuisances associated with animals living in their natural habitat are excluded.



There has been a suggestion that there is a need to provide a definition of what a natural habitat is to avoid confusion. Council raises no issue or comment in this regard.

Consideration should also be given to expanding this exemption so as to capture other means of encouragement, including providing or failing to deal with a nesting location; and further defining 'Animals' to only 'Native animals', or excluding non-native animals such as pigeons or other vermin.

4.4 Noise from Sporting Venues – Motorsports

The Paper raises a question as to whether nuisances caused by motorsports should be excluded from the exemptions and thereby allowing such matters to be regulated under the LNLCA.

Council's view is that motorsport events and venues should continue to be regulated under the Environment Protection Act 1993 as councils are not resourced to manage these events.

4.5 New inclusions to cause of local nuisance.

Light being an agent of nuisance

There is suggestion that light should be included as an agent of local nuisance. This would impose a responsibility on councils to address matters of light spill and nuisances associated with light.

This would capture street lighting, sporting venues and commercial or industrial premises. Many of these examples would prove difficult to resolve, require the purchase of lux metres and impose an expectation on Council to assess the nuisances at night. This will place a further burden on councils and we strongly recommend that light continues to be a civil matter only.

Noise from Vehicles – Revving, off road motorbikes, alarms

Currently, the LNLCA excludes noise associated with vehicles operating on, entering or leaving private property. This includes noise caused by motorbikes, revving vehicles and burnouts.

The means to currently address such matters is under the Environment Protection Act 1993, which would largely fall to the responsibility of Police. Council is unable to absorb this additional responsibility, which should remain regulated under the EP Act.

4.6 Possible new 'things that are not Local Nuisance'.

The Paper proposes to exclude nuisance from unsealed roads from the provisions of the Act so that councils are not deemed responsible for failing to act.

Given the significant network of unsealed roads within the Council area. Council is supportive of the inclusion of 'Dust from unsealed roads' being considered not to be a local nuisance.

4.6.3 Early morning concrete pours in hot weather

The reforms seeks input as to whether nuisances in this regard should be excluded from the LNLCA or amended to allow early morning concrete pours to occur in certain circumstances.

Currently this activity is captured within construction noise and the LNLCA restricts this activity to between 7:00am to 7:00pm, from Monday to Saturday.

It is understood that there is often a need to undertake early morning concrete pours during hot weather for various reasons. Council would be open to consider amendments which allow for earlier starts in certain circumstances.

It is suggested that construction noise association with concrete pours may commence from 6:00am (Monday to Saturday), in the following circumstances:

- When the temperature is forecast as being over 35c on that day; and
- The builder or person in charge of the work provides advanced notification to residents in the area including a contact name and mobile phone number for complaints;

- The above may be in the form of a letter drop to neighbours or a temporary sign being displayed on the property for a reasonable period before the work is undertaken); and
- The work commences and concludes on the same day.

5. Waste Collection Vehicles

The Discussion Paper appear to suggest that there is difficulty or uncertainty about regulating noise caused by Waste Transport vehicles on roads or private property.

Our view is that as Waste Management businesses are regulated by the EP Act, it would appear logical that waste collection or transport vehicles associated with Waste Management businesses, be the responsibility of the EPA.

All matters relating to collection and transport of waste could be managed by a licence or conditions under the EP Act.

6. Subjective and Objective Noise measurements

The LNLCA enables Council Officers to make subjective assessments of noise nuisance based on an Officer's own senses in determining whether noise constitutes a nuisance. The Discussion Paper outlines options to include objective assessments to assist in matters which are borderline. Council's view is that it should be the role of the EPA to undertake objective assessments to support councils, in situations where Council Officers deem a matter to be borderline, or where the Officer has deemed the matter to be not a nuisance and the complainant is not satisfied with the outcome.

Importantly, this would also provide an impartial and unbiased assessment.

7. Litter

- 7.1 Council would support any amendments which enables councils to recover the costs of urgent clean ups of illegally dumped material where an offender is located after the material is cleaned up.
- 7.2 Council is not aware of any issue relating to bill posting, but would support inclusion of Expiation within section 23(2) if deemed necessary.
- 7.3 Illegal dumping and littering

This is amongst the most frustrating issues for Council and the community. Since the commencement of the Act in 2017, there has been minimal noticeable improvements to the manner in which Council can investigate and enforce illegal dumping. The legislation requires further tightening to reduce instances of illegal dumping. There have been many situations where Officers have formed a reasonable suspicion (based on the circumstance, or the material contained within the litter) that a person has deposited the litter on land or into waters, but there has not been sufficient evidence to proceed further.

There are a number of examples throughout the LNLCA where something 'constitutes proof, in absence of proof to the contrary'. Council believes that this should also be extended to littering offences where an Authorised Officer forms a reasonable suspicion based on the circumstances, or the material or information contained in the litter; that a person has deposited the litter onto land or into waters.

It would then be the responsibility of the alleged offender to provide proof to the contrary, similar to the provisions allowed for with registered operators of motor vehicles.

- 7.4 Council does not have an issue in relation to shopping trolleys, but has no objection to including amendments to assist other Councils.

8. General Discussion points

- 8.1 Enabling an Abatement Notice to be linked to the land has merit. Council would support this inclusion where the source of nuisance requires ongoing management.

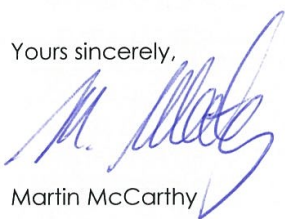
9. Other improvements

The LNLCA outlines circumstances which may constitute unsightly conditions. The Legislation further states that 'where, in the opinion of an Authorised Officer, the conditions have had an adverse effect on the amenity value of the area or caused the premises to be significantly out of conformity with the general appearance of neighbouring premises'

It may be worth giving consideration to defining the term 'area'. Currently it is open to interpretation. Guidance as to whether 'area' means immediate neighbouring properties, a group of properties or a street may be beneficial.

Again, we thank you for the opportunity to provide a submission.

Yours sincerely,



Martin McCarthy

CEO, The Barossa Council

Reference: TRIM

10 February 2023

Environment Protection Authority
epainfo@sa.gov.au

Dear Sir/Madam,

Submission to the EPA – 'Local Nuisance and Litter Control Act 2022'

Thank you for the opportunity to make submission to the EPA in respect to the review of the *Local Nuisance and Litter Control Act 2016*.

The Barossa Council administration is broadly supportive of most aspects of the proposed reform, other than the introduction of light as an agent of local nuisance and the proposed change to waste collection vehicles.

I refer to the previous submission of Council, October 2019, whereby Council opposed the introduction of light as an agent of local nuisance. Council also submitted that waste management businesses should remain the responsibility of the EPA.

Council has also previously opposed reforms to *Liquor licensed premises* which would increase council's responsibility under the Act, although it is considered to be a logical step to separate out local nuisance not associated with patrons or service of alcohol.

In respect to the other changes proposed, Council administration broadly supports the following:

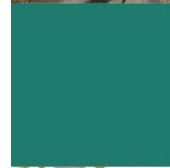
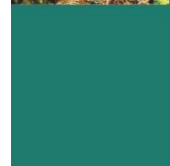
- Greater flexibility to assess applications seeking exemption from undertaking Local Nuisance under the Act;
- Improved provisions for cost recovery;
- Provision for maintenance and cleaning of stormwater systems;
- Inclusion of Abatement Notices being linked to property search statements;
- Amendments regarding litter, bill posting and trolleys;
- Removal of the Residential Tenancies Act from clause 5(j) of Schedule 1;
- Exclusion of dust from unsealed roads as a form of local nuisance;
- Introduction of noise from refrigerated vehicles as a local nuisance.

We thank you for providing opportunity to make submission to the EPA and we look forward to further update regarding the proposed reforms in due course.

Yours Sincerely,



Aaron Curtis
Manager – Development Services



premium wine food tourism heritage lifestyle community

MATTERS FOR INFORMATION

6.10 HYDROGEN AND RENEWABLE ENERGY ACT - DRAFT BILL

**Author: Manager Development Services
23/87980**

Council recently provided submission in respect to the Draft Bill – Hydrogen and Renewable Energy Act as contained within [Attachment 1](#).

The aim of the Hydrogen and Renewable Energy Act is to introduce a 'one window of government' licencing and regulatory system, streamlining the processes for companies wanting to invest in large-scale projects in South Australia into a single regulatory process for the entire project lifecycle.

Council's submission requested that the Act recognise the Barossa Valley Character Preservation District within the legislation and further requested that there be a prohibition on licenses being granted within the Character Preservation District to ensure that the special character values of the Barossa Valley are protected.

The summary of consultation feedback was released in September 2023 and is contained in [Attachment 2](#). The Bill was introduced into the South Australian Parliament on 14 September 2023 and changes as requested by Council do not appear to have been reflected within the bill introduced to Parliament.

It is understood that debate on the bill is yet to take place in the House of Assembly.

ATTACHMENTS

Attachment 1 Hydrogen Renewable Energy Act Submission 26.06.23(3) [↓](#) 
Attachment 2 Consultation_Report_-
 _Hydrogen_and_Renewable_Energy_Act_Draft_Bill [↓](#) 

SUPPORTING REFERENCES

Nil

26 June 2023

Department for Energy and Mining
By email: DEM.legislation@sa.gov.au

Dear Sir/Madam,

RE: **Hydrogen and Renewable Energy Act – Draft Bill**

Thank you for opportunity to make submission in respect to the *Draft Bill – Hydrogen and Renewable Energy Act*.

The Barossa Council supports the development of renewable energy production and supply but has concerns with the lack of recognition in the draft Bill regarding the sensitivity of the Barossa Valley Character Preservation District.

The Barossa Valley Character Preservation District is enshrined in legislation titled *Character Preservation (Barossa Valley) Act 2012* to protect the special character values of the district which are:

- (a) *The rural and natural landscape and visual amenity of the district;*
- (b) *The heritage attributes of the district;*
- (c) *The built form of the townships as they relate to the district;*
- (d) *The viticultural, agricultural and associated industries of the district;*
- (e) *The scenic and tourism attributes of the district.*

Large scale renewable energy projects have potential to undermine the special character of the district and in this regard, it is requested that the Act recognise the Barossa Valley Character Preservation District within the legislation.

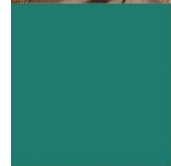
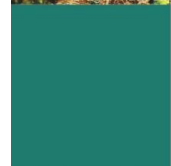
It is further requested that the Act include prohibition on licenses being granted within the Character Preservation District, to ensure that the special character values of the Barossa Valley are protected.

I thank you for the opportunity to make submission in respect to the *Draft Bill – Hydrogen and Renewable Energy Act* and we look forward to receiving feedback on how our submission will be addressed in the final implementation of the draft Bill.

Yours sincerely,



Martin McCarthy
Chief Executive Officer



premium wine food tourism heritage lifestyle community



**Government
of South Australia**

Department for
Energy and Mining

Hydrogen and Renewable Energy Act Draft Bill

Consultation Report



energymining.sa.gov.au

Department for Energy and Mining

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energymining.sa.gov.au

South Australian Resources Information Gateway (SARIG)

map.sarig.sa.gov.au



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Published September 2023

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Preferred way to cite this publication. Department for Energy and Mining 2023.
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Department for Energy and Mining | September 2023



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Introduction

On 11 May 2023, the Department for Energy and Mining (DEM) launched public consultation on the draft Hydrogen and Renewable Energy Bill (the draft HRE Bill). The draft HRE Bill was developed in response to feedback received from public consultation on the Hydrogen and Renewable Energy Act Issues Paper (the Issues Paper).

Public consultation was conducted over a 6-week period closing on 26 June 2023. Consultation on the draft HRE Bill was supported by documents; the Explanatory Guide to the HRE Bill, the Hydrogen and Renewable Energy Act Process Diagram, and the Draft Regulatory Impact Statement. In addition to these documents, DEM created fact sheets specifically to address the interests of pastoral lease holders and native title groups and traditional owners.

Replicating the commitment to genuine, meaningful engagement on the Issues Paper consultation from November 2022 to February 2023, YourSAy surveys and Forums, targeted stakeholder meetings, regional information roadshows, an online webinar and Q&A were the platforms utilised for stakeholder participation.

A dedicated workshop for the pastoral community was also held on 14 June 2023 in Port Augusta to support quality engagement with the government on the draft Bill.

Throughout consultation, department officials met with an extensive range of industry, community, Aboriginal groups, environmental groups, and other interested stakeholders. Overall, DEM received over 130 submissions on the draft HRE Bill.

This report provides a summary of the key themes of feedback received and how they have been considered in further drafting of the Bill.

Background

The unprecedented scale of transformation and demand for access to pastoral land and State waters requires a fit-for-purpose approach to enable the state to deliver outcomes to balance the interests of multiple stakeholders and owners of land and build long-term prosperity for the benefit of all South Australians and the environment.

The proposed HRE Act seeks to enable an efficient, flexible, transparent, and consultative licensing and regulatory framework for hydrogen generation and renewable energy infrastructure in South Australia. The “one window to government” legislative framework intends to:

- licence and regulate the entire lifecycle of renewable energy projects and the generation of hydrogen, recognising that Aboriginal participation in decision-making is central to South Australia's clean energy future
- maintain the government's commitment to multiple land use, continuing to recognise all other overlapping legal rights over the same land (for example, pastoral leases, mining tenements and licences)
- maximise the benefits for all South Australians and the environment, whilst ensuring that any environmental, economic, public safety and social and cultural impacts associated with such developments are effectively addressed in line with environment, social and governance requirements
- expedite the development of the state's hydrogen sector and support delivery of the Hydrogen Jobs Plan
- deliver investment certainty and security and unlock the pipeline of renewable energy projects.

South Australia's leading practice “one-window-to-government” approach to regulation will provide a central service point for industries recognised for their strategic and significant contribution to the State's present and future economy and overall wellbeing. With DEM as a first port of call, proponents will be helped to navigate through the various regulatory licensing and approval processes under all relevant legislation.



ENGAGEMENT APPROACH

Following the meaningful feedback solicited through engagement undertaken for the Issues Paper, the engagement approach for the draft HRE Bill has implemented similar objectives.

As part of a strategic engagement approach, DEM implemented previous objectives to:

Objective	How DEM addressed objective
Facilitate participation of and partnerships with Aboriginal communities	Following the success of the inaugural South Australian Aboriginal Renewable Energy Forum (SAAREF) in November 2022, further consultation with Aboriginal stakeholders took place at the second SAAREF, held between 19 and 21 March 2023. SAAREF continued discussions on the development of the Act, including identifying solutions to the issues raised during Issues Paper consultation. A further online webinar for Aboriginal stakeholders and rights holders was delivered during the consultation period for the draft HRE Bill.
Ensure stakeholder understanding of the provisions and scope of the proposed Act to provide meaningful feedback	To facilitate broad involvement, DEM created: • Explanatory Guide to the Bill • Hydrogen and Renewable Energy Act process diagram • Draft Regulatory Impact Statement • Fact Sheets for pastoral lease holders and native title groups and traditional owners • Public webinar delivered and recorded for viewing on demand.
Empower stakeholder voices	Facilitating feedback via a number of mechanisms: • YourSAy • Regional roadshows • Pastoralist workshop • Online public webinar and Q&A • Targeted stakeholder meetings and webinars • Webinar for government co-regulators • Dedicated email inbox to receive feedback and queries.
Identify and respond to stakeholder concerns, ideas, and queries	Following the closure of consultation, all feedback was reviewed, analysed and where appropriate, incorporated into the final Bill for introduction to Parliament. Identified key areas of stakeholder concern and addressed them throughout the Bill drafting process.
Build ongoing trust and relationships	Provided an open, transparent and extensive consultation process.

INTERNAL GOVERNMENT CONSULTATION

The internal government consultation process was conducted concurrently with public consultation, involving a number of agency meetings and a targeted online webinar. On 8 June 2023, DEM hosted an online webinar tailored for the needs of co-regulatory agencies. The webinar was well attended by government employees from agencies including the Department for Environment and Water (DEW), the Department of Primary Industries and Regions South Australia (PIRSA), the Department for Trade and Investment (DTI), the Department for Industry, Innovation and Science (DIIS), the Environmental Protection Agency (EPA), the Department for Infrastructure and Transport (DIT) and the Office of Hydrogen Power South Australia (OHPSA). Attendees were encouraged to ask questions throughout the webinar.

Submissions received from departments across government impressed the importance of an orderly, government-led process to regulate large-scale hydrogen and renewable energy projects in South Australia. Co-regulatory agencies assisted in the drafting of the environmental impact assessment and referral provisions in the Bill, which will enable detailed referrals to be prepared in the Regulations. Feedback received contributed to the final Bill.

DEM is committed to working with departments across government to ensure the interests of multiple sectors are considered in the development of the Regulations.

YOURSAY

A YourSay web page was created and launched on 11 May 2023 at the opening of public consultation on the draft HRE Bill. The success of the YourSay page launch and content is reflected in over 2,300 page views between 11 May and 26 June 2023.

To capture feedback, DEM created a survey through YourSay which was broken down into Questions 1 to 10, representing Parts 1 through 9 of the draft HRE Bill and Question 10 representing the topic of transitional provisions for comment.

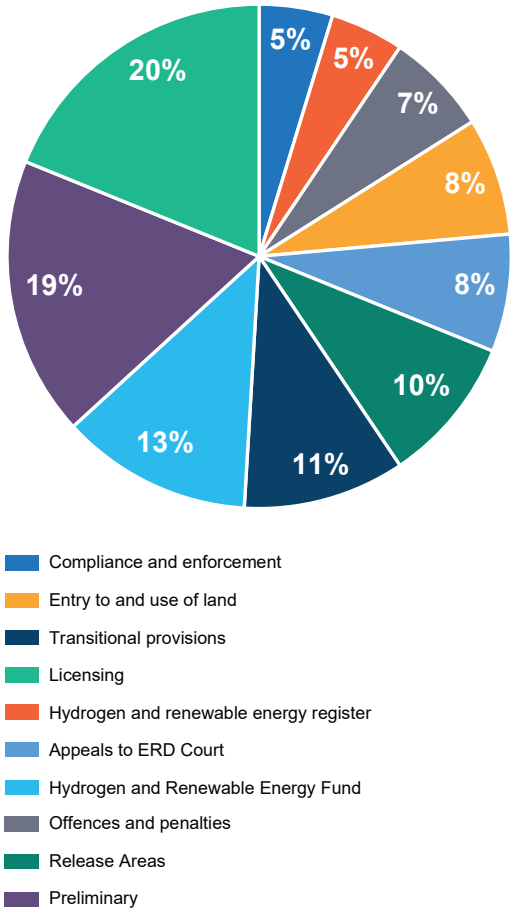


Figure 1 Statistics generated through YourSay identified 'Part 3 - Licensing' as the most responded to.





DEM created bespoke documents targeted at specific stakeholder groups, assisting them to gain a more meaningful understanding of the draft HRE Bill. Figure 2 shows the number of downloads each document received during the consultation period, the 'draft Hydrogen and Renewable Energy Bill' being the most downloaded.

The success of this platform is also reflected in the 28 survey responses and 31 feedback comments DEM received through YourSAy. All feedback received through YourSAy has been analysed and contributed to the final Bill.

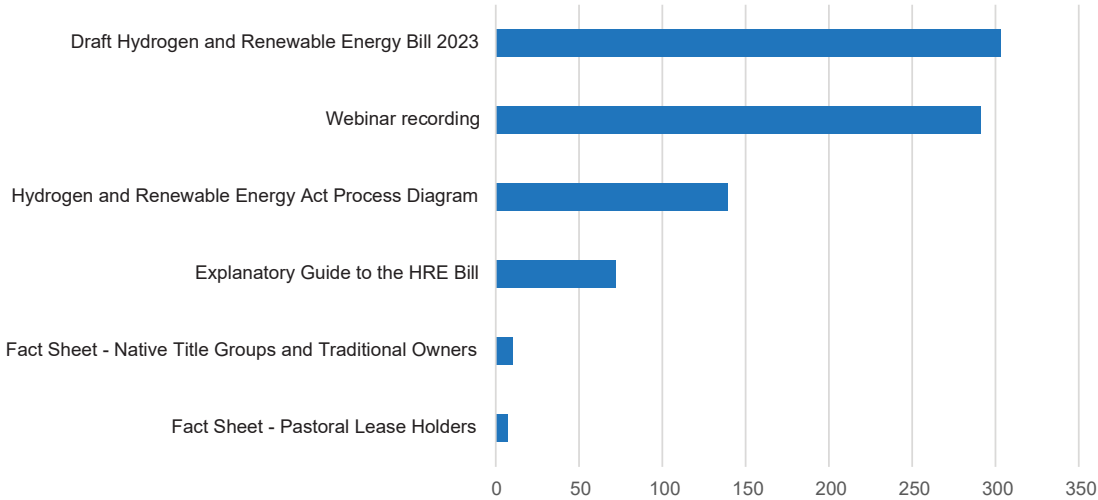


Figure 2 Number of downloads of YourSAy materials.

SOUTH AUSTRALIAN ABORIGINAL RENEWABLE ENERGY FORUMS

In November 2022 and March 2023, DEM hosted the South Australian Aboriginal Energy Forums (SAAREF). SAAREF brought together South Australian government representatives, native title groups and other traditional owners to share information, ideas, and expertise with a view to:

- learning more about the growing renewable energy and hydrogen sector in South Australia
- strengthening relationships based on understanding, respect, and early engagement
- discussing the development of new legislation to regulate renewable energy projects on country
- understanding the issues and challenges impacting Aboriginal groups
- discussing opportunities for Aboriginal people and government to work together on the development of renewable energy in South Australia

- driving better collaboration between stakeholders, to improve management of impacts and provide benefits and opportunities determined by Aboriginal people.

Issues raised at both SAAREFs have proved critical to creating a Bill that respects Aboriginal rights and interests, accompanied by strong policies to drive collaboration and strengthen relationships with Aboriginal communities.

Native title and traditional owner groups will continue to play an integral role in regulation and policy development, and in the identification of potential release areas under the new framework.

PASTORALIST WORKSHOP

On 14 June 2023, DEM hosted a workshop and information session in Port Augusta for the pastoral and farming community. The workshop brought together over 30 representatives including pastoralists as well as representatives from Livestock SA, the Arid Lands Landscape Board, the Pastoral Board, Rural Business Support, and government. Attendees participated in a number of presentations, Q&A sessions, and dedicated activities designed to elicit feedback and responses on key elements of the draft HRE Bill. The workshop also featured a presentation from DEW on changes to the *Pastoral Land Management and Conservation Act 1989* (the Pastoral Act) to accommodate conservation and carbon farming activities.

Participation at the Hydrogen and Renewable Energy Bill Pastoralist workshop was a key opportunity to hear directly from those developing the draft HRE Bill and ensure perspectives and input from pastoralists was considered in the development of the legislation. Detail captured from the workshop will also inform the development of the Regulations, however pastoralists will be directly engaged again to assist in developing the Regulations. Engagement with pastoralists will also be critical to the identification of potential release areas under the new framework.

ONLINE WEBINAR & MEETINGS

On 7 June 2023, DEM hosted an online webinar with Q&A session. The webinar was broadcast live and recorded and published on the DEM website for those who could not attend the live broadcast. A collaboration of two DEM representatives and one OHPSA representative made up the panel who presented on the design of the draft HRE Bill, release areas and key regulatory stages and licences in the draft HRE Bill. A formal presentation was followed by a Q&A session.

The webinar has been viewed over 290 times via YouTube. The webinar is available online at the [DEM Hydrogen and Renewable Energy Act site](#).

REGIONAL ROADSHOWS

Throughout June 2023, DEM representatives engaged with regional communities at various targeted locations across the State. This engagement was integral to meeting engagement objectives to:

- Ensure stakeholder understanding of the provisions and scope of the proposed Act to provide meaningful feedback
- Empower stakeholder voices
- Build ongoing trust and relationships.

Modelled around the success of the Issues Paper regional roadshows, DEM representatives conducted informal 'drop in' style booths to encourage local communities to engage and learn more about the draft HRE Bill.

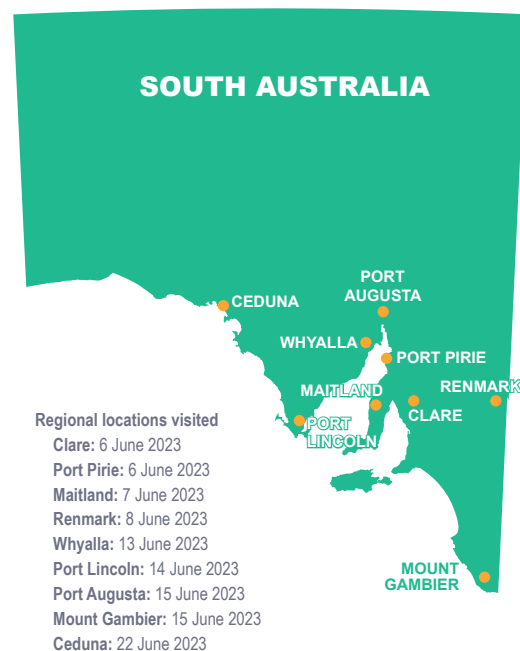
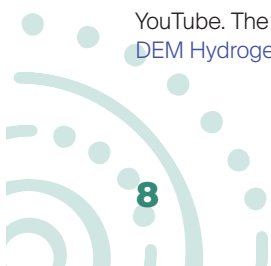


Figure 3 Regional roadshows map.





KEY THEMES ARISING FROM SUBMISSIONS

The quality and quantity of submissions DEM received is reflective of the significance of this flagship legislation. In addition to the YourSay responses, over 70 pieces of written feedback were submitted. It is clear from the vast range of stakeholders who submitted detailed and supportive feedback that South Australians have a vested interest in nurturing a growing hydrogen and renewable energy industry. Figure 4 shows the range of submissions demographics.

The following key themes raised during the consultation process were relevant to informing the final Bill, and in some cases have led to policy adjustments.

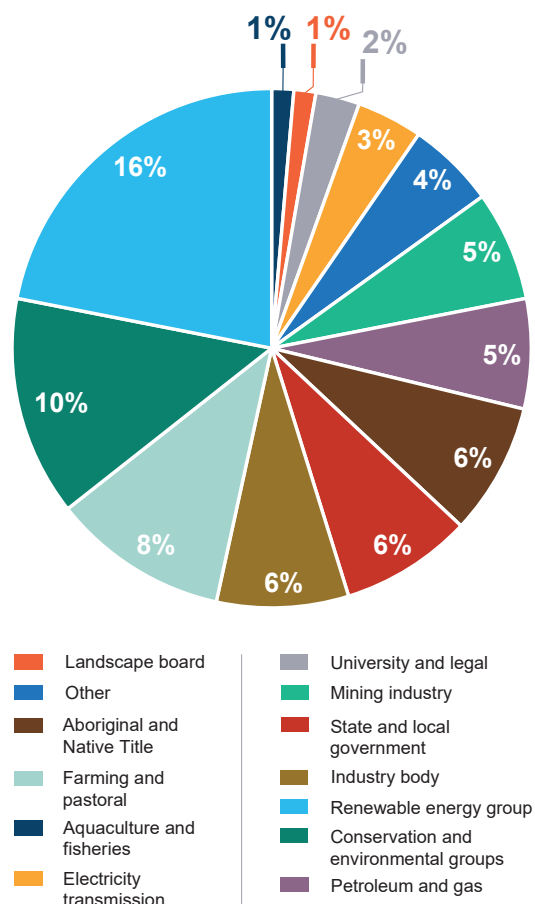


Figure 4 Submissions were received from a wide variety of stakeholders.

GENERAL FEEDBACK

General feedback has centred primarily around economic growth in the regions, and the positive impacts that large-scale hydrogen and renewable energy projects will have in South Australia. The public continued their support for this flagship piece of legislation and were deeply conscious of the government's efforts to combat climate change.

EXPAND THE SCOPE OF THE ACT

Feedback received proposed the HRE Act scope expands beyond regulating renewable energy and hydrogen generation, to capture more activities associated with HRE Act licences. This has been implemented in the Bill, through the creation of an Associated Infrastructure Licence.

LICENSING TERMS AND SEQUENCING

Overall, feedback received was supportive of the proposed licensing framework, many submissions strongly encouraging the "one window to government" framework.

Feedback indicated that the renewable energy industry would like to see the length and term of a feasibility licence extended beyond the 3 years proposed in the draft HRE Bill. The final Bill provides that feasibility licences may be granted for a term up to five years at the Minister's discretion, and up to seven years in State waters.

Feedback indicated that feasibility licences are unsuited to activities conducted on freehold land. The investigation stage on freehold land will now be replaced with a non-exclusive permit allowing fixed structures and will include options for enforceable conditions.

Feedback on the draft Bill from landowner groups, conservation groups and industry noted that granting a licence before impact assessments are completed may undermine social acceptance. Noting this, the impact assessment stage has now been embedded within the licence application and assessment process. This process includes preparation of an Environmental Impact Report (EIR) and Statement of Environmental Objectives (SEO), plus optional scoping to inform the assessment of activities regulated under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) (Cth).

NATIVE TITLE REQUIREMENTS

Following feedback from some native title groups and industry that more flexibility would be beneficial, clauses have been included in the Bill allowing the grant of licences to be consented to in a less formal agreement than an indigenous land use agreement (ILUA) in circumstances where an ILUA would not otherwise be required under the *Native Title Act 1993* (Cth). The form of that consent will be at the discretion of the relevant native title group and be valid under the *Native Title Act 1993* (Cth).

SPECIAL ENTERPRISE LICENCES

Feedback was received that further explicit provisions were required to provide protections to native title holders/claimants and other landowners.

The Bill makes clear that the power to grant a special enterprise licence is intended to be exercised as a last resort following the proponent taking specified steps to seek all necessary approvals of landowners. Measures incorporated are considered to provide appropriate procedural guarantees to freehold landowners and native title holders/claimants alike and at the same time allow the government to exercise a non-consensual power that encroaches upon private rights in the State interest (but without permanently acquiring them).

SUPPORT FOR PASTORALISTS

Feedback received through submissions was consistent with the discussions at the dedicated pastoralist workshop. This detailed report is available separately on the DEM website.

The Bill enhances pastoralists current rights under the *Pastoral Land Management and Conservation Act 1989* by providing improved access agreement conditions and strengthening dispute resolution mechanisms. The Bill establishes the principle that licensees must limit the impacts of the renewable energy project to have least detriment to the interests of the pastoralist and least damage to the land.

Before any activities can begin, licensees will need to enter into an access agreement with affected pastoralists. The access agreement must address access to the licence area and infrastructure in the licence area during the exploration and construction, installation, operation and decommissioning of infrastructure. Access agreements must also address compensation that is payable to the pastoralist resulting from entry to and use of their lease.

Feedback suggested further benefits should be included in the access agreement provisions in the Bill, however the Bill does not limit what can be included in an agreement, with pastoralists free to negotiate with licensees on other matters as they see fit.

In line with feedback, and to further support pastoralists and other landowners, the government-funded independent Landowner Information Service will be extended to cover renewable energy activities.





ENVIRONMENTAL PROTECTION

Feedback from the environmental protection and conservation sector was generally supportive of the policies within the draft Bill. A suggestion was made that in order to maintain the balance between environmental protection and a rapidly growing hydrogen and renewable energy sector, the Minister for Energy and Mining and the Minister for Environment should make concurrent decisions at certain stages of the release area and licensing stages.

The concurrent decision-making roles for the Minister for the *Pastoral Land Management and Conservation Act 1989* and the Minister for the *Harbors and Navigation Act 1993* have been retained and clarified. The Bill now includes referral provisions to ensure expert advice from co-regulatory agencies, including DEW and the EPA, is sought during environmental impact assessment processes.

DEM will work closely with relevant regulatory and conservation bodies to develop the Regulations and to identify potential release areas under the new framework.

PROTECTED AREAS

Feedback was received from environmental stakeholders seeking clarity about whether protected areas were included in the definition of designated land, and therefore able to be included in release areas for competitive tender under the new framework. To provide clarity, the definition of designated land has been amended to exclude protected areas, defined as terrestrial protected areas (*National Parks and Wildlife Act 1972* and *Wilderness Protection Act 1992* collectively), the Arkaroola Protection Area as identified in the *Arkaroola Protection Act 2012* and restricted access zones and sanctuary zones, declared in accordance with the *Marine Parks Act 2007*.

MULTIPLE LAND USE

Feedback recommended that alternative measures to support constructive coexistence between resources tenement holders and HRE licence holders would be preferable than an access agreement arrangement.

The Bill now introduces a notice of entry mechanism for resource tenements. It also introduces consequential amendments to recognise HRE licence holders within Mining Acts.

TRANSITIONAL PROVISIONS

The interest shown throughout consultation on transitional provisions signified the importance of establishing a clear method for determining how hydrogen and renewable energy projects will transition after the commencement of the HRE Act.

As part of targeted consultation with industry groups, DEM released a draft document on the DEM website outlining proposed transitional provisions to provide the certainty and security needed by the sector. Consultation on transitional provisions closed on 11 August 2023.

Feedback received related to the timing of transition for projects at various stages of development, construction and operation.

REVIEW PROVISIONS

Feedback was received that regular review provisions are required to ensure the HRE Act remains fit for purpose in a changing environment. The Bill now contains a review clause requiring the Minister to review the Act five years after commencement, and every five years after that.

FREEHOLD LAND

Feedback received demonstrated there were misunderstandings about the application of this framework to freehold land.

It is critical to be very clear, on freehold land, proponents will need to secure access to land through direct agreement with landowners. This preserves current arrangements where freehold landowners are in control of who can enter their land and under what circumstances and conditions.

CONCLUSION

In general, feedback received throughout the consultation period has been supportive of the draft HRE Bill. Public consultation has revealed overall support for an organised and government-led regulatory and licensing framework for the hydrogen and renewable energy sector.

All feedback to date has helped to shape the final Bill and will also be utilised to inform the initial preparation of Regulations accompanying policies. Should the HRE Bill successfully proceed through parliament, the next opportunity for South Australians to provide feedback will be on the Hydrogen and Renewable Energy Regulations.



CONTACT

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E hre@sa.gov.au
www.energymining.sa.gov.au



Government of South Australia
Department for Energy and Mining

Acknowledgment of Country

As guests here on Aboriginal land, we acknowledge everything this department does impacts on Aboriginal country, the sea, the sky, it's people and their spiritual and cultural connection which have existed since the first sunrise.

Our responsibility is to share our collective knowledge, recognise a difficult history, respect the relationships made over time, and create a stronger future.

We are ready to walk, learn and work together.

11/09/2023-205788

MATTERS FOR INFORMATION

6.11 DESIGN STANDARD FOR RESIDENTIAL DRIVEWAY CROSSOVERS

**Author: Manager Development Services
23/87983**

The State Planning Commission has recently initiated the preparation of a design standard for residential driveway crossovers pursuant to Section 69 of the *Planning, Development and Infrastructure Act 2016*.

Design standards are a new feature of the planning system that complement the Planning and Design Code. Design standards are intended to promote good design in our streets, parks and other public places, assist to manage the interface between the public and private realm and contribute to efficiencies in the delivery of high-quality infrastructure for development.

The draft design standard outlines how new residential driveways should connect from private property to the street. Further information in respect to the draft design standard can be found via the following link:

https://plan.sa.gov.au/our_planning_system/instruments/planning_instruments/design_standards

The State Planning Commission is seeking feedback on the draft design standard that is open until 14 November 2023. Council staff are participating in the consultation that is being undertaken by Planning and Land Use Services and will be making submission through the CEO on this technical amendment prior to the submission close.

ATTACHMENTS

Nil

SUPPORTING REFERENCES

Planning, Development and Infrastructure Act 2016

MATTERS FOR INFORMATION

6.12 ADDITIONAL UNSCOPED WORK - TANUNDA RECREATION PARK

**Author: Chief Executive Officer
23/91669**

With the vast majority of the master planned and forecast work for the Tanunda Recreation Park completed various minor post implementation, and out of scope works have been identified. As requested by the Mayor and some park stakeholders an assessment of landscaping needs and any final trim has been undertaken. This work was not in scope of the final contractual work undertaken simply due to function and cost.

Work completed over the years or currently underway at the recreation park are:

- Show Hall Upgrade and extension including commercial kitchen installation.
- Significant power upgrades.
- Lighting tower and head upgrades.
- Surface redevelopment.
- Main oval widening.
- All-inclusive playground.
- Main entrance relocation.
- Extensive civils and drainage.
- Numerous sheds for storage.
- Public toilet upgrades.
- Clubrooms and change rooms rebuild.
- Junior oval installation.
- Tennis and Netball court upgrades.

An assessment of these works will be undertaken as part of normal annual budgetary processes and presented as a new initiative for future Council funding as per our budget and business planning processes unless Council instructs otherwise. The works sought will not adversely impact the usability of the site at this time and in the main are categorised as minor civil trimming work and presentation matters. The ability of Council resources to deliver further services this financial year is not available due to the extent of the current program and would divert resources from already approved works.

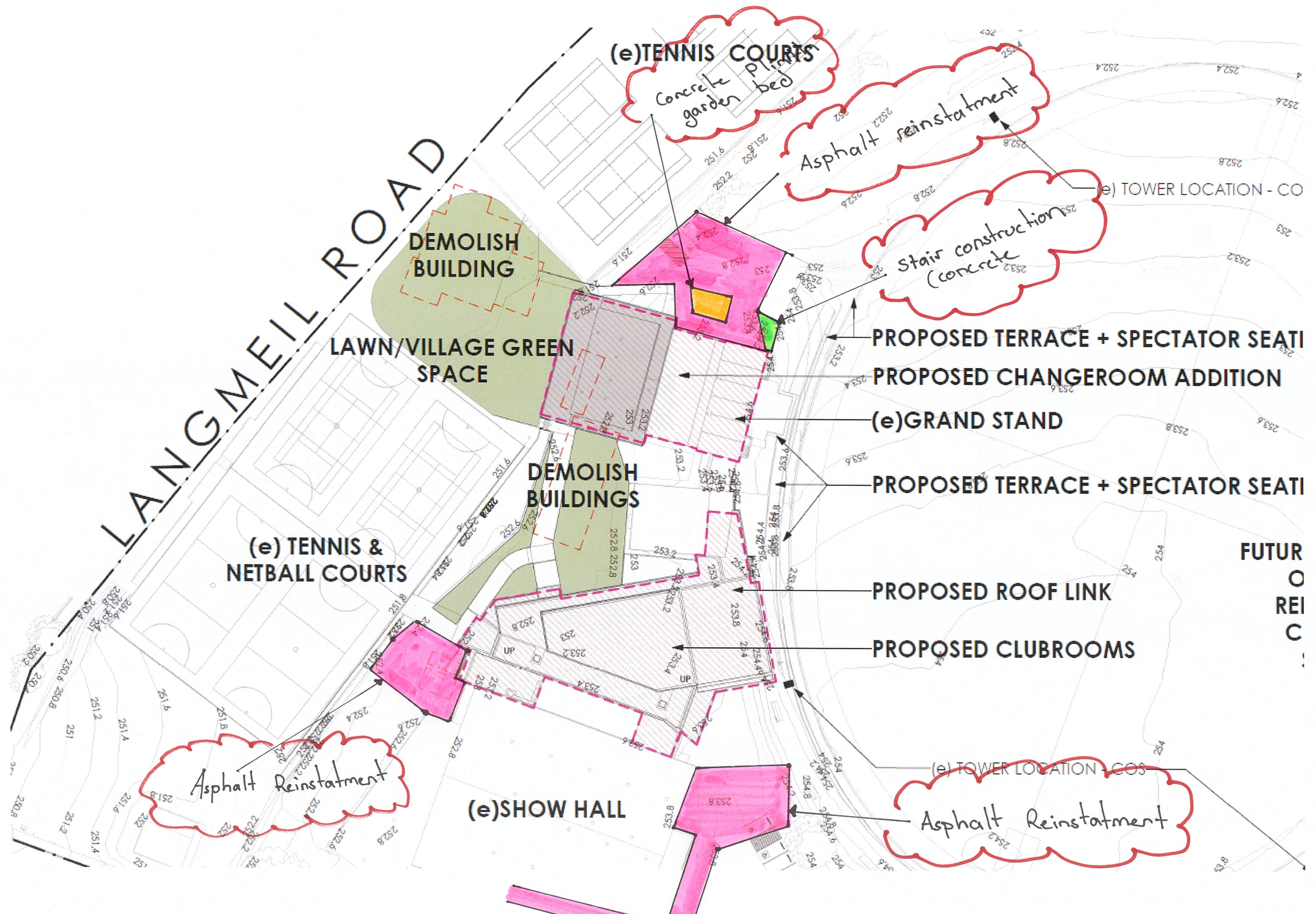
The initial assessment of the works is attached along with a cost estimate.

ATTACHMENTS

Attachment 1 Initial Scoping of Works Requested [!\[\]\(6a9b39b98eb945faa14c645ec99e4eaa_img.jpg\) !\[\]\(182077db5bac9ff62bf376fe37ffa951_img.jpg\)](#)

SUPPORTING REFERENCES

Nil



Concept Cost Estimate - Tanunda Clubrooms (Extra Works)

Item	Cost	Amount	unit	Unit Rate	unit
Option 1					
Project Management	\$3,000	1	each	\$3,000	each
Trim, Shape & Compact Existing Road Base	\$22,500	1500	m2	\$15	m2
Supply, Install & Compact Asphalt AC10 30mm	\$65,000	1300	m2	\$50	m2
Excavate, Prep and Remove Earth - Concrete Stairs	\$2,000	20	m2	\$100	m2
Supply, Install and Compact PM2 Rubble - Concrete Stairs	\$600	20	m2	\$30	m2
Supply & Install Concrete Boarder Plinth 100mm W 150mm H (25MPa)	\$6,000	25	m	\$240	m
Supply & Install Reinforced 25MPa Concrete Steps	\$20,000	1	each	\$20,000	each
Supply & Install DDA Tactiles / Step Nose Ends	\$4,000	1	each	\$4,000	each
Supply & Install Stair Handrails	\$3,000	1	each	\$3,000	each
Contingency	\$12,610	10%			
Total	\$138,710				
Landscaping - Soil, Mulch, Plantings, Irrigation, Funiture	\$100,000	1	each	\$100,000	each
Total	\$238,710				

MATTERS FOR INFORMATION

6.13 ADDITIONAL UNSCOPED WORK - TALUNGA CARAVAN PARK AND SURROUNDS

**Author: Chief Executive Officer
23/91683**

With the completion of the master planned and forecast work for the Talunga Recreation Park, phase 1 approved work various minor post implementation, and out of scope works have been identified. An assessment of further improvements has been undertaken. It is noted at this time issues of access are acknowledged however have not materialised due to the management of the sites. The work outlined in this report was not in scope of the final contractual work undertaken simply due to function and cost.

An assessment of these works will be undertaken as part of normal annual budgetary processes and presented as a new initiative for future Council funding as per our budget and business planning processes unless Council instructs otherwise. The works sought will not adversely impact the usability of the site, as currently demonstrated, and reported as part of enquiries made to support this initial assessment. The ability of Council resources to deliver further services this financial year is not available due to the extent of the current program and would divert resources from already approved works.

Further investigation also needs to be undertaken to assessment access for all needs to toilet facilities for the park.

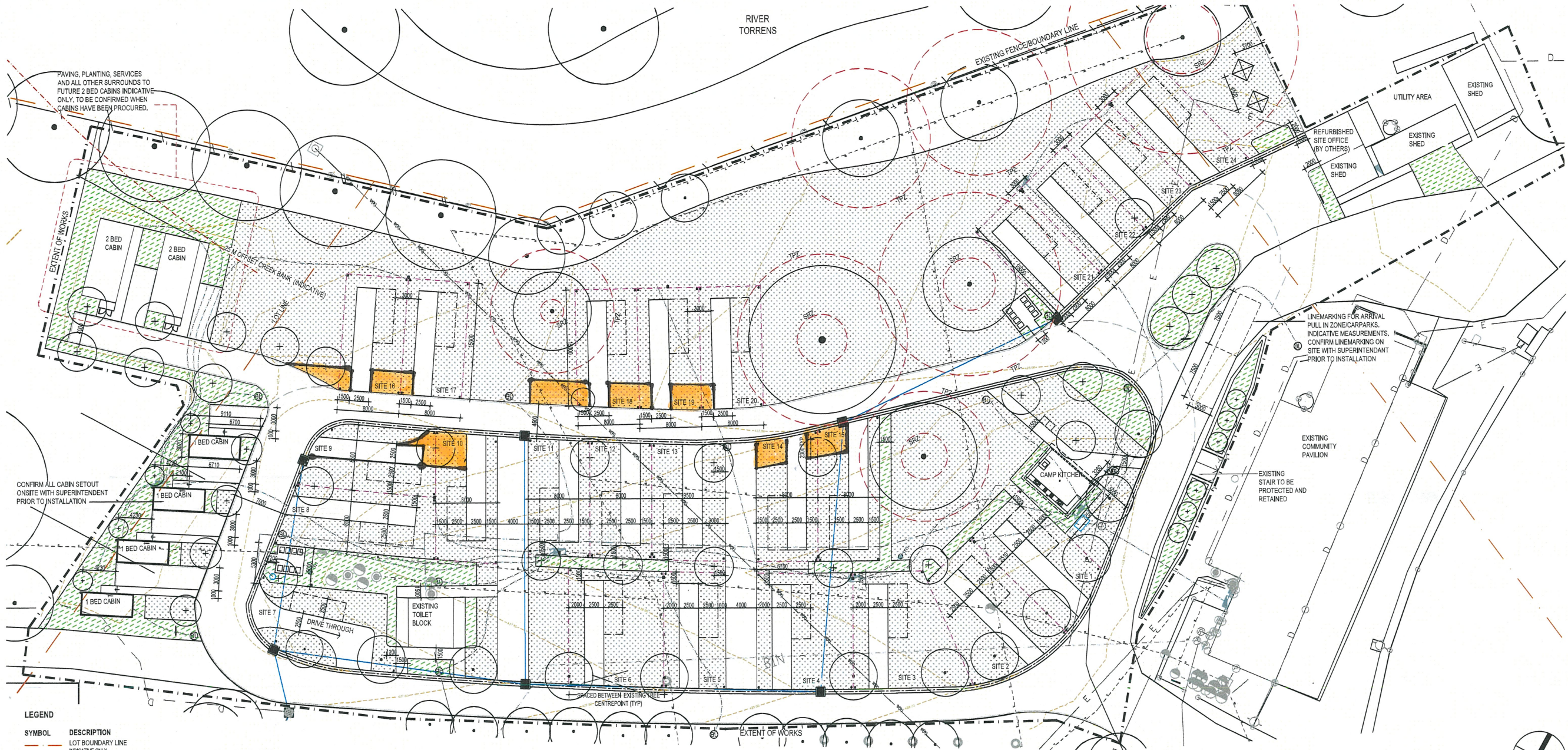
The initial assessment of the works provided as three options is attached along with a cost estimate. If the work was supported as part of budget deliberations in 2024/25 option 2 is the recommended service level increase.

ATTACHMENTS

Attachment 1 Talunga - Additional Out of Scope Works [↓](#) 

SUPPORTING REFERENCES

Nil



- LEGEND**
- SYMBOL DESCRIPTION**
- LOT BOUNDARY LINE INDICATIVE ONLY
 - EXTENT OF WORKS
 - CARAVAN SITE BORDER (DASHED)

- SERVICES (EXISTING)**
- E EXISTING ELECTRICAL (UNDERGROUND) REFER SERVICES ENGINEER'S DRAWINGS
 - W EXISTING WATER REFER SERVICES ENGINEER'S DRAWINGS
 - W(R) EXISTING RECYCLED WATER REFER SERVICES ENGINEER'S DRAWINGS
 - D EXISTING STORMWATER REFER CIVIL ENGINEER'S DRAWINGS
 - S EXISTING SEWER REFER SERVICES ENGINEER'S DRAWINGS
 - T EXISTING TELECOM REFER SERVICES ENGINEER'S DRAWINGS
 - EXISTING SEWER MANHOLE/PIP REFER SERVICES ENGINEER'S DRAWINGS

- LEVELS, DRAINAGE & CIVIL (PROPOSED)**
- GRATED INLET PIT REFER CIVIL ENGINEER'S DRAWINGS
 - PROPOSED STORMWATER MAIN REFER CIVIL ENGINEER'S DRAWINGS
 - SPOON DRAIN REFER CIVIL ENGINEER'S DRAWINGS
 - FLUSH CONCRETE KERB REFER CIVIL ENGINEER'S DRAWINGS
 - PROPOSED CONTOUR REFER CIVIL ENGINEER'S DRAWINGS

- SERVICES (PROPOSED)**
- PROPOSED ELECTRICAL LOCATION INDICATIVE, REFER ELECTRICAL ENGINEER'S DRAWINGS
 - PROPOSED SWITCHBOARD REFER ELECTRICAL ENGINEER'S DRAWINGS
 - PROPOSED ISOLATOR REFER ELECTRICAL ENGINEER'S DRAWINGS
 - SINGLE SERVICE PILLAR (POWER/WATER AS/LUG/AGE) REFER SERVICE ENGINEER'S DRAWINGS
 - SHARED SERVICE PILLAR - 2 CONNECTIONS (POWER/WATER AS/LUG/AGE) REFER SERVICE ENGINEER'S DRAWINGS
 - SHARED SERVICE PILLAR - 3 CONNECTIONS (POWER/WATER AS/LUG/AGE) REFER SERVICE ENGINEER'S DRAWINGS
 - PROPOSED BOLLARD LIGHT REFER ELECTRICAL ENGINEER'S DRAWINGS
 - PROPOSED TRANSFORMER REFER ELECTRICAL ENGINEER'S DRAWINGS
 - 1000L GREASE ARRESTOR REFER HYDRAULIC ENGINEER'S DRAWINGS
 - PROPOSED LPG BOTTLE REFER HYDRAULIC ENGINEER'S DRAWINGS
 - PROPOSED GAS LOCATION INDICATIVE, REFER HYDRAULIC ENGINEER'S DRAWINGS

NOTE: REFER HYDRAULIC ENGINEER'S PLANS FOR PROPOSED WATER AND SEWER PIPE LOCATIONS AND INFRASTRUCTURE

- FURNITURE, FIXTURES AND STRUCTURES**
- PARK BINS WITH ENCLOSURE REFER MATERIALS AND FINISHES SCHEDULE
 - ROTARY CLOTHESLINE REFER MATERIALS AND FINISHES SCHEDULE
 - BIN ENCLOSURE REFER REFER DETAIL 04022 AND MATERIALS AND FINISHES SCHEDULE
 - ENTRY STEP AND LANDING HARDWOOD TIMBER ENTRY STEP AND LANDING
 - SITE MARKER DISC NUMBER DEMARKING SITE CORNER (TRAFFICABLE) REFER DETAIL 05302
 - EXISTING FENCE TO BE PROTECTED AND RETAINED
 - TAP REFER W0501 AND MATERIALS AND FINISHES SCHEDULE

- PLANTING**
- EXISTING TREE TO BE PROTECTED AND RETAINED
 - STRUCTURAL ROOT ZONE SHOWN FOR SIGNIFICANT TREES, REFER NOTES
 - TREE PROTECTION ZONE SHOWN FOR SIGNIFICANT TREES, REFER NOTES
 - PROPOSED NEW TREE REFER DETAIL 01-03001, PLANTING PLANS AND SCHEDULE
 - IRRIGATED TURF REFER DETAIL 05001, PLANTING PLANS AND SCHEDULE
 - MULCHED PLANTED GARDEN BED REFER DETAIL 03301, PLANTING PLANS AND SCHEDULE

- NOTES:**
- DRAWINGS TO BE READ IN CONJUNCTION WITH LANDSCAPE WORKS SPECIFICATION AND BUILDINGS SPECIFICATION
 - REFER TO OTHER CONSULTANTS DRAWINGS FOR ALL OTHER INFORMATION
 - REFER CIVIL DRAWINGS FOR DETAILED INFORMATION RELATING TO STORMWATER WORKS, DESIGN LEVELS AND PAVING CROSS FALLS
 - REFER TO SERVICE ENGINEER'S DRAWINGS FOR DETAILED INFORMATION RELATING TO LIGHTING, ELECTRICAL AND GAS CONNECTIONS
 - ANY ERRORS, ABNORMALITIES OR DISCREPANCIES BETWEEN DRAWINGS AND ONSITE FINDINGS ARE TO BE REPORTED TO SUPERINTENDENT IMMEDIATELY FOR DIRECTION & / CLARIFICATION. CONTRACTOR CONTINUES WORK AT OWN RISK.
 - ALL LEVELS AROUND EXISTING TREES ARE TO BE MAINTAINED AS PER EXISTING SITE LEVELS UNLESS AGREED OTHERWISE WITH SUPERINTENDENT ONSITE
 - TREE SETOUT TO BE REVIEWED AND APPROVED BY SUPERINTENDENT ON SITE PRIOR TO INSTALLATION
 - NOTE SIGNIFICANT TREES WITHIN SITE WORKS BOUNDARY, ENSURE WORKS WITHIN TREE PROTECTION ZONES CONFORM TO THE GUIDELINES OF AUSTRALIAN STANDARD AS4970-2009 PROTECTION OF TREES ON DEVELOPMENT SITES. DIG BY HAND.
 - NOTE HIGH WATER TABLE. GROUND WATER TO BE MANAGED TO NATIONAL STANDARDS.

OPTION 1

\$49,140.00

BIRDSEYE : STUDIOS

C4 Architects Pty Ltd

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0 5 10 15 M

C1 ISSUE FOR CONSTRUCTION COMMENTS 30/09/2022 DATE

CONSTRUCTION

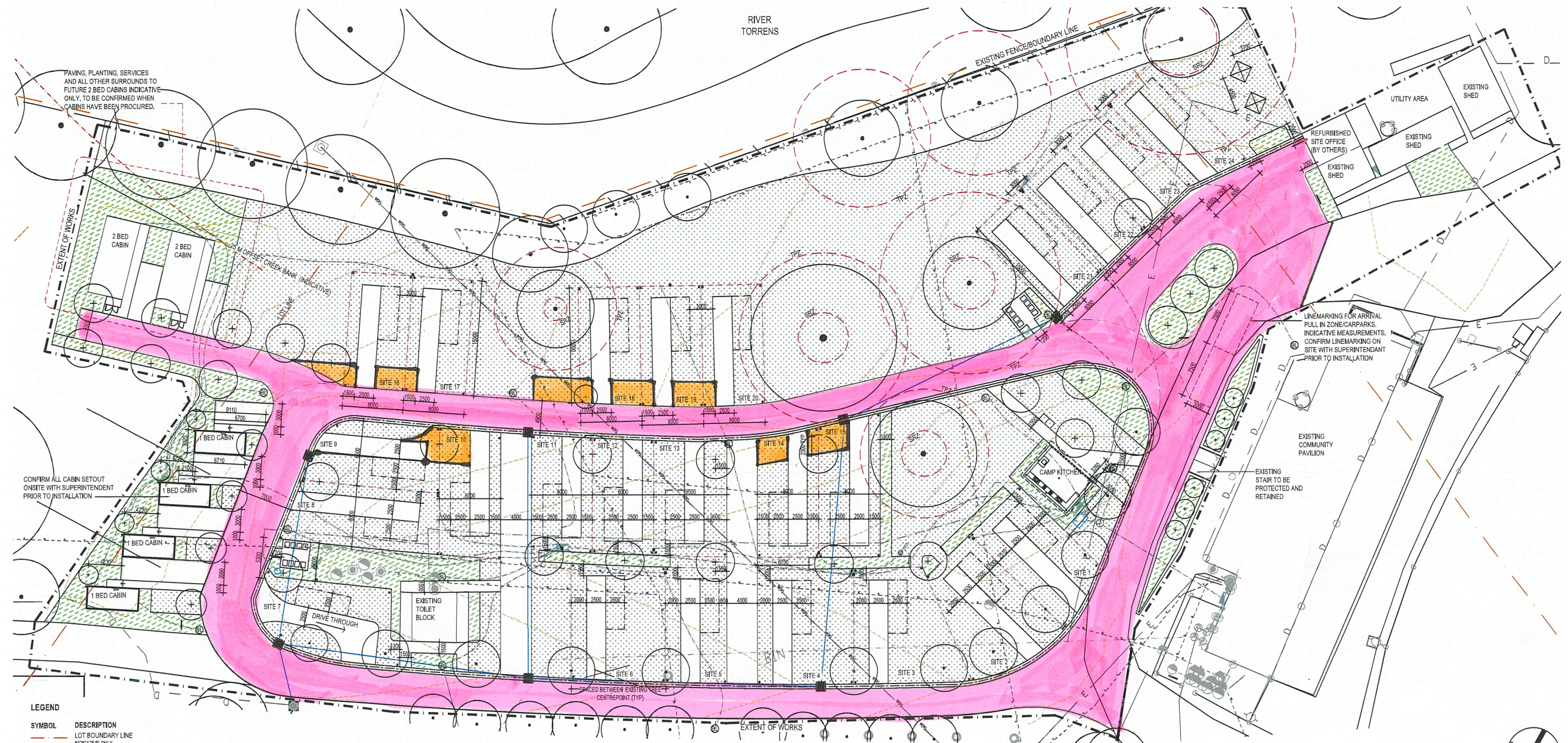
PROPOSED
MOUNT PLEASANT
CARAVAN PARK UPGRADE
TALLUNA PARK
MELROSE STREET, MOUNT PLEASANT, SA

FOR
THE BAROSSA COUNCIL
SETOUT PLAN

ISSUE NO: **C1**

DATE: SEPTEMBER 2022 PAPER SIZE: A1 SCALE: 1:250
Do not scale off drawings; check all dimensions on site. Contractor to verify all dimensions and levels prior to commencing the works. Report all discrepancies to the Architect for direction.
Beware of underground services. The locations of underground services are indicative only. Their exact position should be proven on site.

DRAWING NO: **1807-S-WD102**



LEGEND	
SYMBOL	DESCRIPTION
	LOT BOUNDARY LINE INDICATIVE ONLY
	EXTENT OF WORKS
	CARAVAN SITE BORDER (DASHED)

SERVICES (EXISTING)	
E	EXISTING ELECTRICAL (UNDERGROUND) REFER SERVICES ENGINEERS DRAWINGS
— — — — —	EXISTING WATER REFER SERVICES ENGINEERS DRAWINGS
W(R)	EXISTING RECYCLED WATER REFER SERVICES ENGINEERS DRAWINGS
— — — — —	EXISTING STORMWATER REFER CIVIL ENGINEERS DRAWINGS
S	EXISTING SEWER REFER SERVICES ENGINEERS DRAWINGS
— — — — —	EXISTING TELECOM REFER SERVICES ENGINEERS DRAWINGS
 	EXISTING SEWER MANHOLE/JP REFER SERVICES ENGINEERS DRAWINGS

LEVELS, DRAINAGE & CIVIL (PROPOSED)

	GRATED INLET PIT REFER CIVIL ENGINEER'S DRAWINGS
	PROPOSED STORMWATER MAIN REFER CIVIL ENGINEER'S DRAWINGS
	SPOON DRAIN REFER CIVIL ENGINEER'S DRAWINGS
	FLUSH CONCRETE KERB REFER CIVIL ENGINEER'S DRAWINGS
	PROPOSED CONTOUR REFER CIVIL ENGINEER'S DRAWINGS

SERVICES (PROPOSED)

- 

PROPOSED ELECTRICAL
LOCATION INDICATIVE. REFER ELECTRICAL ENGINEER'S DRAWINGS
- 

PROPOSED SWITCHBOARD
REFER ELECTRICAL ENGINEER'S DRAWINGS
- 

PROPOSED ISOLATOR
REFER ELECTRICAL ENGINEER'S DRAWINGS
- 

SINGLE SERVICE PILLAR
(POWER, WATER & S/L & F/G) REFER SERVICE ENGINEER'S DRAWINGS
- 

SHARED SERVICE PILLAR - 2 CONNECTIONS
(POWER, WATER & S/L & F/G) REFER SERVICE ENGINEER'S DRAWINGS
- 

SHARED SERVICE PILLAR - 3 CONNECTIONS
(POWER, WATER & S/L & F/G) REFER SERVICE ENGINEER'S DRAWINGS
- 

PROPOSED BOLLARD LIGHT
REFER ELECTRICAL ENGINEER'S DRAWINGS
- 

PROPOSED TRANSFORMER
REFER ELECTRICAL ENGINEER'S DRAWINGS
- 

100L GREASE ARRESTOR
REFER HYDRAULIC ENGINEER'S DRAWINGS
- 

PROPOSED LPG BOTTLE
REFER HYDRAULIC ENGINEER'S DRAWINGS
- 

PROPOSED GAS
LOCATION INDICATIVE. REFER HYDRAULIC ENGINEER'S DRAWINGS

NOTE: REFER HYDRAULIC ENGINEER'S PLANS FOR PROPOSED WATER AND SEWER PIPE LOCATIONS AND INFRASTRUCTURE

FURNITURE, FIXTURES AND STRUCTURES

- 

PARK BINS WITH ENCLOSURE
REFER MATERIALS AND FINISHES SCHEDULE
- 

ROTARY CLOTHESLINE
REFER MATERIALS AND FINISHES SCHEDULE
- 

BIN ENCLOSURE
REFER REFER DETAIL D4022 AND MATERIALS & FINISHES SCHEDULE
- 

ENTRY STEP AND LANDING
HANDWOOD TIMBER ENTRY STEP AND LANDING
- 

SITE MARKER
DISC NUMBER DEMARKING SITE CORNER (TRAFFICABLE) REFER DETAIL C5302
- 

EXISTING FENCE
TO BE PROTECTED AND RETAINED
- 

TAP
REFER WD301 AND MATERIALS AND FINISHES SCHEDULE

PLANTING

- 

EXISTING TREE
TO BE PROTECTED AND RETAINED
- 

STRUCTURAL ROOT ZONE
SHOWN FOR SIGNIFICANT TREES, REFER NOTES
- 

TREE PROTECTION ZONE
SHOWN FOR SIGNIFICANT TREES, REFER NOTES
- 

PROPOSED NEW TREE
REFER DETAIL 01-02001, PLANTING PLANS AND SCHEDULE
- 

IRRIGATED TURF
REFER DETAIL 05-001, PLANTING PLANS AND SCHEDULE
- 

MULCHED PLANTED GARDEN BED
REFER DETAIL 03-001, PLANTING PLANS AND SCHEDULE

1. DRAWINGS TO BE READ IN CONJUNCTION WITH LANDSCAPE WORKS SPECIFICATION AND BUILDING SPECIFICATION
2. REFER TO OTHER CONSULTANTS DRAWINGS FOR ALL OTHER INFORMATION
3. REFER CIVIL DRAWINGS FOR DETAILED INFORMATION RELATING TO STORMWATER WORKS, DESIGN LEVELS AND PAVING CROSS FALLS
4. REFER TO SERVICE ENGINEERS DRAWINGS FOR DETAILED INFORMATION RELATING TO LIGHTING, ELECTRICAL AND GAS CONNECTIONS
5. ANY ERRORS, ABNORMALITIES OR DISCREPANCIES BETWEEN DRAWINGS AND ONSITE FINDINGS ARE TO BE REPORTED TO SUPERINTENDENT IMMEDIATELY FOR DIRECTION & CLARIFICATION, CONTRACTOR CONTINUES WORK AT OWN RISK.
6. ALL LEVELS AROUND EXISTING TREES ARE TO BE MAINTAINED AS PER EXISTING SITE LEVELS UNLESS AGREED OTHERWISE WITH SUPERINTENDENT ONSITE
7. TREE SETOUT TO BE REVIEWED AND APPROVED BY SUPERINTENDENT ON SITE PRIOR TO INSTALLATION
8. NOTE SIGNIFICANT TREES WITHIN SITE WORKS BOUNDARY, ENSURE WORKS WITHIN TREE PROTECTION ZONES CONFORM TO THE GUIDELINES OF AUSTRALIAN STANDARD AS4970-2009 PROTECTION TREES ON DEVELOPMENT SITES. DIG BY HAND.
9. NOTE HIGH WATER TABLE. GROUND WATER TO BE MANAGED TO NATIONAL STANDARDS.

OPTION 2

ED \$221,840.00 BIRDS

BIRDSEYE : STUDIOS

c4a
C4 Architects Pty Ltd

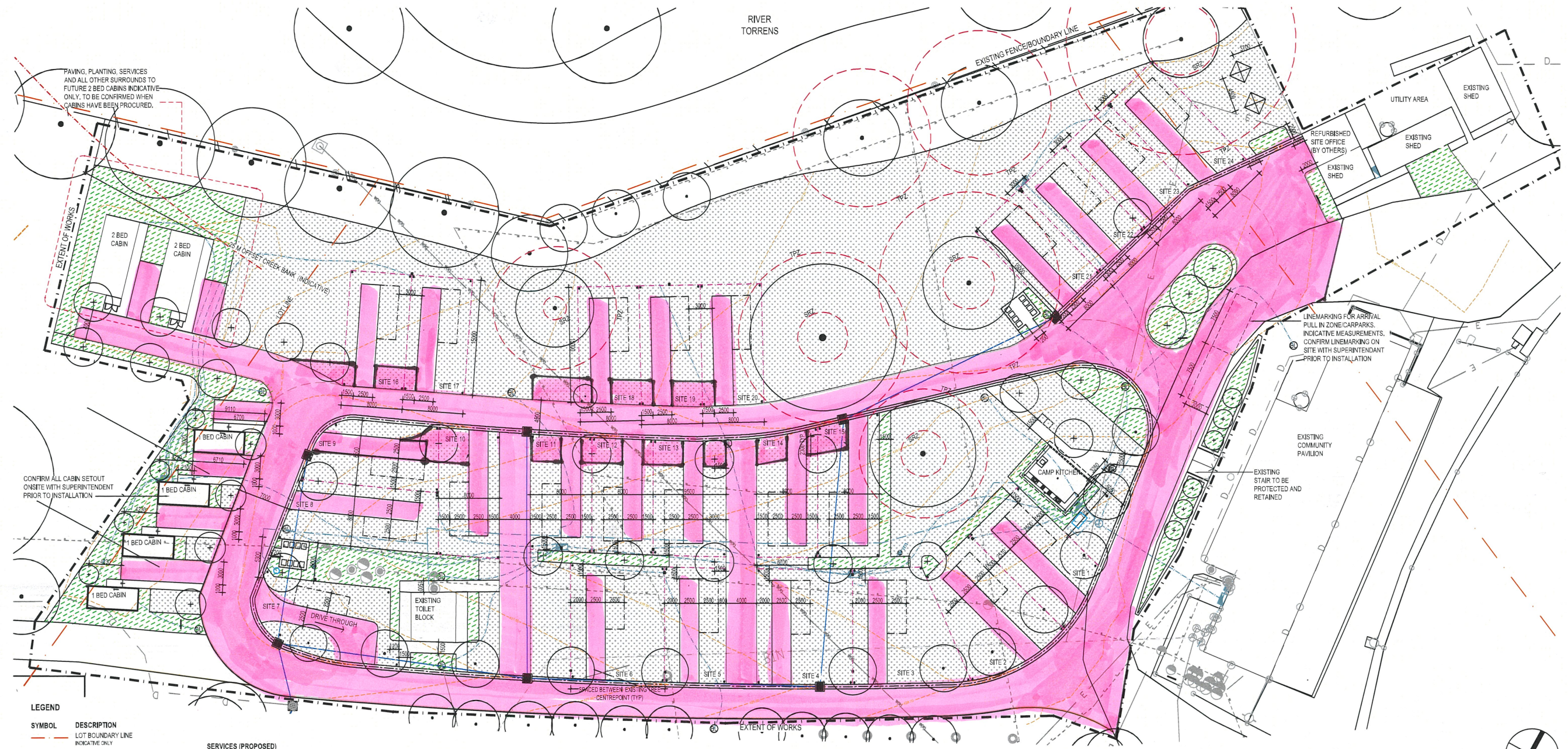
C1 ISSUE	FOR CONSTRUCTION COMMENTS	30.06.2023 DATE
CONSTRUCTION		
PROPOSED		
MOUNT PLEASANT CARAVAN PARK UPGRADE		
TALLINGA PARK MELROSE STREET, MOUNT PLEASANT, SA		
FOR		
THE BAROSSA COUNCIL		
SETOUT PLAN		

DATE: SEPTEMBER 2022		PAPER SIZE: A1	ISSUE NO: C1
SCALE: 1:250			

Do not scale off drawings; check all dimensions on site. Contractor to verify all dimensions and levels prior to commencing the works. Report all discrepancies to the Architect for direction.

Beware of underground services. The locations of underground services are indicative only. Their exact position should be proven on site.

DRAWING NO: 1807-S-WD102



LEGEND

SYMBOL	DESCRIPTION
---	LOT BOUNDARY LINE
---	INDICATIVE ONLY
---	EXTENT OF WORKS
---	CARAVAN SITE BORDER (DASHED)

SERVICES (EXISTING)	
---	EXISTING ELECTRICAL (UNDERGROUND) REFER SERVICES ENGINEER'S DRAWINGS
---	EXISTING WATER REFER SERVICES ENGINEER'S DRAWINGS
---	EXISTING RECYCLED WATER REFER SERVICES ENGINEER'S DRAWINGS
---	EXISTING STORMWATER REFER CIVIL ENGINEER'S DRAWINGS
---	EXISTING SEWER REFER SERVICES ENGINEER'S DRAWINGS
---	EXISTING TELECOM REFER SERVICES ENGINEER'S DRAWINGS
---	EXISTING SEWER MANHOLE/PIP REFER SERVICES ENGINEER'S DRAWINGS

LEVELS, DRAINAGE & CIVIL (PROPOSED)	
---	GRATED INLET PIT REFER CIVIL ENGINEER'S DRAWINGS
---	PROPOSED STORMWATER MAIN REFER CIVIL ENGINEER'S DRAWINGS
---	SPOON DRAIN REFER CIVIL ENGINEER'S DRAWINGS
---	FLUSH CONCRETE KERB REFER CIVIL ENGINEER'S DRAWINGS
---	PROPOSED CONTOUR REFER CIVIL ENGINEER'S DRAWINGS

SERVICES (PROPOSED)

---	PROPOSED ELECTRICAL LOCATION INDICATIVE, REFER ELECTRICAL ENGINEER'S DRAWINGS
---	PROPOSED SWITCHBOARD REFER ELECTRICAL ENGINEER'S DRAWINGS
---	PROPOSED ISOLATOR REFER ELECTRICAL ENGINEER'S DRAWINGS
---	SINGLE SERVICE PILLAR (POWER/WATER AS/LPAGE) REFER SERVICE ENGINEER'S DRAWINGS
---	SHARED SERVICE PILLAR - 2 CONNECTIONS (POWER/WATER AS/LPAGE) REFER SERVICE ENGINEER'S DRAWINGS
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---	PROPOSED BOLLARD LIGHT REFER ELECTRICAL ENGINEER'S DRAWINGS
---	PROPOSED TRANSFORMER REFER ELECTRICAL ENGINEER'S DRAWINGS
---	1000L GREASE ARRESTOR REFER HYDRAULIC ENGINEER'S DRAWINGS
---	PROPOSED LPG BOTTLE REFER HYDRAULIC ENGINEER'S DRAWINGS
---	PROPOSED GAS LOCATION INDICATIVE, REFER HYDRAULIC ENGINEER'S DRAWINGS

NOTE: REFER HYDRAULIC ENGINEER'S PLANS FOR PROPOSED WATER AND SEWER PIPE LOCATIONS AND INFRASTRUCTURE

FURNITURE, FIXTURES AND STRUCTURES

---	PARK BINS WITH ENCLOSURE REFER MATERIALS AND FINISHES SCHEDULE
---	ROTARY CLOTHESLINE REFER MATERIALS AND FINISHES SCHEDULE
---	BIN ENCLOSURE REFER REFER DETAIL 04/022 AND MATERIALS AND FINISHES SCHEDULE
---	ENTRY STEP AND LANDING HARDWOOD TIMBER ENTRY STEP AND LANDING
---	SITE MARKER DISC NUMBER DEMARKING SITE CORNER (TRAFFICABLE) REFER DETAIL 05/302
---	EXISTING FENCE TO BE PROTECTED AND RETAINED
---	TAP REFER W0301 AND MATERIALS AND FINISHES SCHEDULE

PLANTING

---	EXISTING TREE TO BE PROTECTED AND RETAINED
---	STRUCTURAL ROOT ZONE SHOWN FOR SIGNIFICANT TREES, REFER NOTES
---	TREE PROTECTION ZONE SHOWN FOR SIGNIFICANT TREES, REFER NOTES
---	PROPOSED NEW TREE REFER DETAIL 05/42501, PLANTING PLANS AND SCHEDULE
---	IRRIGATED TURF REFER DETAIL 05/301, PLANTING PLANS AND SCHEDULE
---	MULCHED PLANTED GARDEN BED REFER DETAIL 03/091, PLANTING PLANS AND SCHEDULE

- NOTES:
1. DRAWINGS TO BE READ IN CONJUNCTION WITH LANDSCAPE WORKS SPECIFICATION AND BUILDING SPECIFICATION
 2. REFER TO OTHER CONSULTANTS DRAWINGS FOR ALL OTHER INFORMATION
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 9. NOTE HIGH WATER TABLE, GROUND WATER TO BE MANAGED TO NATIONAL STANDARDS.

OPTION 3
\$ 319,285.00
BIRDSEYE : STUDIOS

c4a
C4 Architects Pty Ltd

level 2_100 currie street | po box 8336 station arcade | adelaide south australia | 5000
T 08 8410 4557 | F 08 8410 4557 | E info@c4architects.com.au | W www.c4architects.com.au

ISSUE	FOR CONSTRUCTION	COMMENTS	30/08/2022
C1	CONSTRUCTION		DATE
PROPOSED MOUNT PLEASANT CARAVAN PARK UPGRADE TALUNGA PARK MELROSE STREET, MOUNT PLEASANT, SA			
FOR THE BAROSSA COUNCIL			
SETOUT PLAN			
DATE: SEPTEMBER 2022		PAPER SIZE: A1	SCALE: 1:250
Do not scale off drawings; check all dimensions on site. Contractor to verify all dimensions and levels prior to commencing the works. Report all discrepancies to the Architect for direction. Beware of underground services. The locations of underground services are indicative only. Their exact position should be proven on site.			
DRAWING NO:		1807-S-WD102	

Concept Cost Estimate - Mt Pleasant Caravan Park

Option 1

Item	Cost	Amount	unit	Unit Rate	unit
Project Management	\$4,000	1	each	\$4,000	each
Traffic Management	\$2,000	1	each	\$2,000	each
Box Out / Prep / Demo	\$7,000	140	m2	\$50	m2
Supply & Install Concrete Plinth 100mm W 150mm H (25MPa)	\$19,800	110	m	\$180	m
Supply, Install & Compact 150mm PM2 Rubble base	\$3,600	120	m2	\$30	m2
Alter, Install & Test Existing Irrigation to Suit New Layout	\$6,000	1	each	\$6,000	each
Supply & Install Trafficable Irrigation Lids	\$2,500	10	each	\$250	each
Contingency	\$4,240	10%			
Total	\$49,140				

Option 2

Item	Cost	Amount	unit	Unit Rate	unit
Project Management	\$5,000	1	each	\$5,000	each
Traffic Management	\$2,000	1	each	\$2,000	each
Box Out / Prep / Demo	\$7,000	140	m2	\$50	m2
Supply & Install Concrete Plinth 100mm W 150mm H (25MPa)	\$19,800	110	m	\$180	m
Supply, Install & Compact 150mm PM2 Rubble base	\$3,600	120	m2	\$30	m2
Alter, Install & Test Existing Irrigation to Suit New Layout	\$6,000	1	each	\$6,000	each
Trim, Shape & Compact Existing Road Base	\$36,000	2400	m2	\$15	m2
Supply, Install & Compact Asphalt AC10 30mm (Road)	\$120,000	2400	m2	\$50	m2
Supply & Install Trafficable Irrigation Lids	\$2,500	10	each	\$250	each
Contingency	\$19,940	10%			
Total	\$221,840				

Option 3

Item	Cost	Amount	unit	Unit Rate	unit
Project Management	\$6,000	1	each	\$6,000	each
Traffic Management	\$2,000	1	each	\$2,000	each
Box Out / Prep / Demo	\$7,000	140	m2	\$50	m2
Supply & Install Concrete Plinth 100mm W 150mm H (25MPa)	\$19,800	110	m	\$180	m
Supply, Install & Compact 150mm PM2 Rubble base	\$3,600	120	m2	\$30	m2
Alter, Install & Test Existing Irrigation to Suit New Layout	\$6,000	1	each	\$6,000	each
Trim, Shape & Compact Existing Road Base	\$39,750	2650	m2	\$15	m2
Trim, Shape & Compact Existing Parking Bays (Hard Stands)	\$17,700	1180	m2	\$15	m2
Supply, Install & Compact Asphalt AC10 30mm (Road)	\$132,500	2650	m2	\$50	m2
Supply, Install & Compact Asphalt AC10 30mm (Hard Stands)	\$59,000	1180	m2	\$50	m2
Supply & Install Trafficable Irrigation Lids	\$2,500	10	each	\$250	each
Contingency	\$23,435	10%			
Total	\$319,285				

MATTERS FOR INFORMATION

6.14 WILLIAMSTOWN AND LYNDPOCH LANDCARE GROUP INC.

**Author: Executive and Project Support Officer
23/91064**

Minutes of the Williamstown and Lyndoch Landcare Group Inc. meeting held 27 September 2023, are contained in Attachment 1 for information.

ATTACHMENTS

Attachment 1 Minutes - Williamstown and Lyndoch Landcare Group Inc meeting held 27 September 2023 [↓](#) 

SUPPORTING REFERENCES

Nil



Meeting Minutes

PO Box 694
Lyndoch, SA 5351

Purpose General Meeting

Prepared by Terry Redman

Phone No. 0418 857 915

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

Date 27 September 2023

Attendees Angus Atkinson (Chair)
Terry Redman
Joerg Wiese
Elke Wiese
Don Wegener

Shirley Wegener
Mick Kobryn
Kyn Burton
Maria Burton

Distribution All current & life members, Chris Kruger (Executive Assistant, Development and Environmental Services, The Barossa Council) and Kim Thompson

File 20230927_GeneralMeetingMinutes.docx

Item		Action by	Date Due
	Meeting Opened 7.28 pm.		
	Apologies – Tina Woods, Tracy Sinclair, Pam Cross, Margaret Puddy, Brian Teskey, Margaret Teskey, Nelly Van Der Lerssel, Peter Henshaw.		
	Minutes of previous Meeting held 23 August 2023 – Accepted. Moved by Mick Kobryn, seconded by Elke Wiese – Carried.		
	Business Arising last meeting: nil		
4.1	<u>Actions now closed:</u>		
	ACTION: • Altona Volunteers Plant ID Training workshop - 31st August		
4.2	<u>Actions still open:</u>		
	-		
	ACTION: Open Day - Update - refer Chair's report	Angus Atkinson	Oct 23
	ACTION: Wildlife Camera: Discuss with Amanda from Environmental Weed Control & Revegetation if she has any experience in cameras in her business.	Angus Atkinson	Oct 23
	ACTION: Yearly Council Tour – Angus to follow up with Council.	Angus Atkinson	Oct 23

	Meeting Minutes

	ACTION: Fox Control – Contact The Barossa Council later in year closer to fox breeding season to discuss who will be responsible for cost of the fox control.	Angus Atkinson	Oct 23
	ACTION: Care for Landcare Grant – Email to all members a list of what was submitted as part of grant application for purchase – in next meeting members to make suggestions for spend. Tina Woods suggested for consideration an upgrade of displays for Open Day.	Tina Woods	Oct 23
	ACTION: Bioweed substitute for Roundup - Peter Henshaw advised there had been no contact from Bioweed. It was agreed to discuss situation with Amanda from Environmental Weed Control & Revegetation.	Angus Atkinson	Oct 23
	<u>New Actions from Business arising this meeting:</u>		
	ACTION: Corporate Volunteering Day with Hanson Australia 9/11/2023 Volunteers to arrange toilet facilities and morning tea for the event.	Angus Atkinson	Oct 23
	ACTION: Environmental Cultural Flows Project - Information session to be conducted before Christmas.	Angus Atkinson	Oct 23
	ACTION: Environmental Citizen Science Large Grant Program - Expression of interest submitted. Awaiting update from Liz Ninnis (LandscapeSA)	Angus Atkinson	Oct 23
	Correspondence: In: • Barossa Council: • Kim Thompson: - o Corporate Volunteering Day with Hansen SA, 9/11/2023, 9.00 to 12.00 noon • Courtney Hebbberman - Welcome to Country - Confirmation of attendance at Open Day • Friends of Parks SA: • Wednesday Weekly mailout 23/8/2023, 30/8/2023, 6/9/2023, 13/9/2023, 20/9/2023. - o Environmental Citizen Science Large Grant Program - o Small Grants Program open 4/9/2023 for amounts up to \$5000 for threat abatement, biodiversity conservation. Closes 16/10/2023. • Green Adelaide - • September Newsletter • Landscape SA - Northern and Yorke: • Monthly Newsletter "Yakka News" • Barossa Fish Survey Results and Summary • Landcare Association SA (LASA):		

	Meeting Minutes
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	• Monthly SA members Newsletter. • Bite sized grants between \$200 -\$1000 available • Nature Festival • 20th Anniversary and 2023 Open Day included in the festival programme - Out: • WLLG: • Open Day arrangements • Distribution of General Meeting Minutes and other monthly newsletters		
	Chair Report: • Plant ID Workshop - 31/8/2023 - Informative day with Kim Thompson, Brayden Fitzpatrick and Cameron Bourke from The Barossa Council. • Environmental Citizen Science Grant -Letter of support has been forwarded to Liz Nannes, LandscapeSA - Northern and Yorke, relating to the grant to support an increased state-wide coordinated Bioblitz & Waterwatch program. • Corporate Volunteer Opportunity - Kim Thompson from "The Barossa Council" has arranged for a collaboration between neighbours Hansen Australia, Williamstown & Lyndoch Landcare Group volunteers and Amanda Pearce to conduct a joint working bee focusing on reducing weeds in the area along the river.. Proposed for Thursday 9 November 2023 from 9 - 12 noon Hansen SA to fund the event with Volunteers to provide toilet facilities and morning tea/refreshments. Treasurer to provide tax invoice to Hansen SA for payment. (30 people @\$45 per head - \$1350) • Petty cash - Phil Godley has advised he is unable to volunteer or perform petty cash/donation box duties for personal reasons. Moved that Phil be granted Leave of absence. Approved. Angus with assume petty cash/donation box duties • LandscapeSA - Northern and Yorke - Opportunity to be involved with Environmental Cultural Flows Project which aims to restore environmental and cultural flows to river systems to bring back ecosystem health, in collaboration with First nations, Universities, Landholders and community. Information session to be conducted before Christmas.		

	Meeting Minutes
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	• Open day - update - o Hire of Toilet has been arranged - o Welcome to Country has been confirmed with Courtney Hebbberman. LandscapeSA - Northern and Yorke will pay for the Welcome to Country. - o Barossa Wildlife Service will be present. - o Lyndoch Grapevine to promote event in October Issue. - o Promotion appeared in Community Environment Page of "The Bunyip" 27/9/2023. - o Event has been included in the October Nature Festival. Online bookings available. - o Refreshments, Gazebos/Shelters, BBQ requirements, Tea/ Coffee/Cake etc to be sorted closer to the event.																																										
	Monthly Volunteer Hours: <table border="1"> <thead> <tr> <th>Tasks</th><th>YTD</th><th>Aug 23</th><th>Sep 27 (to date)</th></tr> </thead> <tbody> <tr> <td>1. Admin Duties (Committee Members)²</td><td>69.5</td><td>15</td><td>13</td></tr> <tr> <td>2. Meetings, home & away</td><td>45</td><td>18</td><td>9</td></tr> <tr> <td>3. Promotions. (Tours, demos, etc.)</td><td>nil</td><td>nil</td><td>nil</td></tr> <tr> <td>4. Propagation (Sowing, planting out, seed collection, etc.)</td><td>nil</td><td>nil</td><td>nil</td></tr> <tr> <td>5. Weed & Pest Control</td><td>348</td><td>122</td><td>134</td></tr> <tr> <td>6. Construction & maintenance (Equipment, fencing, trails, buildings, etc.)</td><td>4.5</td><td>nil</td><td>nil</td></tr> <tr> <td>7. Equipment design & manufacture (Seed boxes, displays, jigs, tools, etc.)</td><td>nil</td><td>nil</td><td>nil</td></tr> <tr> <td>8. Monitoring</td><td>nil.</td><td>nil</td><td>nil</td></tr> <tr> <td>Totals</td><td>467</td><td>155</td><td>156</td></tr> </tbody> </table>	Tasks	YTD	Aug 23	Sep 27 (to date)	1. Admin Duties (Committee Members) ²	69.5	15	13	2. Meetings, home & away	45	18	9	3. Promotions. (Tours, demos, etc.)	nil	nil	nil	4. Propagation (Sowing, planting out, seed collection, etc.)	nil	nil	nil	5. Weed & Pest Control	348	122	134	6. Construction & maintenance (Equipment, fencing, trails, buildings, etc.)	4.5	nil	nil	7. Equipment design & manufacture (Seed boxes, displays, jigs, tools, etc.)	nil	nil	nil	8. Monitoring	nil.	nil	nil	Totals	467	155	156		
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	Meeting Minutes
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	Meeting Minutes
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2	General Business: nil		
13	Key Dates for 2023: • Sunday 15 October - 2023 Reserve Open Day • Saturday Busy Bees – TBA • Corporate volunteering day - 9 November 2023, 9.00am to 12 noon • Environmental Cultural flows project - TBA		
14	Next Meeting – Next meeting will be Wednesday 25 October 2023 , 7.30pm Council Rooms, 29 Barossa Valley Way, Lyndoch, SA.		
15	Meeting Closed - 8.02 pm		

OFFICE OF THE MAYOR AND CEO**DEBATE AGENDA****7.1.1 CODE OF PRACTICE FOR PUBLIC ACCESS TO MEETINGS AND MEETING DOCUMENTS**

**Author: Executive Business Partner
23/72530**

PURPOSE

Council is asked to endorse the Code of Practice for Public Access to Meetings and Meeting Documents (the Code) in accordance with Section 92 of the *Local Government Act 1999* (the Act).

RECOMMENDATION

That Council, pursuant to Section 92(5) of the *Local Government Act 1999* endorse the Code of Practice for Public Access to Meetings and Meeting Documents Attachment 1.

REPORT**Background**

Following the election of the new Council Body in November 2022, Council is required, under the Act to review the operation of its Code of Practice.

Introduction

Pursuant to Section 92 of the Act - Access to meetings and documents the code of practice outlines -

Part 5—Code of practice**92—Access to meetings and documents—code of practice**

- (1) A council must prepare and adopt a code of practice relating to the principles, policies, procedures and practices that the council will apply for the purposes of the operation of Parts 3 and 4.
- (2) A council must, within 12 months after the conclusion of each periodic election, review the operation of its code of practice under this section.
- (3) A council may at any time alter its code of practice, or substitute a new code of practice.
- (4) A code of practice must include any mandatory provision prescribed by the regulations.
- (5) Before a council adopts, alters or substitutes a code of practice under this section it must undertake public consultation on the proposed code, alterations or substitute code (as the case may be).

Prior to Council adopting, altering or substituting the Code of Practice, Council released the draft for public consultation in accordance with its Public Consultation Policy.

Discussion

The summary of amendments made to the Code of Practice are:

- Local Government Reform changes
- Removal of reference to the repealed Public Health Emergency – Electronic Participation in Council Meetings (No 1).
- Various changes for clarity and consistency
- Update of the Code of Practice to the new Policy template
- Policy name simplification

As part of the public consultation process, the Code was advertised via public notices in local newspapers, and on Council's website and Facebook page for a period of 21 days. In addition, copies of the Code of Practice were made available at Council's principal office for inspection.

At the conclusion of the public consultation, no submissions were received.

The Code was included in the agenda for the Audit and Risk Committee meeting held on 27 September 2023 for their consideration and was endorsed for recommendation to Ordinary Council as per this report.

Summary and Conclusion

Council is asked to consider and endorse the draft Code of Practice for public consultation.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Reviewed Code of Practice for Access to Meetings and Meeting Documents 

Supporting references

[Public-Consultation-Policy.pdf \(barossa.sa.gov.au\)](#)

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



How We Work - Good Governance

Corporate Plan

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

Legislative Requirements

Local Government Act 1999

Local Government (Procedures at Meetings) Regulations 2013

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONSRisk Management

In order to be legally compliant, Council must establish a Code of Practice for Code of Practice for Public Access to Meetings and Meeting Documents and review this document within the first 12 months of a periodic election.

COMMUNITY ENGAGEMENT

Nil

THE BAROSSA COUNCIL CODE OF PRACTICE FOR PUBLIC ACCESS TO MEETINGS AND MEETING DOCUMENTS



1. Purpose

- 1.1 This Code is prepared pursuant to Section 92 of the *Local Government Act 1999* which requires Council to prepare a Code of Practice relating to the principles, policies and processes for public access to Council and Committee meetings, and associated documents and minutes.

2. Scope

- 2.1. This Code sets out Council's position for access to meetings and documents and includes information relating to:
- Public Access to Meeting Agendas
 - Public Access to Meetings
 - Process to Exclude the Public from a Meeting
 - Matters from which the Public can be Excluded
 - Public Access to Minutes
 - Use of the Confidentiality Provisions
 - Public Access to Meeting Documents
 - Review of Confidentiality Orders
 - Accountability and Reporting to the Community
- 2.2 This Code does not apply to Council's subsidiary as they are managed in accordance of the rules of their Charter.

3. Policy Statement

3.1 Public Access to the Agenda

- 3.1.1 At least three (3) clear days before a Council or Council Committee meeting (unless it is a special meeting) the Chief Executive Officer (CEO) shall give written notice of the meeting to all Council or Committee members setting out the date, time and place of the meeting. The notice must contain or be accompanied by the agenda for the meeting.
- 3.1.2 Notice of the meeting and the agenda will be placed on public display at the Principal Office of Council and on Council's website.
- 3.1.3 Items listed on the agenda will be described accurately and in reasonable detail.

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- 3.1.4 Members of the public may obtain a printed copy of the agenda, excluding any items where clause 3.1.5 applies, as per Council's Fees and Charges Register.
- 3.1.5 Where the CEO believes that a document or report on a particular matter should be considered in confidence with the public to be excluded, the basis under which the order could be made in accordance with the confidentiality provisions in Section 90(3) of the Act will be specified.

3.2 Public Access to Meetings

- 3.2.1 Council and Council Committee meetings are open to the public and attendance is encouraged, except where the Council or the Council Committee believes it is necessary in the broader community interest to exclude the public from the discussion (and, if necessary, the decision) of a particular matter.
- 3.2.2 The public will only be excluded when the need for confidentiality pursuant to Section 90(2) of the Act outweighs the principle of open decision-making.
- 3.2.3 Council meeting dates and times, and the schedule or frequency of Council Committee meetings are available on Council's website.
- 3.2.4 Pursuant to section 90(7a) of the Act, a Council Committee meeting will be taken to be conducted in a place open to the public for the purposes of section 90 even if one or more Committee members participate in the meeting by telephone or other electronic means in accordance with any procedures prescribed by the Regulations or determined by Council under section 89 provided that members of the public can hear the discussion between all Committee members.
- 3.2.5 Elected Members, Committee Members and Employees may participate in a Elected Member Workshop provided that a matter which would ordinarily form part of the agenda for a formal meeting is not dealt with in such a way as to obtain, or effectively obtain, a decision outside of a formally constituted meeting of Council or Committee.

3.3 Process to Exclude the Public from a Meeting

- 3.3.1 For the convenience of the public present at a Council or Council Committee meeting, where it is resolved to consider a matter in confidence, this matter may be deferred until all other business has been considered. This avoids asking the public to leave the room and having them wait until the matter is concluded and then allowing them to return with the possibility of the same process being repeated for a subsequent matter.
- 3.3.2 Before the Mayor, or the Chairperson as the case may be, of a meeting orders that the public be excluded to enable the receipt, discussion and consideration of a particular matter, the meeting must, in public, formally determine if this is necessary and appropriate, and then pass a resolution to exclude the public while dealing with that particular matter. If this occurs then the public must leave the room. This means that all members of the public (including Employees), unless exempted by being named in the resolution as entitled to remain, are required to leave the room.

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- 3.3.3 Once Council or a Council Committee has made the order, it is an offence for a person, who knows that an order is in force, to enter or remain in a meeting. It is lawful for an Employee of Council or a member of the Police to use reasonable force to remove the person from the room if he or she fails to leave on request, however if any form of force is required, it is recommended that Council waits until Police attend to remove the person.
- 3.3.4 Once the consideration of the matter has concluded, the public are permitted to re-enter or re-Connect to the meeting. If there is a further matter that needs to be considered in confidence it is necessary to again undertake the formal determination process and to resolve to exclude the public.

3.4 Matters from which the Public can be Excluded [Section 90(3) of the Act]

- 3.4.1 Council or a Council Committee may order that the public be excluded in the following circumstances:
- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the Personal Affairs of any person (living or dead) (as defined in clause 3 above);
 - (b) information the disclosure of which—
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of Council; and
 - (ii) would, on balance, be contrary to the public interest;
 - (c) information the disclosure of which would reveal a trade secret;
 - (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which—
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (ii) would, on balance, be contrary to the public interest;
 - (e) matters affecting the security of Council, Elected Members or employees of Council, or Council property, or the safety of any person;
 - (f) information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;
 - (g) matters that must be considered in confidence in order to ensure that Council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;
 - (h) legal advice;

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- (i) information relating to actual litigation, or litigation that Council or a Council Committee believes on reasonable grounds will take place, involving Council or an employee of Council;
 - (j) information the disclosure of which—
 - (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of Council, or a person engaged by Council); and
 - (ii) would, on balance, be contrary to the public interest;
 - (k) tenders for the supply of goods, the provision of services or the carrying out of works;
 - (m) information relating to a proposed amendment to a Development Plan under the *Development Act 1993* before a Development Plan amendment proposal relating to the amendment is released for public consultation under that Act;
 - (n) information relevant to the review of a determination of Council under the *Freedom of Information Act 1991*.
 - (o) information relating to a proposed award recipient before the presentation of the award.
- 3.4.2 When considering whether a confidential order should be made, it is irrelevant that discussion of a matter in public may:
- (a) cause embarrassment to the Council or Committee concerned, or to Elected Members or Employees of the Council; or
 - (b) cause a loss of confidence in the Council or Committee; or
 - (c) involve discussion of a matter that is controversial within the Council area; or
 - (d) make the Council susceptible to adverse criticism.
- 3.4.3 If a decision to exclude the public is made, the Council or Council Committee is required to make a note in the minutes of the making of the order and specifying:
- (a) the grounds on which the order was made; and
 - (b) the basis on which the information or matter to which the order relates falls within the ambit of each ground on which the order was made; and
 - (c) if relevant, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest.

3.5 Public Access to Minutes

- 3.5.1 Minutes of a meeting of Council or a Council Committee will be available at Council's Principal Office and on its website within five (5) days after the meeting.

3.6 Use of the Confidentiality Provisions

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- 3.6.1 Once consideration of a confidential matter is concluded, the meeting will then resolve to make an order that a document, report, attachment/s, minutes or other associated information in connection with the agenda item shall remain confidential. In determining this, the meeting will have regard to the provisions of Section 91 and in particular Section 91(8) of the Act which details when a Council must not order that a document remain confidential .
- 3.6.2 When making an order, the meeting will consider if a specific duration of the order or the circumstances in which the order will cease to apply. If the Section 91(7) order is to apply for a period exceeding twelve (12) months, then this order must be reviewed every twelve (12) months from the date it was made and consideration given to delegating to the CEO or another delegate the authority to review the order.
- 3.6.3 In the case of an order of specified duration, the duration of the order can only be extended by a resolution of the Council or Committee, as the case applies, prior to the specified duration being reached. The power to extend an order cannot be delegated.
- 3.6.4 Council or the Council Committee must not make an order to prevent:
- (a) the disclosure of the remuneration or conditions of service of a Council employee after the remuneration or conditions have been set or determined; or
 - (b) the disclosure of the identity of a successful tenderer for the supply of goods or the provision of services (including the carrying out of works), or of any reasons adopted by Council as to why a successful tenderer has been selected; or
 - (c) the disclosure of the amount or amounts payable by Council under a contract for the supply of goods or the provision of services (including the carrying out of works) to, or for the benefit of, Council after the contract has been entered into by all parties to the contract; or
 - (d) the disclosure of the identity of land that has been acquired or disposed of by Council, or of any reasons adopted by Council as to why land has been acquired or disposed of by Council.
- 3.6.5 No formal resolution is required to come out of confidence and go back into public session.
- 3.6.6 Elected Members, former Members, Council Employees and former Council Employees are prohibited from disclosing information or a document over which there is a Council or Committee confidentiality order under Section 90 of the Act. To breach such an order can result in pecuniary and or imprisonment penalties.
- 3.6.7 In all cases the objective is that the information be made publicly available at the earliest possible opportunity once the confidential order ceases to exist and that the community is informed of any Council order and the associated implications.
- 3.6.8 The use of all confidentiality provisions will be recorded in the Confidential Items Register and maintained by the CEO.

3.7 Public Access to Documents

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- 3.7.1 Members of the public may obtain printed copies of Council documents upon the payment of a fee as per Council's Fees and Charges Register..

3.8 Review of Confidentiality Orders

- 3.8.1 A confidentiality order made under Section 91(7) of the Act still in operation exceeding twelve (12) months will be reviewed by Council or by an approved delegate.
- 3.8.2 Any order that operates for a period exceeding twelve (12) months must be reviewed at least once in every year to ascertain whether the grounds for non-disclosure are still relevant and, if so, provide the relevant grounds and reasons for the minutes and/or documents remaining confidential.
- 3.8.3 An order will lapse if the specified duration or event specified has been reached or carried out. In that case, Council does not need to resolve for the confidential order to be lifted. Once the order has lapsed, the minutes and/or documents automatically become public. Council will make such information publicly available on its website within a reasonable timeframe after it is available for inspection at the Principal Office of Council, and not being more than ninety (90) days after an order has lapsed.

3.9 Accountability and Reporting to the Community

- 3.9.1 A report on the use of the confidentiality provisions in Sections 90(2) and 91(7) of the Act by Council and Council Committees will be included in Council's Annual Report as required by Schedule 4 of the Act.
- 3.9.2 The report will include the following information, separately identified for both Council and Committees:
- (a) Number of occasions each of the confidentiality provisions of Sections 90(2) and 90(3) were used;
 - (b) Number of occasions each of the confidentiality provisions of Sections 90(2) and 90(3) and Section 91(7) were used, expressed as a percentage of total agenda items considered;
 - (c) An indication of any particular issues that contributed to the use of confidentiality provisions on more than one occasion;
 - (d) Number of occasions that information originally declared confidential has subsequently been made publicly available; and
 - (e) Number of occasions that information declared confidential has not been made publicly available and the reason for this in each case.

3.10 Complaints

- 3.10.1 A complaint regarding public access to either a meeting or associated documents under this Policy shall be raised in the first instance in writing to the Chief Executive Officer - PO Box 867, Nuriootpa SA 5355 - who will provide an explanation of the application of the relevant laws and Policy including any relevant confidentiality provisions.
- 3.10.2 If the matter is not resolved the complaint can proceed to lodge an application for review of that decision under the Internal Review of Council

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Decisions Policy. This Policy is available on Council's website or from the Principal Office.

4. Supporting Processes and Documents

Confidential Items Register

5. Related Policies

Internal Review of Council Decisions Policy and Process
Public Consultation Policy
Fees and Charges Register

6. Legislation and References

Local Government Act 1999
Local Government (Meeting Procedures) Regulations 2013

7. Review

This Code shall be reviewed by Council, within 12 months after the conclusion of each periodic election, and as required by legislation to undertake public consultation. .

8. Further Information

- 8.1. This Policy is available on Council's website at www.barossa.sa.gov.au. It can also be viewed electronically at Council's principal office at 43-51 Tanunda Road, Nuriootpa and all Council branches, during ordinary business hours. A copy of this Policy can be obtained at those venues upon payment of a fixed fee.
- 8.2. Complaints regarding this Policy or its application can be made to the Customer Service team on 8563 8444 or barossa@barossa.sa.gov.au at first instance, who will refer you to the most appropriate officer according to Council's Customer Service Policy (see clause 8.1 above for availability).

9. Document Control

Corporate Link:		How we work		
Document Owner:	Chief Executive Officer			Document Control Officer: Executive Business Partner
Consultation Rating:	[N/a]	Audience:	External	Next Review Date: 20 June 2027
Version history				
Version No.	Date			Description of Change

Version No:	Approval Date:	Description of Change:
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1	20/08/2013	New Policy
2	21/07/2015	Terminology changes to reflect 2012 WHS act and Regulations.
3	13/06/2016	Changes from the Local Government (Accountability and Governance) Amendment Act 2015 to: Clause 3 definition: Informal Gatherings, clause 4.2.4 Public Access to Meetings; Matters from which Public can be excluded: clause 4.4.2 @and (d); clause 4.4.3 (a) (b) and (c); Use of Confidentiality Provisions: clause 4.6.8; 4.6.10; Review of Confidentiality Orders: clause 4.8.4 and 4.8.5.
4	20/08/2019	Policy reviewed and adopted, in accordance with section 92(2) of the <i>Local Government Act 1999</i> – ie. within 12 months of the conclusion of the periodic election.
5	21/04/2020	Policy amended in line with the Notice Pursuant to Section 302(B) of the Local Government Act 1999 – Public Health Emergency – Electronic Participation in Council Meetings (No 1) gazetted on Tuesday 31 March 2020.
6	20/06/2023	Duplications removed Removal of Emergency Notice No.1 Incorporation of Local Government Reform Amendments Local Government Reform changes Removal of reference to the repealed Public Health Emergency – Electronic Participation in Council Meetings (No 1). Various changes for clarity and consistency Update of the Code of Practice to the new Policy template Policy name simplification

10. Definitions	
Agenda	The Agenda is a list of items of business to be considered at a meeting, it does not include, or require the inclusion of reports and attachments, only that they be described with reasonable particularity and accuracy. However, copies of any documents or reports that are to be considered at the meeting (so far as reasonably practicable) shall be provided to the members of the Council or Council Committee meeting.
The Act	Local Government Act 1999.
CEO	Chief Executive Officer
Clear days	The time between the giving of the notice and the day of the meeting, but excluding both the day on which the notice was given and the day of the meeting, eg notice is given on a Friday for a following Tuesday meeting, the clear days are Saturday, Sunday and Monday.
Connect or Connected to	Able to hear and/or see the meeting via electronic means

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Council Committee	As defined by Section 41 of the Act.
Council's Principal Office	Located at 43 – 51 Tanunda Road Nuriootpa.
Council Website	www.barossa.sa.gov.au
Elected Member Workshop	Council's name for an Information or Briefing Session under section 90A of the <i>Local Government Act 1999</i> .
Regulatory activity	An activity which involves the making or enforcement of by-laws, orders, standards or other controls under the Act or another act.

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DEBATE REPORT

7.1 Office of the Mayor and CEO

7.1.2 CHANGE TO COUNCIL RESOLUTION NUMBER - 2022-26/220 - REVIEW OF VINTAGE FESTIVAL

**Author: Chief Executive Officer
23/91628**

PURPOSE

It is requested that Council consider a change to this resolution so it achieves the outcome sought and is not ultra vires and can be delivered by the Chief Executive Officer.

RECOMMENDATION 1

That Council having considered the report, rescind Council resolution 2022-26/220 of the ordinary meeting of Council dated 15 August 2023.

Subject to recommendation 1 being passed:

RECOMMENDATION 2

That Council instruct the Chief Executive Officer to:

- (1) Seek an updated estimated timeframe from Barossa Australia regarding the review of the Barossa Vintage Festival 2023 including the inclusion of the financial outcomes of the Vintage; and
- (2) Present the report to a future Council workshop once the information is received for review and discussion.

REPORT

Members will recall at the meeting of 15 August 2023; a deputation was made by Barossa Australia and Council passed the following motion.

That Council request Barossa Australia provide a revised report for the Barossa Vintage Festival 2023 that will include greater detail on the financial structure and outcomes of the event to be presented to the Council by the 21 November 2023 Council meeting.

In discussions with the Mayor and relevant Councillors regarding the implementation of this direction from Council and the intent of the motion being to ensure there is a thorough review of the 2023 Vintage Festival. I bring this report forward for consideration. The Vintage Festival review has recently commenced as was always

envisaged by Barossa Australia. Further, the intent is to learn how the festival went, its delivery model and how it can shape future opportunities is sound.

The resolution as it stands requests the Chief Executive Officer to obtain a more detailed review and present it by 21 November 2023. The Chief Executive Officer has no ability to control the processes and timeframes as it is wholly the activity of a separate body with their own processes in place, governance and commercial arrangements and needs. Therefore, the motion is not within the powers of Council, or ultra vires, but the intent can still be achieved.

On this basis the following alternative is put forward after discussion to assist in delivering the intent and aligning what can be delivered with the instructions of the Council. To achieve the direction a rescission motion first needs to be moved and thereafter the new motion considered. Pursuant to Regulation 21 of the *Local Government (Procedure at Meetings) Regulation 2013* I put the above matters for Council for consideration.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Business and Employment

Goal

12. We are a visitor destination of choice.
11. The Barossa has a strong local economy that adapts, innovates and thrives on change and strives for a diverse industry base that provides a sustainable range of business and job opportunities for people.

Strategies

- 12.1. Encourage and support the sector to further promote and develop tourism experiences including ecological, cultural and agricultural tourism.
- 12.2. Support economic development and destination awareness through events, festivals, creative enterprise and attractions.
- 12.3. Provide experiences and infrastructure that continue to support the needs of the tourism market.
- 11.1. Work closely with State Government, Federal Government and other key stakeholders to support economic growth, development and job creation.
- 11.3. Promote the Barossa as a place for business's to thrive, invest, innovate, take measured risks and prosper.

Legislative Requirements

Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

Not required or recommended, will engage directly with Barossa Australia who are undertaking an engagement process as part of the review.

DEBATE REPORT

7.1 Office of the Mayor and CEO

7.1.3 APPOINTMENT OF MEMBERS TO THE NURIOOTPA CENTENNIAL PARK AUTHORITY AUDIT AND RISK COMMITTEE

**Author: Chief Executive Officer
23/91655**

PURPOSE

To consider appointments to the Nuriootpa Centennial Park Authority Audit and Risk Committee.

RECOMMENDATION

That Council, pending response from the Board of the Authority considering the pursuit of a combined committee and receipt of the applications for the nominees, appoint Elaine Ratcliffe and Matthew Taylor to the Audit and Risk Committee for a period concluding on 1 July 2025.

REPORT

Correspondence has been received seeking appointment of members to the Audit Committee pursuant to the Charter for the Authority. The relevant information is attached at Attachment 1.

The Authority must have an Audit and Risk Committee by law. However, that law also allows the Council committee to undertake that role. In assessing the require a query has been made to request the Board to consider allowing the Council committee to assume that function, it will result in savings (albeit they are minor) and efficiencies. At this stage the members of the Committee require appointment, the mater of the best way to manage the legislative requirements can be pursued as part of dialogue with the Board and the foreshadowed Caravan Park review.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Correspondence [!\[\]\(a8f9309f944226d1420f5fed22e2b6e6_img.jpg\) !\[\]\(729993f67f08b74df2e570c12c53c92e_img.jpg\)](#)

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS7 - Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims

Legislative Requirements

Section 42 of the Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

Nil required or recommended.



1 September 2023

Mayor Bim Lange (OAM)
PO Box 486
NURIOOTPA SA 5355

Dear Mayor Lange

Re: NCPA Board Committee and Audit & Risk Committee – Board Resolutions

The Nuriootpa Centennial Park Authority (NCPA) wish to recommend to The Barossa Council the following Board Resolutions:

RECOMMENDATION A

The NCPA Board is recommending the reappointment of Elaine Ratcliffe as an Independent Member on the NCPA Audit & Risk Committee for a further two years. This term will expire after the June 2025 Audit & Risk Committee Meeting.

RECOMMENDATION B

The NCPA Board is recommending the appointment of Matthew Taylor as an Independent Member on the NCPA Audit & Risk Committee for two years. This term will expire after the June 2025 Audit & Risk Committee Meeting.

RECOMMENDATION C

The NCPA Board is recommending the appointment of David Paprzycki as a Member of the NCPA Board for two years. This term will expire after the August 2025 Board Meeting.

A copy of the NCPA Board Minutes of Meeting from 23 August 2023 is enclosed. We direct you to item 10.3 where the motion for the above was made by Peter Cooper, seconded by Robin Phillips and carried by all; along with a second motion by Robin Phillips, seconded by Brett Lydeamore and carried by all.

We look forward to confirmation that the above has been endorsed by Council in due course.

Yours sincerely,

Linda Stapleton

Business Manager
NURIOOTPA CENTENNIAL PARK AUTHORITY
Trading as BIG4 Barossa Tourist Park

08 8562 1404 | www.barossatouristpark.com.au | info@barossatouristpark.com.au

Penrice Road, Nuriootpa, SA 5355 | Barossa Tourist Park | ABN 50 231 969 615





NURIOOTPA CENTENNIAL PARK AUTHORITY

Wednesday 23 August 2023, 7:00pm, NCPA Boardroom

BOARD MINUTES

Meeting formally opened at 7.00pm.

1. COMMENCEMENT

1.1 Welcome

Steven Bell (Deputy Chairperson) welcomed everyone to the meeting.

Present

Brett Lydeamore, Robin Phillips, Peter Cooper, Simon Gill, Cr Tony Hurn, Linda Stapleton
(Business Manager – Minutes)

1.2 Apologies

Guy Martin (Chairperson), Tanya Pumpa (Business Manager)

1.3 Declarations of Interest - Nil

2. STAKEHOLDER PRESENTATIONS / REQUESTS – Nil

3. CONFIRMATION OF PREVIOUS MINUTES

MOVED Brett Lydeamore

that the Minutes of the Board meeting held on 19 July 2023, as circulated, be confirmed as a true and correct record of the proceedings of the meeting.

SECONDED Peter Cooper

CARRIED

4. BUSINESS ARISING FROM PREVIOUS MINUTES

5. CORRESPONDENCE

5.1 Incoming Correspondence

1.1.1 Elaine Ratcliffe – Audit & Risk Committee Nomination

1.1.2 TICSAs Audit Email

1.1.3 Barossa Council – Updated Arrangement Email

1.1.4 David Paprzycki – Audit & Risk Committee Nomination

1.1.5 Romina Adams Email

1.1.6 Request for fundraising Donation

1.1.7 New Carpark Draft

1.1.8 SA Parks Feedback for Long Term Residents

1.1.9 Homburg – 20 Prider Street

1.2 Outgoing Correspondence

1.2.1 Jo Thomas (TBC) thank you letter

NURIOOTPA CENTENNIAL PARK AUTHORITY
Board Meeting – 23 August 2023

1.2.2 Request for fundraising Donation

MOVED Peter Cooper
that all correspondence be accepted.
SECONDED Brett Lydeamore

CARRIED

6. WORK, HEALTH AND SAFETY

6.1 WHS System Work Plan and Report - Nil.

7. REPORTS

7.1 Business Manager Finance Report

The Business Manager Finance Report was tabled and discussed. The RMS Occupancy Reports and YTD Cash Reports were tabled, along with MYOB's Balance Sheet and P&L Reports.

7.2 Business Managers Report

The Business Managers Report was tabled and discussed.

7.3 Operations Managers Report

The Operations Managers report was tabled and discussed.

7.4 BIG4 Quarterly Report – Nil.

7.5 Website Care Service Report - Nil.

7.6 Sports Centre Committee Report – Nil.

7.7 Audit Committee Report – Nil.

7.8 Social Media Marketing Report – Nil.

8. IMPROVEMENT PROGRAM UPDATE (RISK ANALYSIS) – Nil.

9. OTHER BUSINESS

9.1 Shed for Nuriootpa Cricket Club – Update

There has not been any update from the Barossa Council at the date of the Board Meeting.

9.2 A Block Amenities Upgrade – Update

The tiling has been completed. Internal painting is almost finished. The epoxy flooring has been approved and will commence next week. We are almost at the finish line with the upgrades.

9.3 Coulthard Reserve – Update

Council have not provided staff as yet. Robin Phillips has suggested that he could contribute time and resources to assist with Coulthard reserve. This will be discussed with Operations Manager. The Board discussed that Coulthard reserve needs direction as to what is required.

**NURIOOTPA CENTENNIAL PARK AUTHORITY
Board Meeting – 23 August 2023**

10. NEW BUSINESS

10.1 Increase credit limit request

MOVED Brett Lydeamore

to increase the NCPA current credit facility by \$2,000 to enable an additional credit card to be issued to the value of \$2,000 for Tanya Pampa in her role of Business Manager. This will provide the Tourist Park with a total of 3 credit cards with a total credit facility on the cards of \$6,000.

SECONDED Robin Phillips

CARRIED

10.2 Prider Street Rental Property Renewal and Rent Increase

MOVED Cr Tony Hurn

that the weekly rental of the Prider Street rental property be increased by \$10/week to a total of \$410/week and renewal issued to the current tenant.

SECONDED Peter Cooper

CARRIED

10.3 Audit and Risk Committee

Nominations received from Elaine Ratcliffe, Matthew Taylor and David Paprzycki were discussed.

MOVED Peter Cooper

to accept Elaine Ratcliffe's renomination and Matthew Taylor's nomination.

SECONDED Robin Phillips

CARRIED

MOVED Robin Phillips

for Linda Stapleton to contact David Paprzycki to offer a position on the NCPA Board.

SECONDED Brett Lydeamore

CARRIED

10.4 New Carpark

The Draft carpark plan drawn up by Steven Bell was discussed. Steven Bell will work with Linda Stapleton to arrange for an engineer to work out levels and the water drainage that will be required. Currently, water from 2nd oval is pumped to the creek (bypasses the lake). It was suggested that the drainage system implemented may be able to hook into that system. An engineer will look at the feasibility of the design. Further discussions will take place once an engineer's report has been prepared.

11. DATE OF NEXT MEETING – 20 September 2023 at 7.00pm

12. MEETING CLOSED at 8.00pm

Confirmed at Board Meeting -

/ 20

DATE: 5.9.23

CHAIRPERSON: 

DEBATE REPORT

7.1 Office of the Mayor and CEO

7.1.4 APPOINTMENT OF MEMBER TO THE NURIOOTPA CENTENNIAL PARK AUTHORITY BOARD OF MANAGEMENT

**Author: Chief Executive Officer
23/91658**

PURPOSE

To consider appointments to the Nuriootpa Centennial Park Authority Board of Management.

RECOMMENDATION

That Council, pending receipt of the application of the nominee, appoint David Paprzycki to the Nuriootpa Centennial Park Authority Board of Management from 23 August 2023 and concluding on 22 August 2025.

REPORT

Correspondence has been received seeking appointment of a member to the Authority Board of Management pursuant to the Charter for the Authority. The relevant information is attached at Attachment 1. A nomination form outlining the merit of the nominee to the requirements of the Charter has been requested.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Correspondence [↓](#) 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS7 - Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims

Legislative Requirements

Section 42 of the Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

Nil required or recommended.



1 September 2023

Mayor Bim Lange (OAM)
PO Box 486
NURIOOTPA SA 5355

Dear Mayor Lange

Re: NCPA Board Committee and Audit & Risk Committee – Board Resolutions

The Nuriootpa Centennial Park Authority (NCPA) wish to recommend to The Barossa Council the following Board Resolutions:

RECOMMENDATION A

The NCPA Board is recommending the reappointment of Elaine Ratcliffe as an Independent Member on the NCPA Audit & Risk Committee for a further two years. This term will expire after the June 2025 Audit & Risk Committee Meeting.

RECOMMENDATION B

The NCPA Board is recommending the appointment of Matthew Taylor as an Independent Member on the NCPA Audit & Risk Committee for two years. This term will expire after the June 2025 Audit & Risk Committee Meeting.

RECOMMENDATION C

The NCPA Board is recommending the appointment of David Paprzycki as a Member of the NCPA Board for two years. This term will expire after the August 2025 Board Meeting.

A copy of the NCPA Board Minutes of Meeting from 23 August 2023 is enclosed. We direct you to item 10.3 where the motion for the above was made by Peter Cooper, seconded by Robin Phillips and carried by all; along with a second motion by Robin Phillips, seconded by Brett Lydeamore and carried by all.

We look forward to confirmation that the above has been endorsed by Council in due course.

Yours sincerely,

Linda Stapleton

Business Manager
NURIOOTPA CENTENNIAL PARK AUTHORITY
Trading as BIG4 Barossa Tourist Park

08 8562 1404 | www.barossatouristpark.com.au | info@barossatouristpark.com.au

Penrice Road, Nuriootpa, SA 5355 | Barossa Tourist Park | ABN 50 231 969 615





NURIOOTPA CENTENNIAL PARK AUTHORITY

Wednesday 23 August 2023, 7:00pm, NCPA Boardroom

BOARD MINUTES

Meeting formally opened at 7.00pm.

1. COMMENCEMENT

1.1 Welcome

Steven Bell (Deputy Chairperson) welcomed everyone to the meeting.

Present

Brett Lydeamore, Robin Phillips, Peter Cooper, Simon Gill, Cr Tony Hurn, Linda Stapleton
(Business Manager – Minutes)

1.2 Apologies

Guy Martin (Chairperson), Tanya Pumpa (Business Manager)

1.3 Declarations of Interest - Nil

2. STAKEHOLDER PRESENTATIONS / REQUESTS – Nil

3. CONFIRMATION OF PREVIOUS MINUTES

MOVED Brett Lydeamore

that the Minutes of the Board meeting held on 19 July 2023, as circulated, be confirmed as a true and correct record of the proceedings of the meeting.

SECONDED Peter Cooper

CARRIED

4. BUSINESS ARISING FROM PREVIOUS MINUTES

5. CORRESPONDENCE

5.1 Incoming Correspondence

1.1.1 Elaine Ratcliffe – Audit & Risk Committee Nomination

1.1.2 TICSAs Audit Email

1.1.3 Barossa Council – Updated Arrangement Email

1.1.4 David Paprzycki – Audit & Risk Committee Nomination

1.1.5 Romina Adams Email

1.1.6 Request for fundraising Donation

1.1.7 New Carpark Draft

1.1.8 SA Parks Feedback for Long Term Residents

1.1.9 Homburg – 20 Prider Street

1.2 Outgoing Correspondence

1.2.1 Jo Thomas (TBC) thank you letter

NURIOOTPA CENTENNIAL PARK AUTHORITY
Board Meeting – 23 August 2023

1.2.2 Request for fundraising Donation

MOVED Peter Cooper
that all correspondence be accepted.
SECONDED Brett Lydeamore

CARRIED

6. WORK, HEALTH AND SAFETY

6.1 WHS System Work Plan and Report - Nil.

7. REPORTS

7.1 Business Manager Finance Report

The Business Manager Finance Report was tabled and discussed. The RMS Occupancy Reports and YTD Cash Reports were tabled, along with MYOB's Balance Sheet and P&L Reports.

7.2 Business Managers Report

The Business Managers Report was tabled and discussed.

7.3 Operations Managers Report

The Operations Managers report was tabled and discussed.

7.4 BIG4 Quarterly Report – Nil.

7.5 Website Care Service Report - Nil.

7.6 Sports Centre Committee Report – Nil.

7.7 Audit Committee Report – Nil.

7.8 Social Media Marketing Report – Nil.

8. IMPROVEMENT PROGRAM UPDATE (RISK ANALYSIS) – Nil.

9. OTHER BUSINESS

9.1 Shed for Nuriootpa Cricket Club – Update

There has not been any update from the Barossa Council at the date of the Board Meeting.

9.2 A Block Amenities Upgrade – Update

The tiling has been completed. Internal painting is almost finished. The epoxy flooring has been approved and will commence next week. We are almost at the finish line with the upgrades.

9.3 Coulthard Reserve – Update

Council have not provided staff as yet. Robin Phillips has suggested that he could contribute time and resources to assist with Coulthard reserve. This will be discussed with Operations Manager. The Board discussed that Coulthard reserve needs direction as to what is required.

**NURIOOTPA CENTENNIAL PARK AUTHORITY
Board Meeting – 23 August 2023**

10. NEW BUSINESS

10.1 Increase credit limit request

MOVED Brett Lydeamore

to increase the NCPA current credit facility by \$2,000 to enable an additional credit card to be issued to the value of \$2,000 for Tanya Pampa in her role of Business Manager. This will provide the Tourist Park with a total of 3 credit cards with a total credit facility on the cards of \$6,000.

SECONDED Robin Phillips

CARRIED

10.2 Prider Street Rental Property Renewal and Rent Increase

MOVED Cr Tony Hurn

that the weekly rental of the Prider Street rental property be increased by \$10/week to a total of \$410/week and renewal issued to the current tenant.

SECONDED Peter Cooper

CARRIED

10.3 Audit and Risk Committee

Nominations received from Elaine Ratcliffe, Matthew Taylor and David Paprzycki were discussed.

MOVED Peter Cooper

to accept Elaine Ratcliffe's renomination and Matthew Taylor's nomination.

SECONDED Robin Phillips

CARRIED

MOVED Robin Phillips

for Linda Stapleton to contact David Paprzycki to offer a position on the NCPA Board.

SECONDED Brett Lydeamore

CARRIED

10.4 New Carpark

The Draft carpark plan drawn up by Steven Bell was discussed. Steven Bell will work with Linda Stapleton to arrange for an engineer to work out levels and the water drainage that will be required. Currently, water from 2nd oval is pumped to the creek (bypasses the lake). It was suggested that the drainage system implemented may be able to hook into that system. An engineer will look at the feasibility of the design. Further discussions will take place once an engineer's report has been prepared.

11. DATE OF NEXT MEETING – 20 September 2023 at 7.00pm

12. MEETING CLOSED at 8.00pm

Confirmed at Board Meeting -

/ 20

DATE: 5.9.23

CHAIRPERSON: 

DEBATE REPORT

7.1 Office of the Mayor and CEO

7.1.5 REQUEST FOR TOP 5 REGIONAL INFRASTRUCTURE PRIORITIES - REGIONAL DEVELOPMENT AUSTRALIA - INFRASTRUCTURE PRIORISATION ASSESSMENT

**Author: Chief Executive Officer
23/91692**

PURPOSE

To review the priorities put forward by the Executive Leadership Team as the highest regional infrastructure priorities.

RECOMMENDATION

That Council having reviewed the Executive Leadership Team assessment of the top 5 regional infrastructure priorities, endorses those listed and ratifies the submission made by the Chief Executive Officer.

REPORT

Background

Periodically Regional Development South Australia assess priorities for infrastructure investment.

Introduction

Correspondence has been received on 19 September 2023 for the provision of what Council considers its top 5 infrastructure projects over the next 5 years.

The correspondence is within Attachment 1.

Discussion

Unfortunately, the request for information and timelines for submission being 11 October 2023 did not allow any time to seek Council support before providing information. This issue has been relayed to Regional Development Australia in response.

To meet the deadline, the Executive Leadership Team considered the matter at its meeting of 25 September 2023 and endorsed the following key issues are the biggest priorities for submission. The submission has been made on the proviso that Council may alter this list and is therefore preliminary. The priorities are well known and aligned to Council policy positions or future endorsed projects. The priorities need to be of regional or State significance and not local matters.

1. Water infrastructure for the future of horticulture, viticulture, agriculture, potable supply for growth and services.

2. Concordia development needs – water is captured in item 1 above, Sturt Highway connectivity, power, communications, smart city infrastructure, Gawler River solution coupled with Sturt Highway connectivity, community, sporting and open space needs, education, safety services and train line connectivity.
3. Lyndoch Sporting Precinct – needed to support Concordia in the first instance and completes the regional approach to Barossa's vision of critical mass for Regional, State and National sporting and recreational events.
4. Creative Industries Precinct – a regional approach to providing a heritage, history and cultural show piece for the growth, development and support of creative industries sector.
5. Freight Task Infrastructure – the growth of freight on roads will continue. Significant support and investment are needed to maintain and improve the accessibility for this task.

Councils' ratification of these priorities is sought, or alternatives provided in order to update Regional Development Australia if required.

Summary and Conclusion

The submission of the top 5 infrastructure priorities has been undertaken noting Council has not been provided the time for review due to the timelines set. The matter is now tabled for review and ratification.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Correspondence from Regional Development Australia Barossa [↓](#) 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Infrastructure



Business and Employment

Advocate for and identify funding opportunities that support the development of community, cultural, health and other facilities and infrastructure to meet personal and commercial needs of residents and businesses.

Ensure both current and future infrastructure needs are met in a proactive rather than reactive way.

Attract investment for new and innovative industries, and facilitate business growth by supporting local industry and their capacity to compete for government contracts.

Legislative Requirements

Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

There is no financial or resourcing cost associated with the submission. Resources have been used to write the necessary information in support of the submission.

Not placing any information before RDSA would risk these matters not being present in the minds of decision makers as they undertake their prioritisation and develop the strategic priorities to be presented to our State and Federal counterparts in due course.

COMMUNITY ENGAGEMENT

Not required or recommended. Priorities have been taken from our current policy settings, strategies, and key Regional and State projects in our Council area.

From: [REDACTED]
Sent: Tuesday, September 19, 2023 3:46 PM
To: mmccarthy <mmccarthy@barossa.sa.gov.au>
Cc: Aaron Curtis <acurtis@barossa.sa.gov.au>; bclark@barossa.sa.gov.au; [REDACTED]
Subject: Barossa Council input – 2023 RDSA infrastructure prioritisation

Dear Martin,

We are reaching out today to seek your input into RDSA's 2023 Infrastructure Prioritisation assessment.

Essential Information:

- We need your council to **provide your (up to) top 5 infrastructure projects** for the coming 5 years (until 2028).
- **Use the template provided** – one template per project proposed.
- Please **let Zac McCrindle know if you would like** a session with him to do it in person and **help to ease the load**.
- Info **required by COB Thursday 12th October** (3 weeks).
- **Please contact Zac McCrindle for more information/assistance.**

More detail is provided below:

RDSA is a member-based, not-for-profit Incorporated Association that plays a unique role in supporting the economic development efforts of seven South Australian based RDAs, as well as the Adelaide Metropolitan RDA (<https://regionaldevelopmentsa.com.au/>).

The rest of this email describes the prioritisation process, explains how councils can be involved in this and flags the information we are requesting from councils. A response template is attached with detail on the specific information required for proposed projects to be considered in this assessment.

What is the 2023 Infrastructure Prioritisation assessment?

The purpose of this assessment is to identify priority projects for regional South Australia and to inform State and Federal Government and the private sector of the potential impact of these projects and what is required to activate them. The outcome of the process is an identification of priority projects, an evaluation of their priority from a whole of state perspective and a categorisation according to what intervention is required to advance the project.

RDSA is aiming to finalise a priority listing of projects (maximum of 10 per each RDA) by December 2023.

The 2023 assessment follows similar exercises in 2013 and 2018. The 2018 priorities were effective in shaping investments across South Australia as can be seen by:

- The document and its priorities forming key inputs into the formation of Infrastructure South Australia in 2018 and in informing Infrastructure Australia's 2022 Regional Strengths and Infrastructure analysis for South Australia.
- The progress made implementing the top 20 prioritised projects, with 14 either complete, under construction or funded.

How will councils be involved in the assessment?

We recognise that all tiers of government have critical roles to play in identifying needs, proposing potential options and successfully implementing solutions to the most pressing problems.

We are asking for your top 5 instead of your top 1 or 2 to best evaluate highest project need across the whole of our RDA region.

Each RDA region across South Australia will be able to provide up to ten (10) projects for consideration in the overall prioritisation.

Compilation of these project lists is intended to be a collaborative effort, consistent with national and state policies while leveraging the RDA network's long-standing partnerships with the Local Government Association of SA, specific local councils in each RDA and local businesses.

As such, we are seeking your council's input in identifying what are considered to be high-priority infrastructure projects. These projects may be in various stages of readiness across the infrastructure delivery lifecycle, including feasibility, investment ready, or advocacy.

Responding to this request – the information required

A response template is attached (Appendix A: Response template) which provides an outline of the information required for each project put forward by RDAs.

Your response to this information request should be provided in the relevant columns of this response template. Please complete all sections and provide contact details for the best point of contact at Council should clarification on responses or further information about the project be required.

Councils are welcome to provide additional material which may support their local RDA Boards in determining whether the project is to be included in the list of ten (10) to be provided to RDSA for prioritisation.

Timeframes for providing information

To input into this process we would need to receive your views on potential projects and all available information on these projects by **COB 12th October 2023**.

Final comments

We appreciate your support and look forward to working closely with Council to develop a robust list of projects which will support the ongoing growth, resilience, prosperity and livability of South Australia's regions.

If you would like to discuss the project or the above requirements in more detail, please contact Zac McCrindle.

Kind regards,

Zac McCrindle



Zac McCrindle

Investment & Value Creation

zac@barossa.org.au

P +61 (08) 8563 3603 • M +61 0425 883 332

28 Murray St, Tanunda SA 5232

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Regional Development Australia Barossa Gawler Light Adelaide Plains

Local people creating local opportunities



Acknowledgment of Country

We acknowledge Ngadjuri, Kurna and Peramangk people as the Traditional Custodians of the land on which we work and pay our respects to their Elders past and present. We extend that respect to all Aboriginal and Torres Strait Islander people.

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DEBATE REPORT

7.2 Corporate Services and Business Innovation

7.2.1 MONTHLY FINANCE REPORT AS AT 30 SEPTEMBER 2023

**Author: Senior Accountant
23/85137**

PURPOSE

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

RECOMMENDATION

That Council receive and note the Monthly Finance Report as at 30 September 2023 as provided at Attachment 1.

REPORT

The Monthly Finance Report (as at 30 September 2023) is Attached. The report has been prepared comparing actuals to the original adopted budget 2023/24.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Monthly Finance Report Council September 2023 [!\[\]\(0d7ca0919e6c47bbd874bfa0189fe22e_img.jpg\)](#) 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS6 - Finance - Transparency and accountability regarding Council activity and expenditure. Provision of organisational performance report (outcomes), activity report (outputs), a range of statutory reporting (e.g. public health, tax, superannuation), financial reporting

Legislative Requirements

Local Government (Financial Management) Regulations 2011, Regulation 9(1)(b) LGA Information paper no.25 – Monitoring Council Budget Performance

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

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

COMMUNITY ENGAGEMENT

Community Consultation was part of the original budget adoption process in June/July 2023, as per legislation. This report is advising Council of the monthly finance position compared to that budget.

MONTHLY FINANCE REPORT

AS AT 30 September 2023

FOR YEAR ENDING 30 JUNE 2024

	Notes	% Actual Expenditure to Original Budget	Original Budget (Full-Year) \$'000	Actual Result (Year-to-Date) \$'000
Uniform Presentation of Finances				
OPERATING ACTIVITIES:		Operating		
Operating Income			45,014	38,971
Less Operating Expenses		15.33%	(47,359)	(11,020)
Operating Surplus / (Deficit)			(2,345)	27,951
CAPITAL ACTIVITIES:				
Net Outlays on Existing Assets		Capital		
Capital Expenditure on Renewal and Replacement of Existing Assets		9.74%	(8,031)	(782)
Add back Depreciation, Amortisation & Impairment			10,170	2,543
Add back Proceeds from Sale of Replaced Assets			224	110
Subtotal			2,363	1,871
Net Outlays on New and Upgraded Assets				
Capital Expenditure on New and Upgraded Assets		20.37%	(14,822)	(3,019)
Add back Amounts Received Specifically for New and Upgraded Assets			2,796	84
Add back Proceeds from Sale of Surplus Assets			0	0
Subtotal			(12,026)	(2,935)
Net Lending/(Borrowing) for the Financial Year			(12,008)	26,887
Total % Capital Budget Spent		16.63%		

NOTES

1) 2023/24 Capital Expenditure to end of September includes:

- The Big Project - Tanunda Rec Park - \$798K
- Upgrade Tanunda Oval - \$132k
- Asset Management System - \$35k
- Road Resheeting \$33k
- Mt Pleasant Caravan Park Upgrade - \$859k
- The Big Project - Barossa Rugby Park - \$872k
- Drainage \$53k
- Streetscaping \$33k
- Parks & Gardens \$150k
- Footpaths & Kerbing \$56k
- Sealed Roads \$131k

DEBATE REPORT

7.2 Corporate Services and Business Innovation

7.2.2 BAROSSA ARTS FESTIVAL SPONSORSHIP REQUEST

**Author: Community Liaison Partner
23/85207**

PURPOSE

To determine support of the Barossa Arts Festival (BAF) being held in April 2024.

RECOMMENDATION

That Council:

- (1) Provide sponsorship funds of \$30,000 for the 2024 Barossa Arts Festival contingent upon the following conditions:
 - a. That the event does not include the proposed immersive lights trail unless a major sponsor is identified to cover the full operational costs of this activity.
 - b. That additional sponsorship funds of at least \$40,000 (separate to funds sourced for the immersive light trail) are secured by 30 November 2023 to ensure the financial sustainability of the festival.
 - c. That 50% of the sponsorship funds are paid after 30 November 2023 and the remaining 50% is paid upon successful completion of the event.
 - d. That Council is exempt from paying participation fees when registering for an event in the program.
 - e. That Council is recognised in all relevant media, promotional and publications as a key sponsor which shall include the use of Council's logo.
 - f. That Council is provided with an event management plan, as per Council's Event Management Framework and the event organiser provides evidence of the holding of \$20 million Public Liability Insurance.
 - g. That a comprehensive post-festival report is submitted within 3 months of the festival's conclusion. The report should include information on visitor numbers, ticket sales, financial results, marketing outcomes, and profit plans for reinvestment in the 2026 Festival.
- (2) That Council provides in-kind support, valued at \$5,200, limited to:
 - a. The Barossa Visitor Centre will serve as a central collection point for participating businesses to collect and install their own corflute signs and act as an information Hub for the event, as part of Council's standard Tourism Services.
 - a. Council will waive venue hire fees for the CWA Hall, Tanunda Town Square, Barossa Regional Gallery and Bethany Reserve.
 - b. Officers will assist with creating a tear off event program.
 - c. The Barossa Visitor Centre and Regional Gallery will collaborate and create a Twilight Makers Market as part of the festival program.

REPORTBackground

The Barossa Arts Festival, established in 2022 by Sole Trader/business owner Karen Nickels of Art Innovations in Tanunda attracted over 10,000 participants who followed the extensive Arts Trail, attended live artist demonstrations, workshops, and special events throughout the 3-day festival. Not only did the festival provide an avenue for artists to showcase their talent, but it also facilitated the sale of over \$40,000 worth of artwork. Additionally, numerous positive connections were forged between artists and venues, leading to ongoing displays of artwork throughout our region.

The biennial event, after a successful debut, is expanding to a month-long festival in April 2024. This longer duration provides artists more opportunities to showcase their work. The festival will feature music, performance art, digital media, and a diverse array of 2D and 3D art, both virtually and physically, to cater to a broader audience and aligns with the Council's commitment to arts, culture, and social inclusion.

The Barossa Council previously supported the inaugural festival in 2022 with \$3,000 sponsorship and \$1,000 in-kind support.

Introduction

At the Council Workshop on 6 September 2023, Elected Members were briefed on the proposed Festival with the event organiser requesting financial and in-kind support from Council. The Event Overview provided at [Attachment 1](#) details events programmed during the festival and outlines the request for financial backing and in-kind support.

Discussion

As noted at the 6 September Elected Members Workshop, the Barossa Arts Festival was held successfully in April 2022. Sponsorship support is now sought to help develop the 2024 event, which is still a relatively new and an emerging festival. The festival organiser has demonstrated potential for growth, having already locked in several activities for the month of April which have garnered local support. The ultimate plan is for the festival to become a bi-annual addition to Barossa's event calendar.

The 2024 festival is scheduled to commence on March 31st and will run for 30 days. The event organiser has recently collaborated with RDA Barossa on an Event Impact Assessment Model, which estimates that the festival will attract an average of 337 visitors per day over the 30-day period. With an average spend per person per day of \$100, they anticipate a significant visitor spend of well over \$1,000,000 in the region throughout the festival duration (see RDA impact statement at [Attachment 2](#)).

Council officers have assessed the sponsorship request and consider the investment of \$30k to be reasonable and commensurate with other sponsorships approved for Food and Wine Festivals and sporting events.

The 2024 Barossa Arts Festival is anticipated to benefit businesses in the tourism and accommodation sector, as well as creative industries business engagement, establishing new connections between artists and local businesses and an increase in visitation. The proposed events support community engagement and wellbeing, with a focus on accessibility, making art and a variety of creative practices available and inclusive to all ages, abilities, and cultures.

The request for in-kind support from the event organiser is extensive and encompasses various elements. Due to infrastructure and resource limitations not all the requested assistance can be provided. For example, Council assistance was requested with the installation of street pole banners in Tanunda, Nuriootpa, and Angaston. The current brackets for banners are considered unsafe. To address this issue, the Council plans to update the brackets to a new street flag system. Once the new system is in place, user groups will have the opportunity to apply to use the street flag system. This option will become available to events starting in mid-2024.

The event organiser has also requested the provision of a Festival Hub with signage, a Box Office, Live Music, Food Vans, and security Friday to Sunday over the month-long Festival. Council can support the provision of the Tanunda Town Square for this purpose; however, the event organiser will need to be responsible for staffing, event activation and all infrastructure costs. Council will not handle the organisation or coordination of the Hub. It's crucial for the event organiser to consider several key factors, including liquor licenses, adherence to food laws, security arrangements and comprehensive risk management. Additionally, careful consideration should be given to the timing of activation. Council officers highly recommend hosting of a central 'Hub' event in mid-April. This approach can help streamline logistics and ensure a more manageable and successful outcome for the Festival Hub. Outside of the Friday to Sunday hub activation, The Barossa Visitor Centre will provide information and assist with booking during business hours as part of their normal Tourism Services.

In response to the request for support for the management of ATDW listings, Council administration does not have the resources to support this request, however officers will explore if Barossa Australia can assist and create a one-page summary on Barossa.com and provide ATDW support.

(1) Regarding the recommendation for The Barossa Visitor Centre and Regional Gallery to collaborate and create a Twilight Makers Market as part of the festival program, whilst Council officers can commit to this event, the timing of the market will be impacted by arrangements relating to the Gather Round should it be approved. As such, scheduling of a Twilight Makers Market will be contingent upon this outcome.

(2) Further to the above, the potential of the Council approving the closure of the Tanunda Main Street for a peak festival event is also contingent upon the announcement of the Gather Round host sites due to potential restrictions imposed by the State Government or the AFL.

Officers understand that further funding support may be requested for the 2026 Festival. At this time, it is recommended that Council offer support for the 2023 event and review the success, opportunities going forward, and the economic and community outcomes post event before committing to future Festivals.

Summary and Conclusion

Based on the ambitious nature of the event, it is recommended that Council provide \$30,000 in financial sponsorship to Art Innovations, along with defined levels of in-kind support. The festival presents a strong regional community opportunity and collaboration between the Council and the local creative community and it is recommended that the request for sponsorship be supported subject to the management of identified financial and reputational risks.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Attachment 1 - Barossa Arts Festival - request for sponsorship - Barossa Council Presentation [!\[\]\(bd1a142de767a21e5362c595f844a4ff_img.jpg\)](#) [!\[\]\(d4257ae6a3e163e6d467b3eb87960fa1_img.jpg\)](#)

Attachment 2 Barossa Arts Festival 2024 - Event Impact statement - Regional Development Australia [!\[\]\(e2376d476d06eb31946dc01a69a4403a_img.jpg\)](#) [!\[\]\(bbb3388d591ef640dd8a8c4262f2866a_img.jpg\)](#)

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTSCommunity Plan

Community and Culture

We are a strong community that is welcoming, safe and enjoys a quality lifestyle that celebrates our local identities, diversities, cultures and histories including our Aboriginal heritage.

Support the development of activities that celebrate the history, art and culture of the Barossa and its people.

Create vibrant public spaces that provide places for creative development, cultural interaction and social connections.

Corporate Plan

CS11 - Events - Management of community development projects and events, including enquiries and logistics. Event management supporting a variety of internal service areas and community that support the delivery of successful, community focused events.

Legislative Requirements

Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Council Officers believe that there are significant risks associated with the proposed scope of the current program based on the length of the festival and funding projections provided. The projected cash income associated with ticket sales and fees is not supplemented sufficiently by current sponsorship funds. The immersive light trail, at a quoted cost of \$110,000 is seen as high risk by Officers and would be recommended to be eliminated from the program unless a major sponsor can be secured to cover the operational costs of this event.

Further, whilst Council's sponsorship support of \$30k is commensurate with the level of support provided for other cultural and sporting events, it (along with the other secured sponsorship funds) is not sufficient to cover the remaining unfunded costs of the event. As such, Council funding should be contingent upon the securing of an additional \$40k sponsorship funds at minimum by late November. Without this additional funding support, the festival is at risk of not being financially viable.

This financial risk presents flow on reputational risks for Council and the region if the festival is cancelled. As such, it is recommended that Council's sponsorship funding be contingent upon the meeting of several requirements to mitigate financial and reputational risks (as per the draft recommendation above).

Further, the organiser will be required to provide to Council with necessary insurance and risk assessment requirements before commencing the event.

A budget adjustment of \$30k will be required to fund this initiative if approved.

COMMUNITY ENGAGEMENT

Nil



BAROSSA
ARTS FESTIVAL

BAROSSA COUNCIL PRESENTATION

Wednesday 6 September, 2023

Presented by Karen Nickels & Tania Shirgwin

Colour

Creativity

Culture

OUR VISION

The Barossa Arts Festival aspires to unite our community through the power of artistic expression by hosting a vibrant celebration of colour, creativity and culture. Through captivating music and live theatre performances, immersive exhibitions, and engaging workshops, we aim to enrich lives, foster connections, and inspire a shared appreciation for the arts in the heart of the Barossa Valley while engaging and inspiring visitors from near and far.

Colour Creativity Culture



PATRICK JOHN PEARSON
Stonewell Vineyards
Barossa Valley
76x102cm

OUR MISSION

The Barossa Arts Festival is dedicated to fostering creativity, collaboration, and cultural enrichment by providing a platform for SA artists to showcase their talents and engage with a diverse audience.

Our festival is a unique biennial gathering that sparks imagination, cultivates dialogue, and leaves a lasting legacy of artistic inspiration, cementing the beautiful Barossa & Light region as a must-see destination for the Arts.



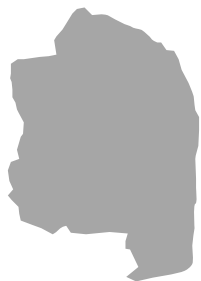


2022 BAROSSA ARTS FESTIVAL IN REVIEW

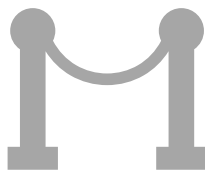
— 2022 BAROSSA ARTS FESTIVAL IN REVIEW



30-DAY
FESTIVAL



7
TOWNS



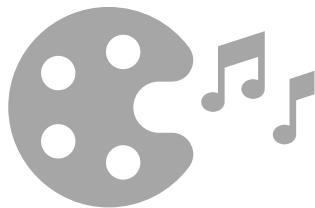
43
VENUES



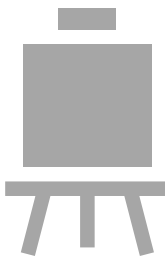
ACCOMMODATION & TOURISM
OPERATORS AT CAPACITY



60
ARTISTS



33
ARTIST LED WORKSHOPS



\$40,000
OF ARTWORK SOLD



ONGOING RELATIONSHIPS
WITH VENUES & ARTISTS

— EVENTS INCLUDED

- ✓ An extensive Arts Trail of 60 artists displaying at 40+ different venues (winery cellar doors, restaurants, cafes, open artist's studios, galleries)
- ✓ Live art demonstrations by most exhibiting artists on our Meet the Makers Weekend
- ✓ 33 Artist-led Art Workshops for the public to be involved in
- ✓ A Makers Market with over 60 unique Artisan Traders (Nuriootpa)
- ✓ A Battle of The Bands (Stockwell)
- ✓ Art In the Park Community Art Event with outdoor Art Workshops, community stalls (Angaston)
- ✓ Art On the Green – Art Exhibition and Auction at Peter Lehmann Wines





2024 BAROSSA ARTS FESTIVAL PLANNING UNDERWAY

2024 BAROSSA ARTS FESTIVAL PLANNING UNDERWAY

A BIGGER & BETTER FESTIVAL

- Offering a range of unique events and creative workshops throughout the month.
- Include more evening events to attract overnight stays to multiply visitor spending.
- Expand the festival to include more music-related events, performance art, digital media, and a range of 2D and 3D art displayed both as virtual and physical exhibitions to appeal to an even wider audience.



FIONA SCHUBERT

— EVENTS TO INCLUDE

- ★ Gala Opening Event and Exhibition: "The Best of the Fest"
Showcasing a selection of 1-2 artworks from each artist involved in the festival in one location!
Date: Opening night Saturday March 30, 2024, on display all of April.
- ★ Twilight Artisan Makers Market, Murray Street, Tanunda
Date: Saturday April 6, 2024
- ★ Art Workshops (30+) and Live Demonstrations
Meet The Makers - a unique chance to see artists working live!
Dates: April
- ★ Immersive Light Trail - Set over several acres of rolling hills, and vineyards in Angaston Dates: April



— EVENTS TO INCLUDE

- ★ Arts Trail 60 Artists /45 Venues - Barossa and Light Council Regions in wineries, galleries, restaurants and cafes.
Dates: April
- ★ Virtual Exhibitions and Online Catalogue
A digital showcase of artworks and exhibitions accessible to a global audience. Bringing the festival experience online.
Dates: April
- ★ Gala Dinner and Art Auction
An elegant evening featuring a curated art auction and culinary delights. Date: Saturday April 13, 2024
- ★ Community-Based Arts Events created by venues co-promoted by BAF Dates: April



— EVENTS TO INCLUDE

- ★ Dance for Peace
Dance/drama production
Date: Saturday April 20, 2024
- ★ First Nations Cultural Day
A day of celebration with artworks, dance and dreamtime stories by SA Saturday April 27, 2024
- ★ Battle of the Bands
Live music competition at The Stockwell Hotel.
Date: Sunday April 7, 2024
- ★ Arts Festival Hub
A central hub for information, live music, workshops and interactive art experiences located outside of the Barossa Visitor Centre. Dates: Friday to Sunday throughout the month of April, 5pm until late.
- ★ Immersive Light Trail - Angaston



TARGET AUDIENCE

The Barossa Arts Festival is designed to captivate and inspire a diverse audience with its vibrant celebration of creativity, talent, and cultural expression. The festival appeals to individuals of various ages, backgrounds, and interests who seek cultural enrichment and are eager to engage with the local arts community. The primary target audience is aged 35-65 and includes a mix of:



Artists and Art Enthusiasts

Passionate about art in all its forms who seek opportunities to explore new artistic experiences, showcase their talents, be inspired and connect with other creatives.



Families and Children

The festival offers a range of family-friendly activities, workshops, and performances to spark creativity, imagination, and a love for the arts in children.



Local Residents

Take pride in their regional identity and appreciate opportunities to support local artists.



Cultural Explorers

Visitors from neighbouring towns and cities, interstate regions and overseas visitors who are curious, open-minded, and seek opportunities to explore new art forms, traditions, and creative expressions.



Seniors and Retirees

The event offers programming specifically tailored to the interests of seniors, providing opportunities for them to participate, learn, and appreciate various art forms.

— TARGET AUDIENCE

Demographic



Gender

The festival aims to appeal to individuals of all genders, maintaining a gender-neutral approach to ensure inclusivity. Our Artist led workshops tend to attract females predominantly 25-65 years old.



Location

The Barossa Arts Festival's core audience hails from SA including the Adelaide CBD, and surrounding suburbs, Adelaide Hills residents, the Clare Valley and Barossa region and its surrounding areas, as well as interstate and overseas visitors also contributing to the festival's attendance.

This diverse group of individuals are likely to have discretionary income and an interest in arts and culture.

MARKETING & PROMOTIONS

BAROSSA ARTS FESTIVAL

Page 13



MATT SHEEHY

— MARKETING & PROMOTIONS

The comprehensive marketing strategy covers the following:

Local & Interstate Coverage	Print & Digital Advertising	Targeted Editorials & Media Releases	Rigorous Social Media Posting Calendar
Newsletters to Database & Stakeholders	Famils with Targeted Media & Tourism Bodies	Flyers, Posters, Signage & Print Collateral	Stakeholder Communications
On-page Search Optimisation & Off-page Optimisation	Paid Advertising	Website & Digital Catalogue	Outreach & Opportunities

— MARKETING & PROMOTIONS

Besides the strategic marketing strategy we will undertaking across multiple channels, we also have a possible 300K+ reach across multiple support from databases of:

-  VIC Barossa
-  Barossa Australia
-  SATC
-  Sponsors
-  Venues
-  Artists
-  And unlimited other opportunities

PARTNER WITH US!

Join us in our mission to showcase the vibrant arts community of SA by partnering with us for the Barossa Arts Festival in 2024.

Your contribution will help us to further cement the Barossa as a premier destination for the arts, complementing its already outstanding reputation for food, wine, and culture.

You will be demonstrating your support of the local arts community and local businesses, enabling us to create a memorable and inspiring experience for all who attend.



SPONSORSHIP SUPPORT REQUEST

BAROSSA ARTS FESTIVAL

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FESTIVAL BUDGET

✓ **IN SUMMARY** (detailed breakdown printed out)

Outgoings: \$152,000

InKind Donations: \$38,300

Cash Sponsorships: \$31,000 (to date)

Estimated Income: \$91,000

PLATINUM PLUS SPONSOR

MIN. \$30,000 CASH + INKIND CONTRIBUTIONS

What we are requesting:

- ✓ A cash injection of \$30,000 or more to go towards the running costs to bring this event to fruition.

Funds to be allocated towards:

- Graphic design & and printing of promotional signage/banners
- Festival Insurance - public liability for the Immersive Lights Trail
- Equipment Hire
- Marketing and promotion, Social Media management, website creation and management
- Event management
- Family theatre entertainment, street entertainers, face-painters and henna tattoo artists

PLATINUM PLUS SPONSOR

MIN. \$30,000 CASH + INKIND CONTRIBUTIONS

What we are requesting in InKind Support:

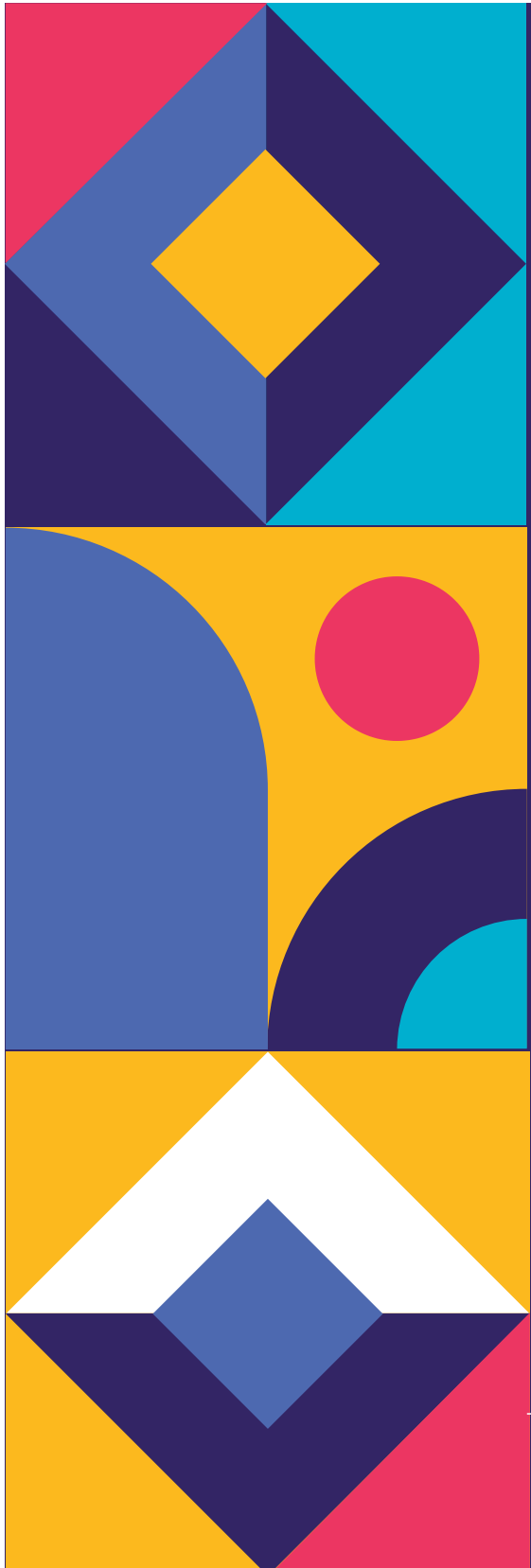
- ✓ • Installation of all street pole banners in Tanunda, Nuriootpa and Angaston (25 banners)
- Installation of corflute signs at all venues on the Arts Trail (45 venues)
- Waiving of venue hire fees for CWA Hall, Barossa Regional Gallery etc. for art workshops and demonstrations
- Provision of a Festival Hub with signage, a Box Office, Live Music, Food Vans, and security (Fri-Sun)
- Assistance by Rowena Sloane on creating a tear-off event program and listings on ATDW
- Street closure for Twilight Makers Market (April 6th TBC)
- Running of Twilight Makers Market event by Rowena Sloane (BRG) and Jo Seabrook (VIC) and staff
- Promotion of events and listed workshops in VIC through window display, video screen loop

PLATINUM PLUS SPONSOR

MIN. \$30,000 CASH + INKIND CONTRIBUTIONS

What we will deliver:

- ✓ A unique, state of the art event to support the Arts Community and attract visitors from far and wide to economically benefit our region. (An event that your Council should want to be seen to be partnered with and be seen supporting)
- ✓ Prominent logo placement and acknowledgement as Platinum Plus Sponsor on the official website, posters, flyers and festival program
- ✓ Multiple social media shout-outs before, during and after the festival
- ✓ Prominent branding at all pop-up exhibition venues on the Festival Arts Trail (40 + venues), The Makers Market, Gala Dinner & Art Auction and Gala Opening Event – The Best of the Fest



BAROSSA

A R T S F E S T I V A L

Colour

Creativity

Culture

RDA Barossa-Gawler-Light-Adelaide Plains

Event impact assessment model



economic profile

Table of Contents

Event impact assessment model 1

RDA BGLAP Region

Event impact calculator

Events are very important contributors to local and regional economies. A successful well run event can provide significant value to an area by adding jobs and money to the local economy and providing additional cultural and social benefits. Alternatively, the wrong event may have considerable negative impacts such as a loss of money or reputation.

The event impact calculator has been developed to enable RDA BGLAP Region to calculate the potential economic impact of a proposed event. This can be used in conjunction with other methods to help RDA BGLAP Region select the most appropriate events to support. This calculator alone cannot predict which events will be successful, however it can indicate the potential economic impact a successful event may have across a range of economic measures such as output, employment, wages and salaries and local jobs.

This tool uses input/output estimates to calculate the impact of an event based on the average spend per day by visitors to the event. Simply enter the type of event, the significance of the event, the duration of the event and the average spend per day to calculate the potential economic impact.

As events can also contribute to an area in other ways, such as socially, culturally and environmentally, it is important that other tools or methods are also used to evaluate the potential or benefit of an event.

The proposed Greenock Twilight Sculpture Trail/Street Party event is planned to start on April 5th, 2023 and to run for 1 day. It is an event of Local significance and is estimated to attract 2500 visitors during the day, with an average spend per person per day of \$42. This equals a total visitor spend of \$105,000 attributed to this event. Assuming the event will be held in RDA BGLAP Region, it is calculated to have the following potential impact:

Event Impact Summary

RDA BGLAP Region - Modelling the effect of \$105,000 from an Arts and Heritage event with Local significance

	Output (\$)	Value-added (\$)	Local Jobs (annual jobs)
Direct impact	95,550	50,626	1.5
Industrial impact	11,360	4,388	0.1
Consumption impact	4,793	2,143	0.0

Source: National Institute of Economic and Industry Research (NIEIR) ©2021. Compiled and presented in economy.id by .id (informed decisions).

Page 1 of 2

Impact on Output

The total visitor spend of \$105k attributed to staging the Greenock Twilight Sculpture Trail/Street Party event would lead to a direct impact on output of \$96k. This additional direct output from the economy would also lead to an increase in indirect demand for intermediate goods and services across related industry sectors. These indirect industrial impacts (Type 1) are estimated to be an additional \$11k in Output.

There would be an additional contribution to RDA BGLAP Region economy through consumption effects as correspondingly more wages and salaries are spent in the local economy. It is estimated that this would result in a further increase in Output of \$4,792.97.

The combination of all direct, industrial and consumption effects would result in total estimated rise in Output of \$112k in RDA BGLAP Region economy.

Impact on value added and GRP

The impact of an additional of \$105k spend to the local economy as a result of running the Greenock Twilight Sculpture Trail/Street Party event in RDA BGLAP Region would lead to a corresponding direct increase in value added of \$51k. A further \$4k in value added would be generated from related intermediate industries.

There would be an additional contribution to RDA BGLAP Region economy through consumption effects as correspondingly more wages and salaries are spent in the local economy. It is estimated that this would result in a further increase in value added of \$2,142.64.

The combination of all direct, industrial and consumption effects would result in an estimated addition in value added of \$57k in RDA BGLAP Region economy.

Value added by industry represents the industry component of Gross Regional Product (GRP). The impact on RDA BGLAP Region's GRP as a result of staging this event is directly equivalent to the change in value added outlined above.

In summary, GRP in RDA BGLAP Region is estimated to increase by \$57k.

Impact on Employment (local jobs, 12mth equivalent)

The employment impact of an event is expressed in local jobs. For example, an event that generates 4 weeks of work for 13 people (52 weeks of work in total), would have an employment impact equivalent to 1.0 annual local job.

The direct addition of \$105k spend to the local economy as a result of staging the Greenock Twilight Sculpture Trail/Street Party event in RDA BGLAP Region is estimated to lead to a corresponding direct increase of employment equivalent to 1.5 annual local jobs across a range of industries. From this direct expansion in the economy it is anticipated that there would be flow on effects into other related intermediate industries, creating an additional employment equivalent to 0.1 annual local jobs.

This addition of employment in the local economy would lead to a corresponding increase in wages and salaries, a proportion of which would be spent on local goods and services, creating a further increase equivalent to 0.0 annual local jobs through consumption impacts.

The combination of all direct, industrial and consumption effects would result in a total estimated increase of employment equivalent to 1.6 annual local jobs located in RDA BGLAP Region.

DEBATE REPORT

7.3 Infrastructure and Environment Services

7.3.1 ROAD NAMING - WIRRAMINNA CARE - PRIVATE ACCESS ROAD

**Author: Manager, Engineering Services
23/72360**

PURPOSE

To consider a request received from Wirraminna Care, Williamstown for the naming of a newly created private access road to 10 dwellings at Lot 204 Memorial Drive, Williamstown.

RECOMMENDATION

That Council name the private access road within Lot 204 Memorial Drive, Williamstown Acacia Court, and number the dwellings sequentially from 1 – 10.

REPORT

Discussion

Council's Property Identification Policy allows for the naming of a private road if requested by the owner.

Staff met with Lyn Venning of Wirraminna Care on 24 August 2023 and subsequently received formal application as required to proceed.

The request to name the road Acacia Court was supported by the following information:

"This name resounds with our Wirraminna Care Inc name, as Wirraminna means "Wattle Scrub" in First Nations Language.

The name Wirraminna Care Inc was taken on to replace the original house named Abbeyfield house in December 2018 when the special community meeting of Abbeyfield members voted for the change.

Wirraminna was the name of the site where the first 8 Housing Trust Units were built on the War Memorial Community Centre land Inc donated to the community by local gentry after WW2 for community purposes.

Wattle bark stripping was historically the industry of this area so the name 'Acacia Court' (Wattle Court) seemed very fitting.

To enable a distinct address for our residents we appreciate this road be gazetted as 'Acacia Court'."

Summary and Conclusion

Public road names are selected in accordance with The Barossa Council "Property Identification Policy" and the associated "Selection of Road and Public Place Names Process".

As required by the Policy, and as this road is a private access road within a parcel of land, it is being named following application and the provision of evidence as to the significance of the name to the site as per the Process.

Naming a road on private land does not mean that Council is accepting responsibility for the road, other than ensuring it is named in accordance with Council Policy and Process.

Following consultation with the Department Infrastructure and Transport Addressing Unit and in accordance with the Rural and Urban Addressing Standards AS/NZS 4819:2011 it is considered appropriate for Council to name this private access road as per the recommendation.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTSCommunity Plan

Infrastructure

Ensure a high quality road, shared paths and footpath network throughout the Barossa in partnership with all levels of government.

Legislative Requirements

Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Council will require that Wirraminna Care cover any associated costs to implement the naming of the private access road i.e. advertising in the Government Gazette (approx. \$50) and all costs for Council to supply and install the directional signage (approx. \$150 per sign inc post).

COMMUNITY ENGAGEMENT

No formal community consultation has been engaged; however, reference has been made to The Barossa Council "Selection of Road and Public Place Names Process".

DEBATE REPORT

7.3 Infrastructure and Environment Services

7.3.2 TANUNDA KEGEL CLUB - TOILET CONSTRUCTION

**Author: Manager Infrastructure and Environmental Services
23/75437**

PURPOSE

To seek Council's consideration and approval for the procurement and construction of a prefabricated concrete accessible and unisex toilet unit for the Tanunda Kegel Club.

RECOMMENDATION

That Council:

- (1) Approves the proposed location (Attachment 1) for the placement of a prefabricated concrete toilet unit at the Tanunda Kegel Club which has been consulted with the Kegel Club members, Council Officers, and the State Heritage Architect.
- (2) Approves project funding of \$43,000 for the purchase of the toilet unit. The Tanunda Kegel Club has approved financial contribution of \$20,000 to support the total \$63,000 required project budget which includes a 10% project contingency.

REPORT

Background

The Tanunda Kegel Club was first established in 1858. The clubs historical and cultural significance is cemented in the fact that it is claimed to be the oldest continually running sporting club in the Southern Hemisphere. The Club has a regular member group who meet weekly along with catering to school groups and private functions.

Until recently the Kegel Club had a toilet block located near their building which allowed convenient, safe access for its users. As part of the Tanunda Recreational Park upgrade works these toilets were removed with a new accessible toilet block built by the playground.

Introduction

Upon completion of the new toilets located near the playground, the Tanunda Kegel Club Members raised concerns that they no longer have convenient and safe access to toilets, especially at night when they typically meet. The new toilets are located approximately 100m away from the Kegel building and are proving difficult to access for their aging club demographic.

Representatives from the Kegel Club raised concerns that the restricted access to safe and clean amenities may impact of the future growth and viability of this historically important Barossa Club.

Discussion

Council Officers met with the Kegel Club representatives on several occasions to review their concerns and to determine an appropriate solution.

Consideration was given to the installation of appropriate lighting to allow safe night-time access the new playground toilets however, this was determined not to be a suitable long-term solution as it still carried risk associated with distance, uneven terrain, and isolation for the Kegel Club users.

The Kegel Club expressed that their preferred solution was for the installation of a single unisex and accessible toilet for the sole use of their facility. They advised they were also willing to contribute \$20,000 funding towards the construction to ensure a successful outcome and the future viability of the Club.

Council Officers reviewed options for the placement of a new toilet unit taking into consideration state heritage and planning requirements for the building, proximity to wastewater infrastructure, water/power and the general amenity of the Recreation Park. The attached plan shows the proposed placement of the 4.8m x 3m toilet unit which provides close and convenient access via the rear Kegel Club entrance. An extension to the existing chain-link fence and service gate will also be installed to give restricted access to the Kegel Club users.

Options for prefabricated toilet units were sought with a preferred option selected in consultation with the Kegel Club. The cost of the unit including transport and installation is budgeted at \$63,000 including a 10% project contingency.

The Tanunda Kegel Club will be responsible for ongoing costs associated with the cleaning of this facility.

Summary and Conclusion

To provide safe and convenient access to toilet facilities for the historically important Tanunda Kegel Club, the purchase, placement, and connection of this toilet unit is recommended at a total project value of \$63,000 with \$20,000 of this funded form the Tanunda Kegel Club.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Kegel Club - Toilet Site Plan [↓](#)

Attachment 2 Kegel Club Toilet Elevations [↓](#)

Attachment 3 Barossa Kegel Club Toilet Block Letter - Terry Malone - 13042023 [↓](#) 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTSCommunity Plan

Infrastructure

Legislative Requirements

NIL

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Budget of \$43,000 is required for the delivery of this project. \$20,000 revenue will be received from the Tanunda Kegel Club to support the \$63,000 total budget required.

Ongoing costs associated with general maintenance of the facility will be accommodated from existing operational facilities maintenance budgets.

All routine cleaning costs and efforts will be managed by the Tanunda Kegel Club.

COMMUNITY ENGAGEMENT

Regular engagement in the form of in person meetings with the Tanunda Kegel Club has occurred during the planning of this project to establish and clarify the needs of the club and its members, and thoroughly consider all possible solutions.

Kegel Club President Terry Malone addressed the attached letter to Council requesting the installation of the accessible toilet block.

As the proposed toilet is restricted to use by Kegel Club users only, there is currently no identified need for further community consultation.

The installation of the single unisex accessible toilet aligns with the Goals 4, 5, 6, 7, 8, 9 & 10 of the Barossa Councils Community Plan 2020-40 by ensuring that the historically significant Kegel Club is accessible to all members of the community.

Tanunda Kegel Club

President: Terry Malone

Ph: 0436 286 580

To Whom It May Concern:

In reference to the lack of toilet facilities in the vicinity of the Tanunda Kegel Club at the Tanunda Show Grounds.

The Tanunda Kegel Club toilet facilities have been moved, since the current upgrades of the Tanunda Show grounds, from being adjacent to The Tanunda Kegel Club Barn to the middle of the new children's adventure playground, some fifty metres away from our Kegel Club Barn. Bearing in mind the age of some of our members and the fact that the games are played at night, the lack of lighting in the area and the distance from the Kegel Club Barn, makes it impossible to use the Toilets.

The Tanunda Kegel Club host numerous visitors from interstate and indeed from overseas, many who arrive in Buses/Coaches; on frequent occasions the first question is "where are the toilets please" The answer being just the other side of the slippery dip on the playground!

The Tanunda Kegel Club would bear the cost (though help in this regard would be appreciated) of erecting the toilets.

The Heritage Officer has approved the erection of the toilet providing the toilet matches the Kegel Club Barn. We have a builder able to build the toilet.

Hoping this meets with your approval, if you have any further questions, please feel free to contact me.

Yours Sincerely



President Tanunda Kegel Club

Terry Malone

DEBATE REPORT

7.3 Infrastructure and Environment Services

7.3.3 GSM - GREENOCK ROAD - SAMUEL ROAD - MOPPA ROAD - ROUNDABOUT - UPDATE

**Author: Manager, Engineering Services
23/75443**

PURPOSE

Light Regional Council is undertaking road upgrade works at the intersection of Greenock Road, Samuel Road and Moppa Road South, Nuriootpa, adjacent the western boundary of The Barossa Council area. This work will require the transfer of a portion of Council owned Community Land within The Barossa Council area to Road Reserve. This report is to seek Council approval to commence the revocation for a portion of land and gift the land to the Department to facilitate the road safety upgrade.

RECOMMENDATION

That **Error! No document variable supplied.:**

- (1) Note the planned construction of a Roundabout at the intersection of Greenock Road, Samuel Road, and Moppa Road South by Light Regional Council to improve road safety.
- (2) Authorise the commencement of a Community Land revocation process pursuant to Section 194 of the Local Government Act for portion of Allotment 801 Azte Parade Nuriootpa, for the purposes of facilitation a strategic road project for the benefit of the Barossa community.
- (3) Authorise the allocation of \$10,000 to undertake the revocation process to support survey, legal and other associated costs in support of the strategic road project.

REPORT

Background

The intersection of Greenock Road, Samuel Road and Moppa Road South, Nuriootpa, is planned to be upgraded by Light Regional Council (LRC) from a crossroad intersection layout to a roundabout configuration. This work is being funded by a 2022-2023 Australian Government Black Spot Program grant of \$2 million - the maximum amount able to be granted - to Light Regional Council.

The Barossa Council Elected Members have previously been informed about the planned intersection upgrade to a roundabout, including likely land acquisition requirements, by email on 14 October 2021. Refer attached email.

Introduction

Greenock Road is under the care and control of the State Government Department of Infrastructure and Transport (DIT) but both Samuel Road and Moppa Road South are under the care and control of Light Regional Council, being in their area.

Samuel Road and Moppa Road South are important parts of the gazetted Barossa Freight Route and provide direct access from Sturt Highway to the Barossa Valley floor region for a diverse mix of heavy truck and passenger car vehicles. These two roads are routinely approved for Level 3 PBS vehicle (36.5 metre road train) access, by permit through the National Heavy Vehicle Regulator (NHVR).

The existing crossroad intersection has in the past 5 years experienced an unacceptably high accident history, including a high 7 casualty crashes and 8 property damage crashes - a total of at least 15 crashes. The proposed upgrade to a roundabout configuration will significantly improve the road safety at this busy intersection.

The Barossa Council has previously provided a letter of support to Light Regional Council for the intersection upgrade to a roundabout. Refer attached letter.

Discussion

It is noted that there is no cash budget contribution required from The Barossa Council for the intersection upgrade works. The project does however require a small portion of the Council owned Allotment 801 Atze Parade, Nuriootpa, at the intersection of Greenock Road and Moppa Road South, to be transferred from Community Land Drainage Reserve to Road Reserve to accommodate the roundabout footprint. Refer to the attached general civil construction plans.

As the land is held as community land, Council needs to comply with the provisions of Section 194 of the Local Government Act and undertake the necessary community consultation and consider any representations made before proceeding. If Council, then proceeds with the revocation it must first seek the Minister for Local Government approval and if that is received then make a resolution to revoke the community land status. The resulting parcel of land can then be created and transferred to the Department to facilitate the road project. The process will take upwards of 6 months.

In The Barossa Council area, some land is also to be acquired from the adjacent Barossa Village precinct and negotiations for this are well advanced with Barossa Village as it is understood.

Summary and Conclusion

The road safety benefits to be gained from this intersection upgrade are significant for The Barossa Council and the wider region's social, tourism and freight connectivity.

The roundabout construction is to be funded by a Black Spot Program grant to Light Regional Council. The project will be managed by Light Regional Council with in-kind advice and support provided by The Barossa Council and provision of support for the revocation, is a very minor investment for the strategic road project being planned.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

- Attachment 1 Greenock Road - Moppa Road - Samuel Road - Notification - Email to Elected Members [↓](#) 
- Attachment 2 Letter of Support - Light Regional Council - Black Spot Funding 2022/2023 - Samuel Road Nuriootpa roundabout [↓](#) 
- Attachment 3 Greenock Road - Moppa Road - Samuel Road - Roundabout - Overview Plan [↓](#) 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTSCommunity Plan

Infrastructure

Legislative Requirements

Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The roundabout project is funded by an Australian Government Black Spot Program grant and will be managed entirely by Light Regional Council.

The road safety improvements gained by the project are significant to The Barossa Council and the broader region.

Funds will be needed to engage surveyors and legal support to facilitate the revocation and subsequent land transfer if it is approved. Existing resources will support the processes involved.

COMMUNITY ENGAGEMENT

The intersection project is located primarily within the Light Regional Council area, who have undertaken community consultation within their respective budget processes.

Bronwyn Egarr

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Black Spot Submission | support for Light Regional Council Greenock|Moppa|Samuel
Attachments: Letter of Support Light Regional Council Black Spot Funding 20222023pdf; Confidential - concept design.pdf

-----Original Message-----

From: Matt Elding [mailto:melding@barossa.sa.gov.au]
Sent: October 14, 2021 6:06 PM
To: DL Elected Members [mailto:DLElectedMembers@barossa.sa.gov.au]
CC: Martin McCarthy [mailto:mmccarthy@barossa.sa.gov.au]
Subject: Black Spot Submission | support for Light Regional Council Greenock|Moppa|Samuel

Good evening Elected Members,

Light Regional Council are proposing to upgrade of the Greenock, Samuel & Moppa Road South intersection as a Black Spot Project noting that Greenock Road is a DIT road with Samuel and Moppa (South) being local roads under the care and control of Light Regional Council. The proposal is to upgrade this cross intersection into a roundabout at a cost of \$2m the maximum amount of funding under Federal Black Spot program see attached concept sketch

Refer attached - I have written an endorsement letter supporting Light's application noting there is no cash contribution required from us and that we will not be submitting any projects of our own for Black Spot Funding as we didn't meet the minimum criteria for a reactive submission

The project may require gifting of drainage reserve land on the north east corner adjacent Barossa Village, this will be confirmed during design development if the project is approved

Kind regards,

14 October 2021

Mr Richard Dodson
General Manager Infrastructure & Environment
Light Regional Council
P O Box 72
Kapunda SA 5373

Dear Mr Dodson,

Re: Black Spot Funding

I write in support of the application by Light Regional Council seeking funding from the Black Spot 2022-23 Program to upgrade the cross-road intersection of Greenock Road / Samuel Road / Moppa Road South, Nuriootpa.

This intersection is located on the western border of The Barossa Council with Light Regional Council and is a key part of the gazetted Barossa Freight Route, which provides direct access from Sturt Highway to the Barossa Valley floor region for a diverse mix of heavy truck and passenger car vehicle types.

This intersection has in the past 5 years experienced an unacceptably high accident history, including a high 7 casualty crashes and 8 property damage crashes - a total of 15 crashes.

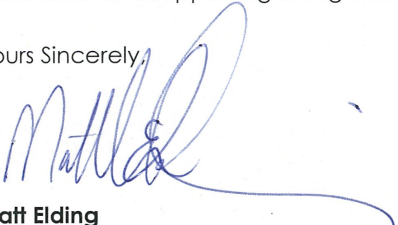
The average daily traffic count on Samuel Road is especially high with approximately 1,894 vehicles on week days, with approximately 42% of the traffic being commercial vehicles. Samuel Road crosses Greenock Road, a busy DIT road to Moppa Road South, to access Sturt Highway and beyond.

The proposed upgrade scope of works will remove the very unsafe cross road intersection and construct a roundabout, to much more safely accommodate the current vehicle numbers and vehicle mix.

Existing limited sight distance impediments, due to service station and residential developments close to the road boundary, will be rectified. The upgrade will also ensure truck vehicles have capacity to travel within their designated lane when performing a 90-degree bend turn, without the need to encroach over the road centreline into oncoming traffic lane, as is currently the case.

The benefits to be gained from this road safety upgrade are significant to The Barossa Council and the region's social, tourism and freight connectivity. We therefore highly commend and support Light Regional Council's funding application.

Yours Sincerely,

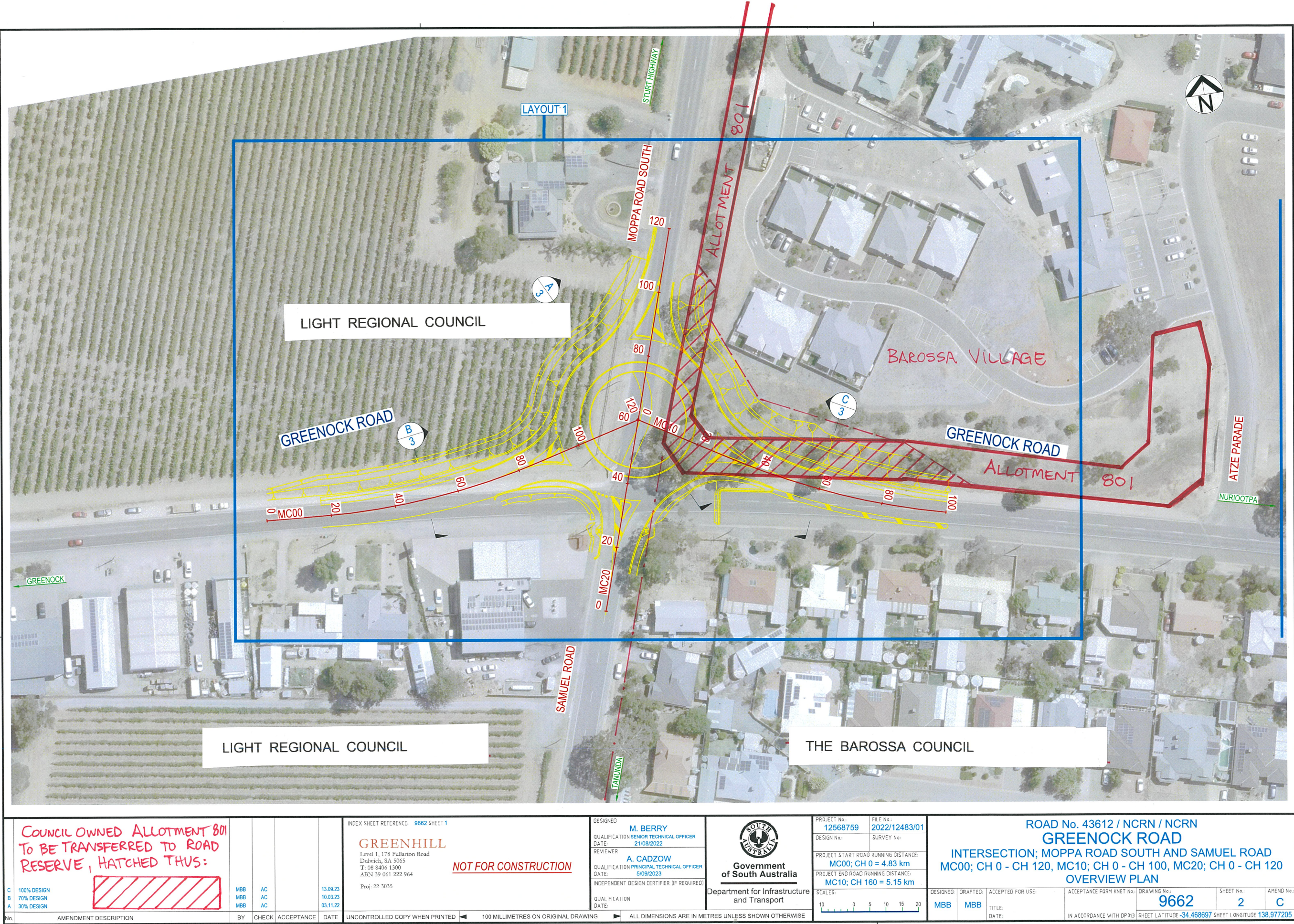


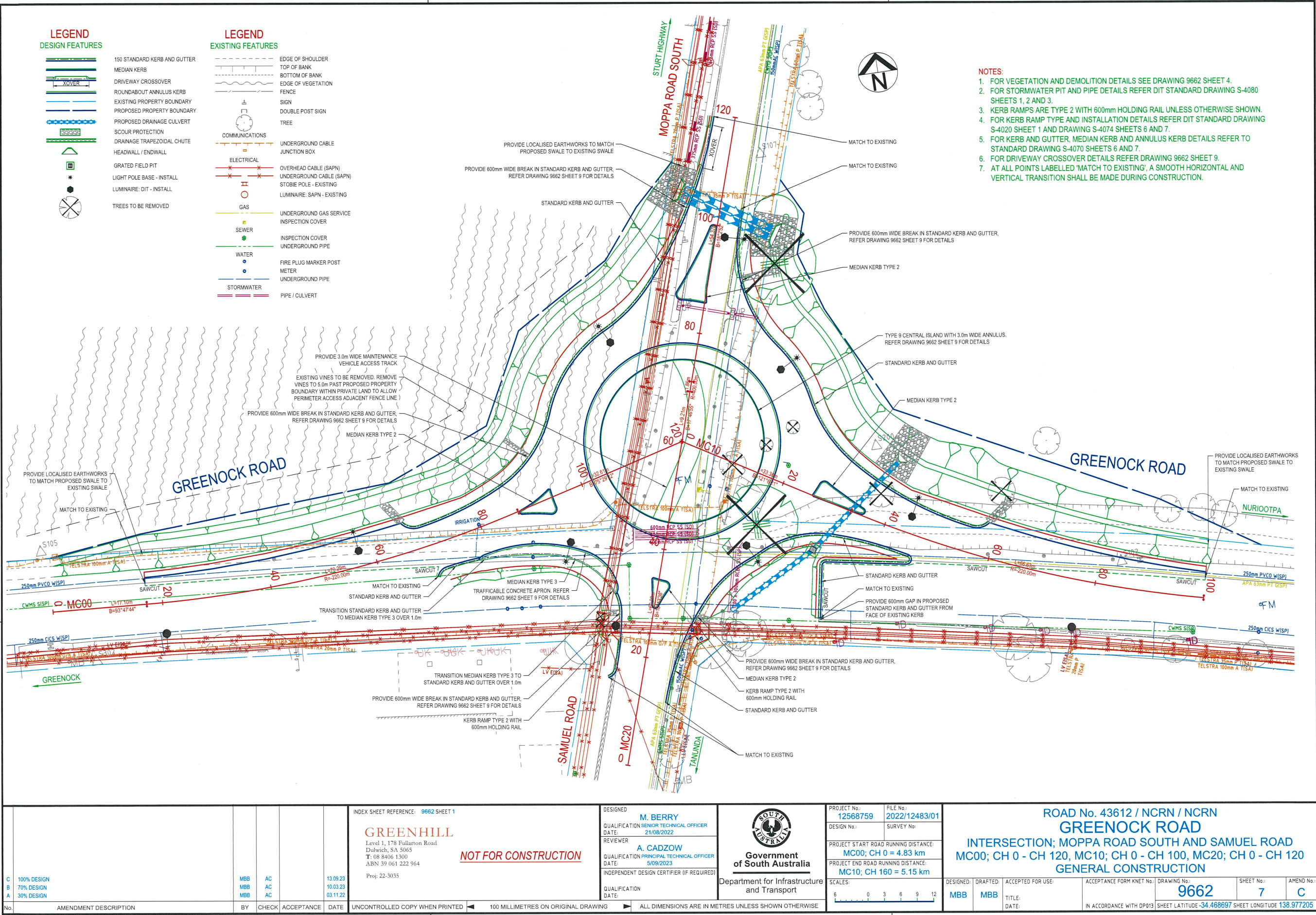
Matt Elding
Director Works & Engineering Services

43-51 Tanunda Road (PO Box 867) Nuriootpa SA 5355 Phone (08) 8563 8444
Email: barossa@barossa.sa.gov.au | www.barossa.sa.gov.au | ABN: 47 749 871 215



premium wine food tourism heritage lifestyle community





DEBATE REPORT

7.4 Development and Community Services

7.4.1 ELECTRIC VEHICLE (EV) CHARGING STATION - NURIOOTPA SOLDIERS MEMORIAL HALL - POST CONSULTATION

**Author: Manager Development Services
23/87670**

PURPOSE

To endorse proposal by NRMA to establish an electric vehicle (EV) charging station facility at the Nuriootpa Soldiers Memorial Hall Car Park, 8-10 Park Avenue, Nuriootpa, following public consultation.

RECOMMENDATION

That Council:

- (1) Approves for the Chief Executive Officer to negotiate a licence in support of an EV charging station facility at the Nuriootpa Soldiers Memorial Hall Car Park, 8-10 Park Avenue, Nuriootpa and to approve the technical design to enable construction of the facility under the terms of the license.
- (3) Authorises the Chief Executive Officer to enter into a license, or if the document must be sealed, authorise the Mayor and Chief Executive Officer to sign and seal the said license, as described under Resolution 1 above.

REPORT

Background

Council endorsed a phase of public consultation in respect to the proposed electric vehicle (EV) charging station facility at the Ordinary Council meeting on 15 August 2023.

Discussion

Public consultation took place between 23 August and 13 September 2023, in accordance with the Communications Plan endorsed by Council. The following consultation methods were implemented for the consultation period:

- Letter to adjacent owners and occupiers of adjacent land to the site and existing licensees/lessees within the site;
- Media Release;
- Advertisement in The Leader;
- Website content;
- Facebook messaging;
- Internal staff communications and briefing to Elected Members.

Five community responses were received and one internal staff response during the three week consultation period. Table 1 below contains the comments received in respect to each submission as well as the corresponding response to each comment.

Submission	Comments	Response
1 – I Glastonbury	- I would like to register my support for the proposed EV Charging station. It is considered to be a great location.	- Noted.
2 – A & P Wells	- We agree with the proposal. We see an increasing number of electric vehicles in our travels and this installment will give great confidence to travelers that they can visit the Barossa. The chosen site is considered to be excellent. We have used the NRMA charger and it is a reliable network. Well done on proposing this.	- Noted.
3 – Australian Red Cross Lifeblood	- We don't foresee any issues with the proposal, as long as loading in/out of the hall isn't impacted and there are no changes to the building itself.	- The bays proposed to be occupied will not impact loading in or out of the hall. The location for the EV charging bays do not impact the hall building.
4 – M Hale	- The placement of charging stations are fantastic for our region. It will encourage local visitation. It would be great if further EV charging stations are proposed in the southern townships of the Barossa ie. Williamstown.	- Noted.
F Hage	- I support an EV charging facility in Nuriootpa. I wonder if they could be in car parks at the train recreation area so they are more visible and can be used while visiting the supermarket, recreation area or food precinct.	- Noted. NRMA undertook a review of a number of candidate sites within Nuriootpa. The preferred site identified by NRMA was the Nuriootpa Soldiers Memorial Hall Car Park.

Internal Staff Responses

Submission	Comments	Response
6 – S Kaesler, Engineering Services	- It is recommended that the facility be shifted to the opposing five car parking bays within the central car parks in order to increase kindergarten pedestrian safety and to remove the need to construct charging infrastructure in the spoon drain, drainage infrastructure that is adjacent to the southern parking bays.	- NRMA have amended the proposal plans to shift the charging facility to the opposing five car parking bays.

All community responses were in support of an EV charging facility.

Engineering advice has recommended shifting the facility to the opposing five car parks within the central car park aisle. This change has been able to be accommodated without any material impact to the design, as contained within Attachment 1.

NRMA have also advised there is a need for a battery energy storage system (BESS) to supplement power supply from the pad mount transformer. The updated plans propose location of the BESS, inverter and switchboard in the space between the public toilets and fenceline.

Summary and Conclusion

Following extensive public consultation, it is considered that the EV Charging Facility is worthy of Council endorsement and is therefore recommended that Council approve for the Chief Executive Officer to negotiate a license (draft contained in Attachment 2) in support of the facility and to approve the technical design to enable construction under the terms of the license.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 NRMA - Updated Design for EV Charging Facility [!\[\]\(cf531ed27e91483460120fcc057b3901_img.jpg\)](#) 

Attachment 2 NRMA - Draft License Agreement - EV Electrical Vehicle Charging Station [!\[\]\(d3102649f02e825ddb76dc3de0190154_img.jpg\)](#) 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTSCommunity Plan

Infrastructure



Natural Environment and Built Heritage

We take a proactive approach in responding to key environmental challenges such as climate change, water security and waste management.

The Barossa maintains and develops infrastructure that meets the needs of the region and is efficient.

Community infrastructure planning is aligned to both current and the future needs of the community.

To have a connected and safe transport network that meets the needs of our community.

The use of new and emerging technologies, alternative and renewable materials where appropriate and cost effective will be trailed.

Ensure both current and future infrastructure needs are met in a proactive rather than reactive way.

Legislative Requirements
Local Government Act 1999

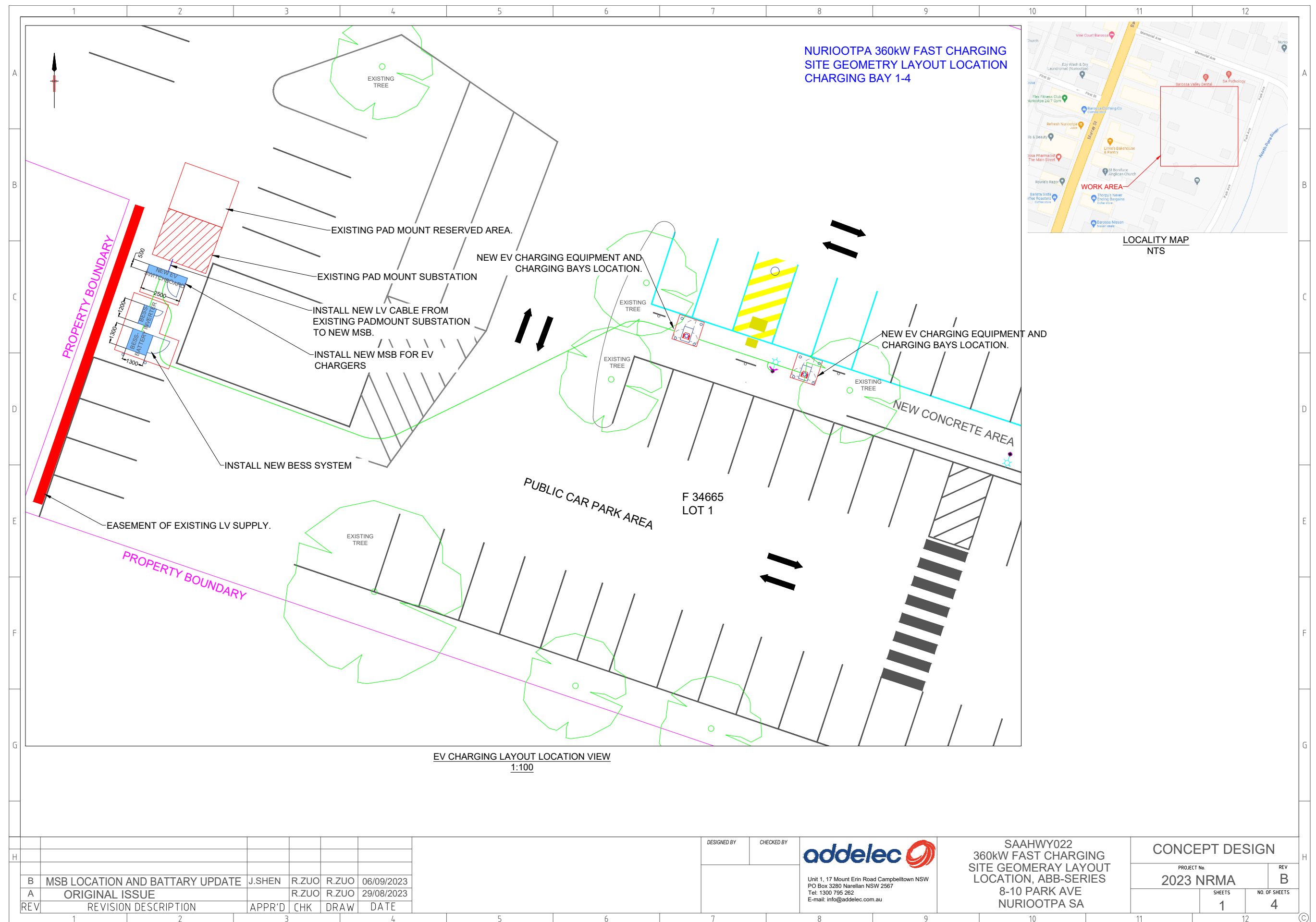
FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

NRMA will bear all costs associated with construction of the EV charging facility.

COMMUNITY ENGAGEMENT

Community consultation was required pursuant to Section 202(2) of the *Local Government Act 1999*.

If endorsed, it is proposed that closing the loop will occur as outlined within the Communications Plan approved by Council at the Ordinary Council meeting on 15 August 2023.





| Draft ##: ##insert date eg. 1 September 2018

Licence for Charging Stations for Electric Vehicles

Licensed Area: ##insert address and description of area, if there is one

| ##insert Licensor's name
ABN ##insert Licensor's ABN

and

| NRMA Electric Highways Pty Ltd
ABN 35 659 311 163

[7894949: 24342066_1]

Classified as Internal



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Licence Particulars

Item 1.	Licensor:	##Name ##ABN Address: ## Contact: ## Email: ## Licensor's Disputes Representative: ##
Item 2.	Licensee:	NRMA Electric Highways Pty Ltd ABN 35 659 311 163 Address: Level 13, 151 Clarence Street, Sydney NSW 2000 Contact: Company Secretary Email: notices.cosec@mynrma.com.au Licensee's Disputes Representative: General Manager, Property
Item 3.	Land:	The land contained in Certificate of Title Folio Identifier ## and known as ##address of licensed area
Item 4.	Licensed Area:	Those areas forming part of the Land indicatively shown on the Plan at Attachment 1, being: • [the red highlighted area, comprised of: ○ [description of parking bay location and street reference]; and ○ [description of charger area]; and • [description of MSB location]
Item 5.	Commencing Date:	##insert date
Item 6.	Terminating Date:	##insert date
Item 7.	Term:	5 years
Item 8.	Further Term(s):	5 years commencing on the day after the Terminating Date.
Item 9.	Licence Fee during Term:	\$1 per annum plus GST, if demanded
Item 10.	Licence Fee during Further Term(s):	\$1 per annum plus GST, if demanded
Item 11.	Permitted use:	Installation, operation, repair and replacement of Charging Stations and ancillary purposes including generating photovoltaic electricity, operating an energy storage system, operating a payment system and installing and operating security monitoring devices.
Item 12.	Agreed Amendments:	Agreed amendments to the Standard Terms (clauses 1 – 20 inclusive): ##Yes (see Schedule 2 for applicable amendments)/Not applicable
Item 13.	Special Conditions:	Special Conditions apply to this Licence: Yes (see Schedule 3 for applicable special conditions)/Not Applicable
Item 14.	Licensor's Works	(a) ## Yes (as described below)/Not Applicable

Description of Licensor's Works

(b) Target Date for Completion of the Licensor's Work:
[####]/Not applicable

Item 15. Licensee's Works

(a) Number of Charging Stations:

(b) Description of Licensee's Works

The installation of the number of Charging Stations set out in Item 15(a) on and in the Licensed Area, including all works ancillary to that installation and necessary or desirable (in the opinion of the Licensee) for the on-going operation of the Charging Stations, including:

- a. the installation of concrete footings and conduits
- b. the installation of the electrical cabling required for the operation of the Charging Stations including the cabling to the nearest local transformer;
- c. the installation of electrical switchboard with meters and electrical protection equipment;
- d. the installation of signage providing network information and user instructions;
- e. the installation of electric vehicle parking signage; and
- f. marking or painting of Charging Spaces with electric vehicle parking or charging symbols.

Item 16. Interdependent Works

(a) Yes (as described below)/Not applicable.

Description of Interdependent Works:

Those parts of the Licensor's Works and the Licensee's Works that are interdependent and require the Licensor and the Licensee (and the respective employees, contractors and agents of each) to work together and consult with each other to enable the Licensor's Works and the Licensee's Works to be completed, including:

- a. the installation of electrical cabling by the Licensee within conduits to be installed by the Licensor; and
- b. the installation of a concrete footing for the Charging Station by the Licensor and the installation of the final metre of electrical cabling to the Charging Station by the Licensee.



Licence

Dated ##insert date

Parties

| The Licensor defined in Item 1

| The Licensee defined in Item 2

This Deed Witnesses

- A. The Licensor owns the Licensed Area.
- B. The Licensee has agreed to carry out the Licensee's Works on the Licensed Area and the Licensor has agreed to allow the Licensee to carry out the Licensee's Works on the Licensed Area.
- C. The Licensor has agreed to grant and the Licensee has agreed to accept a licence of the Licensed Area for the Permitted Use for the Term.

Part A. Standard Terms

Each of the Standard Terms apply to this Licence.

1. Definitions

In this Licence:

Agreed Amendments means the amendments to the Standard Terms, if any, set out in Schedule 2.

Business Day means a day that is not a Saturday, Sunday or public holiday in [insert relevant State or Territory].

Charging Spaces means those parts of the Licensed Area designated as car parking bays or car parking spaces serviced by Charging Stations.

Charging Station means any electric vehicle fast charging station installed or to be installed on or in the Licensed Area, including any and all hardware, software, communications devices and all other associated equipment or parts provided by the Licensee.

Claim means any action, claim, demand or proceeding (including based in contract, tort or statute or under any indemnity, and including any action based on personal injury or death) made against the person concerned however it arises and whether it is present or future, fixed or unascertained, actual or contingent.



Commencing Date means the date specified in Item 5.

Dispute means any dispute, difference of opinion or disagreement between the Licensor and the Licensee, arising out of or in connection with the Licence, the Licensor's Works or the Licensee's Works including any question regarding its formation, existence, validity, interpretation, performance, breach or termination.

Dispute Representatives means the representative of the Licensor identified as the Licensor's Disputes Representative in Item 1 and the representative of the Licensee identified as the Licensee's Disputes Representative in Item 2.

Further Term means each further term specified in Item 8.

Government Authority means any government, government department, government agency or government authority; governmental, semi-governmental, municipal, judicial, quasi-judicial, administrative or fiscal entity or person carrying out any statutory authority or function; or other entity or person (whether autonomous or not) having powers or jurisdiction under any statute, regulation, ordinance, by-law, order or proclamation, or the common law.

Insolvency Event means, in relation to a person, any of the following events:

- (a) the person, being an individual, becomes bankrupt;
- (b) the person becomes insolvent;
- (c) the person assigns any of its property for the benefit of creditors or any class of them;
- (d) a receiver, receiver and manager, administrator, controller, provisional liquidator or liquidator is appointed to the person or the person enters into a scheme of arrangement with its creditors or is wound up;
- (e) the holder of a Security Interest takes possession of any assets of the person or exercises any power of sale;
- (f) a judgment or order is made against the person in an amount exceeding \$50,000 (or the equivalent in any other currency) and that judgment or order is not satisfied, quashed or stayed within 20 Business Days after being made; and
- (g) any event that is analogous or has a substantially similar effect to any of the events specified in this definition.

Installation Works means the Licensee's Works, the Licensor's Works (if any) and the Interdependent Works, as applicable.

Interdependent Works means the works described in Item 16(a), if applicable.

Item means an item in the Licence Particulars.

Land means the land specified in Item 3.

Law includes any law, statute, regulation, ordinance, by-law, order or proclamation, and the common law; and any authorisation, ruling, judgment, order, decree or other requirement of any Government Authority.

Liability means any and all damages, punitive damages, liabilities, actions (including actions based on personal injury or death), obligations, duties, losses, charges, costs or expenses (including legal expenses and consulting fees), interest, penalties, fines and taxes, and



excludes any consequential loss or damage which does not naturally or directly result in the ordinary course of events from the breach, action or inaction in question, whether or not a party has been advised of or is aware of that loss or damage, including any loss of revenue, profit, data, opportunity, business, goodwill or future reputation, any failure to realise anticipated savings, any downtime costs, any damage to credit rating, and any penalties payable under contracts other than this Licence.

Licence means this licence between the Licensor and the Licensee, which includes the Licence Particulars, the Standard Terms, the Agreed Amendments and the Special Conditions.

Licence Fee means the amount specified in Item 9.

Licence Particulars means the schedule of items at the front of this Licence.

Licensed Area means the Licensed Area specified in Item 4.

Licensee means the Licensee specified in Item 2 and includes the Licensee's successors and assigns and where it is consistent with the context includes the Licensor's employees and agents.

Licensee's Employees and Agents means each of the Licensee's employees, officers, agents, contractors, consultants, sublessees, licensees and any other person on or about the Licensed Area who are under the control or direction of the Licensee.

Licensee's Property means all plant, equipment, fixtures, fittings, and other property installed or situated in or relevant to the Licensed Area and owned or controlled by the Licensee, including the Charging Stations and the Signage and any other item installed as part of the Licensee's Works and expressly excludes the Licensor's Property.

Licensee's Works means the works specified in Item 15(b).

Licensor means the Licensor specified in Item 1 and includes the Licensor's successors and assigns and where it is consistent with the context includes the Licensor's Employees and Agents.

Licensor's Adjoining Land means any part of the Land and any other land adjoining or near the Licensed Area that is not part of the Licensed Area but is owned by the Licensor.

Licensor's Employees and Agents means each of the Licensor's employees, officers, agents, contractors, consultants, invitees, sublessees, licensees and any other person on or about the Licensed Area (with or without invitation) or under the control or direction of the Licensor other than the Licensee.

Licensor's Property includes all plant, equipment, fixtures, fittings, and other property installed or situated in or relevant to the Licensed Area and owned or controlled by the Licensor, including anything installed as part of the Licensor's Works, if any, and expressly excludes the Licensee's Property.

Licensor's Works means the works specified in Item 14(a), if applicable.

New Licensee means the proposed assignee, novate or sublicensee in connection with a proposed dealing by the Licensee in accordance with clause 11.3.

Parking Spaces means those parts of the Licensor's Adjoining Land designated as car parking bays or car parking spaces.

Permitted Use means the use specified in Item 11.



Plan means the plan that describes the Licensed Area at Attachment 1.

Related Body Corporate has the meaning given to that term in the *Corporations Act 2001* (Cth).

Services means all services in connection with the Licensed Area, including electricity, gas, water, waste collection and telecommunication services.

Signage means all and any signage and information material in connection with the installation, operation and use of a Charging Station including any information placard, operating instructions, Charging Station livery, signs to identify Charging Stations and their use and signs delineating Charging Spaces.

Signage Plans means the plans at Attachment 2 showing the indicative design and location of the Signage approved by the Licensor as at the date of this Deed and updated from time to time during the Term in accordance with clause 6.3.

Special Conditions means the clauses, if any, in Schedule 3.

Standard Terms means clauses 1 to 20 inclusive of this Licence.

Term means the term specified in Item 7 and also includes any holding over period, in each case, subject to any earlier termination in accordance with the terms of this Licence.

Terminating Date means the date specified in Item 6.

WHS Laws means the relevant workplace health and safety legislation applicable to the state in which the Land is located.

2. Installation Works

Each Party must carry out and complete its respective parts of the Installation Works in accordance with the Installation Works Schedule at Schedule 1.

3. Grant of Licence

3.1 Licence

The Licensor grants to the Licensee a non-exclusive licence during the Term for the Licensee to use the Licensed Area in common with the Licensor and persons authorised by the Licensor in accordance with this Licence.

3.2 Nature of Licence

3.2.1 This Licence is personal to the Licensee.

3.2.2 The Licensee expressly acknowledges and agrees that:

- (a) this Licence does not give the Licensee any right to exclusive possession or occupancy of the Licensed Area;
- (b) the Licensor may use, or permit other parties to use, the Licensed Area;



- (c) this Licence will not create, or be construed as creating, any form of tenancy or other right or interest in or to the Licensed Area, other than a contractual right; and
- (d) this Licence does not constitute a lease at Law and the Licensee will not claim before a court or tribunal that this Licence constitutes a lease at Law.

3.3 Licensor's rights

The Licensor may enter the Licensed Area with all necessary materials and equipment to comply with its obligations under this Deed and any laws or notice of any Government Agency affecting the Licensed Area, subject to it complying with clauses 10.1.2(c) and clause 10.1.2(d).

4. Payments by the Licensee

4.1 Payment of Licence Fee

- 4.1.1 The Licensee must pay the Licence Fee for the whole of the Term to the Licensor in advance.
- 4.1.2 If the Licence is terminated prior to the date in Item 6, the Licensor may retain the whole of the amount paid by the Licensee in accordance with clause 4.1.1.

4.2 Payment of charges for Services

- 4.2.1 If and for so long as the Charging Stations are directly connected to the National Electricity Grid and the Licensed Area is separately metered, the Licensee must pay to the relevant Government Authority or utility provider, as applicable, all charges in connection with Services provided to the Licensed Area.
- 4.2.2 If and for so long as the Charging Stations are not directly connected to the National Electricity Grid and the Licensed Area is not separately metered, the Licensee must within 10 Business Days of the Licensor's demand pay to the Licensor as payment for the all charges in connection with Services provided to the Licensed Area the amount determined in accordance with the following:
 - (a) the Licensee will reimburse the Licensor at cost for incremental electricity charges incurred and directly attributable to the use of the Licensee's Property;
 - (b) reimbursement will include direct energy usage charges (cents per kilowatt hour, "c/kWh") as well as a calculated contribution towards any increased maximum demand charge (cost per kilo Volts Amperes per month, "\$/kVA/mth") directly attributable to the use of the Licensee's Property during the billing cycle; and
 - (c) the operational requirements for the reimbursement process will include:
 - 1. the Licensee will install private electricity metering into the electrical switchboard dedicated to the Licensee's Property;
 - 2. the Licensee will arrange for this private meter data to be read and made available for the purpose of calculating electricity reimbursement;



3. the Licensor will provide the parent National Meter Identification (NMI) metering data and/or authorise the Licensee access to this data;
 4. the Licensee will reconcile parent NMI data with data from the private meter to determine any incremental impact on maximum demand charges;
 5. the Licensee will reimburse agreed electricity charges at cost to the Licensor; and
 6. review and optimisation of the process will be carried out as necessary to ensure efficient operation.
- 4.2.3 The Licensor's demand referred to in clause 4.2.2 must include details of the Licensor's calculation of the amount due and payable under clause 4.2.2.

5. Use of Licensed Area

5.1 Permitted use

The Licensee may:

- 5.1.1 use the Licensed Area for the Permitted Use and for any purpose ancillary to the Permitted Use;
- 5.1.2 permit members of the public to use the Charging Stations to charge electric vehicles; and
- 5.1.3 use either or both any Licensor's Adjoining Land and any Parking Spaces within or proximate to the Licensed Area on a temporary basis, in connection with the Permitted Use or to perform its obligations under clause 12.1.1.

5.2 Access

The Licensee may:

- 5.2.1 access the Licensed Area 24 hours a day, seven days a week to exercise its rights under this Deed; and
- 5.2.2 access any Licensor's Adjoining Land to use any lavatories situated on any Licensor's Adjoining Land during times these are open to the public.

5.3 Compliance with Laws

The Licensee must comply with all Laws and any requirements of any utility provider in connection with the Licensed Area and the Licensee's use and occupation of the Licensed Area, except the Licensee will not be required to carry out any structural works unless the need for those works arises from:

- 5.3.1 the negligent act or omission of the Licensee or the Licensee's Employees and Agents;
- 5.3.2 the failure by the Licensee or the Licensee's Employees and Agents to comply with the Licensee's obligations under this Licence; or



5.3.3 the use of the Licensed Area by the Licensee or the Licensee's Employees and Agents.

5.4 Licences and permits

The Licensee must maintain all licences and permits required for the Licensee's use of the Licensed Area and obtain the Licensor's written consent before varying any licence or permit or applying for any new licence or permit.

5.5 Fee for use

Provided that it is not a breach of clause 5.1 or clause 5.3 to do so, the Licensee may, but is not required to, impose a fee or charge on users of the Charging Stations.

5.6 Licensor's use of the Licensed Area

The Licensee must permit the Licensor to enter the Licensed Area at all reasonable times on reasonable notice to undertake its lawful rights and obligations.

5.7 Licensee's Employees and Agents

The Licensee must use all reasonable endeavours to ensure that the Licensee's Employees and Agents observe and comply with the Licensee's obligations under this Licence, where appropriate.

6. Licensee's right to install Signage

6.1 Installation of Signage

6.1.1 The Licensee may install Signage in the Licensed Area at any time at its own cost, without the Licensor's consent if that Signage complies with the Signage Plans.

6.1.2 The Licensee must not install any Signage on or in the Licensed Area without the Licensor's prior consent if that Signage does not comply with the Signage Plans.

6.1.3 The Licensee must ensure that any Signage that it installs is professionally prepared, installed and maintained.

6.2 Wayfinding and directional signage

The Licensee may install way-finding and directional signage on any Licensor's Adjoining Land with the Licensor's prior consent.

6.3 Update of Signage Plans

6.3.1 The Licensee may update the Signage Plans throughout the Term with the Licensor's prior consent.

6.3.2 If the Licensor consents to any update to the Signage Plans, the updated Signage Plans will apply on and from the date of the Licensor's consent.



7. Maintenance, alterations and safety**7.1 Routine repairs and maintenance**

The Licensee must keep the Licensee's Property clean and maintained in reasonable order and condition. The Licensor acknowledges that in order to comply with this obligation the Licensee may:

- 7.1.1 replace or remove all or part of one or more Charging Stations upon giving reasonable notice to the Licensor, other than in the case of an emergency, when no prior notice is required; and
- 7.1.2 temporarily close a small area around a Charging Station while the Charging Station is being serviced.

7.2 Repairing damage

The Licensee must:

- 7.2.1 promptly make good any damage to the Licensed Area caused by the Licensee in exercising its rights under this Deed; and
- 7.2.2 promptly after becoming aware of it, repair any damage to the Licensee's Property whether caused by vandalism, attempted or actual theft or other unlawful activity, or by accident or negligence of a third party other than the Licensor.

7.3 Upgrading Charging Stations

- 7.3.1 The Licensee may replace or upgrade existing Charging Stations and upgrade the electricity infrastructure for either or both future and increased power capacity.
- 7.3.2 Before commencing any works referred to in clause 7.3.1, the Licensee must seek and obtain the Licensor's consent. When requesting consent the Licensee must provide the Licensor with plans and specifications of the relevant works.
- 7.3.3 The Licensee must ensure any works referred to in clause 7.3.1 are carried out in accordance with plans and specifications approved by the Licensor, by qualified tradespersons, and otherwise in compliance with all applicable Laws.

8. Insurance**8.1 Insurances to be effected by the Licensee**

The Licensee must maintain insurance for:

- 8.1.1 public liability:
 - (a) for the amount of \$20 million concerning one single event (or any greater sum as reasonably required by the Licensor);
 - (b) which, without limiting the rest of this clause 8, covers death and injury to any person, and damage to property of any person, sustained when that person is using, entering or near any entrance, passage or stairway to or in the Licensed Area; and



- (c) which expressly refers to and covers all of the Licensee's obligations under this Licence, including the obligation to indemnify the Licensor;

8.1.2 the Licensee's Property for their full replacement value; and

8.1.3 other insurances which are required by Law or which, in the reasonable opinion of the Licensor, a prudent licensee would take out, including in connection with any Licensee's Works.

8.2 Policies

In respect of each insurance policy that the Licensee is required to maintain under this Licence, the Licensee must:

8.2.1 pay all insurance premiums on or before the due date for payment; and

8.2.2 give the Licensor a copy of the certificate of currency on or before each anniversary of the Commencing Date.

8.3 Group Policies

For so long as the Licensee is National Roads and Motorists' Association Limited ACN 000 010 506 or a Related Body Corporate or a member of the consolidated group, for tax purposes, of which National Roads and Motorists' Association Limited ACN 000 010 506 is the head company (as notified by National Roads and Motorists' Association Limited ACN 000 010 506 to the Australian Taxation Office from time to time) the Licensee will have complied with its insurance obligations under clause 8.1 and clause 8.2 if the Licensee provides to the Licensor on request, a copy of a certificate of currency of insurance from the Licensee's insurer or insurance broker confirming that its obligations under clause 8.1 and clause 8.2 are covered by the terms of any group policy held by the Licensee or any other company in the NRMA group of companies.

9. Indemnity and release

9.1 Indemnity

Except to the extent that the Licensor is negligent or in breach of its obligations under this Deed, the Licensee indemnifies the Licensor against any Claim or Liability that the Licensor incurs or is liable for in connection with:

9.1.1 any damage, loss, death or injury to property or person in connection with the use of the Licensee's Property; and

9.1.2 the use or occupation by the Licensee or the Licensee's Employees and Agents of, or the existence of, the Licensee's Property.

9.2 Release

Except to the extent that the Licensor is negligent or in breach of its obligations under this Deed, the Licensee:

9.2.1 uses the Licensed Area at its own risk; and

9.2.2 releases the Licensor from, and agrees the Licensor is not liable for, any Claim or Liability in connection with any damage, loss, injury to or of any person or property in connection with the use or existence of the Licensed Area.



10. Licensors' Obligations**10.1 Use of Licensed Area**

10.1.1 The Licensor must, at no cost to the Licensee:

- (a) keep the Land (including all Parking Spaces) clean and tidy and in a good and safe state of repair and condition;
- (b) keep the Land well-lit at all times;
- (c) promptly make good any damage to the Land or the Licensed Area that it is not the Licensee's obligation to repair under this Licence;
- (d) if any Signage includes a requirement that a Charging Space only be used for charging an electric vehicle, use its best endeavours to monitor and enforce the use of that Charging Space for that purpose only and for no other purpose.

10.1.2 The Licensor must not:

- (a) alter the Licensor's Property or any other part of the Licensed Area or the Land in a way that would interfere with the conduct of the Permitted Use or that would result in the Licensed Area or the Licensee's Property being inaccessible;
- (b) repair, service, tamper with, change, alter or otherwise interfere with the Licensee's Property (and if it does so, the Licensor must reimburse to the Licensee the cost of repairing the Licensee's Property if the Licensor causes any damage to the Licensee's Property);
- (c) do anything that derogates from the Licensee's rights under the Licence;
- (d) impede access to the Licensed Area without first giving the Licensee reasonable notice and details of its intention to temporarily do so, other than in the case of an emergency, when no prior notice is required;
- (e) install and must ensure that no third party installs any electric vehicle fast charging station in or on the Licensed Area or the Land during the Term;
- (f) remove, alter or obstruct any Signage without the Licensee's prior consent (except in the case of an emergency); and
- (g) not affix and must not grant any third party the right to affix any advertising or promotional material to any Signage, Charging Station or any Charging Space.

10.2 Electricity

The Licensor must, if requested by the Licensee:

- 10.2.1 provide to the Licensee at the Licensee's cost the ability to connect the Licensee's Property to an electricity supply on the Land or the Licensor's Adjoining Land during the Term; and
- 10.2.2 maintain and where required, promptly repair or replace the earthing apparatus and any other plant, equipment or infrastructure which enables the supply of



electricity to the Charging Stations, including where this is required as a result of power surges or electrical faults; and

- 10.2.3 do all other things reasonably necessary to ensure the supply of electricity for the safe and continuous supply of electricity to the Licensee's Property.

10.3 Security

The Licensors must:

- 10.3.1 use its best endeavours to advise the Licensee of any damage, attempted or actual theft, vandalism or unlawful activity to the Licensed Area or the Licensee's Property as soon as the Licensors are aware of it; and
- 10.3.2 in the case of any damage, attempted or actual theft, vandalism or unlawful activity to the Licensed Area or the Licensee's Property, allow the Licensee to have access to all relevant closed circuit television (CCTV) camera recordings (if available).

11. Dealings

11.1 Dealings by Licensors

The Licensors may grant easements or other rights over the Land provided that they do not interfere with the Permitted Use and the Licensee's rights under this Licence.

11.2 Dealings by Licensee

The Licensee must not assign, novate or sublicense its rights and obligations under this Licence without the Licensors' consent, which must not be unreasonably delayed or withheld provided that the Licensee complies with clause 11.3, except where clause 11.4 applies, in which case the Licensors' consent cannot be withheld.

11.3 Novation and sublicensing

The Licensors must not unreasonably withhold or delay its consent, if:

- 11.3.1 the Licensee gives the Licensors at least 1 months' written notice of the proposed dealing; and
- 11.3.2 before any dealing is completed:
- (a) the Licensee has provided reasonable evidence to demonstrate that the New Licensee is respectable, solvent and capable of adequately carrying out the Permitted Use;
 - (b) the New Licensee has agreed to perform the obligations of the Licensee under this Licence (in the case of a sublicense, to the extent of the area sub-licensed);
 - (c) the Licensee and the New Licensee have agreed to enter into such documentation reasonably required by the Licensors to give effect to clause 11.3.2(b); and
 - (d) the Licensee has paid the Licensors' reasonable costs of considering the proposed dealing and entering into the documentation referred to in clause 11.3.2(c).



11.4 NRMA group of companies

For so long as the Licensee is National Roads and Motorists' Association Limited ACN 000 010 506 or a Related Body Corporate or a member of the consolidated group, for tax purposes, of which National Roads and Motorists' Association Limited ACN 000 010 506 is the head company (as notified by National Roads and Motorists' Association Limited ACN 000 010 506 to the Australian Taxation Office from time to time), the Licensee:

- 11.4.1 may assign, novate or sublicense to or share possession of the whole or any part of the Licensed Area with any other company, including any Related Body Corporate or a member of the consolidated group, for tax purposes, of which National Roads and Motorists' Association Limited ACN 000 010 506 is the head company (as notified by National Roads and Motorists' Association Limited ACN 000 010 506 to the Australian Taxation Office from time to time) without complying with clause 11.3; and
- 11.4.2 must notify the Licensor within a reasonable time after it assigns, novates, sublicenses or shares possession of the whole or any part of the Licensed Area.

12. Licensee's obligations at the end of this licence

12.1 Licensee's obligations

- 12.1.1 At the expiry or other termination of this Licence, the Licensee must:
 - (a) vacate the Licensed Area;
 - (b) remove the Licensee's Property from the Licensed Area; and
 - (c) subject to clause 12.1.2, make good any damage caused by the removal of the Licensee's Property from the Licensed Area.
- 12.1.2 The Licensee is not required to remove any part of the Licensor's Property or make good any part of any concrete footing that comprises Licensor's Property that is damaged by the removal of the Licensee's Property.

13. Termination of Licence

13.1 For convenience

- 13.1.1 The Licensee may terminate this Licence at any time by giving the Licensor at least 120 days' written notice.
- 13.1.2 If the Licensee terminates this Licence in exercise of its rights under clause 13.1.1, neither party will have any Claim against the other (including any claim for compensation), except for any rights that accrued before that termination.

**13.2 Default**

The Licensor may terminate this Licence by written notice, require the Licensee to vacate the Licensed Area, and exercise any other legal right, if:

- 13.2.1 any amount payable by the Licensee under this Licence, is in arrears for 20 Business Days, and the Licensee fails to make the relevant payment within 20 Business Days after the Licensor has demanded payment;
- 13.2.2 if the Licensee does not comply with any other express or implied obligation under this Licence within a reasonable time after the Licensor has issued a notice requesting that the Licensee so comply; or
- 13.2.3 an Insolvency Event occurs in respect of the Licensee.

13.3 Damages following termination

If the Licensor terminates this Licence under clause 13.2, the Licensee must compensate the Licensor for any loss or damage the Licensor suffers in connection with the event that gave rise to the termination, but is not liable for the Licensor's loss of the benefit of the Licensee performing its obligations under this Licence up to the expiry of the Term.

14. Holdover and Option for Further Term**14.1 Holding over**

- 14.1.1 If the Licensee continues to occupy the Licensed Area after the Terminating Date with the Licensor's consent (except under a licence arising from a valid exercise by the Licensee of an option for a Further Term in accordance with clause 14), the Licensee will do so as a 6-monthly licensee.
- 14.1.2 Subject to this clause 14.1, the monthly licence is on the same terms as this Licence, but including any changes necessary to make the terms appropriate for a 6-monthly licence.

14.2 Exercise of option for a Further Term

If a Further Term is specified in Item 8 the Licensor must grant to the Licensee, at the Licensee's cost, a new licence for the Further Term if the Licensee gives the Licensor written notice asking for a new licence, not earlier than 12 months or later than 3 months before the Terminating Date.

14.3 New licence for Further Term

The new licence for the Further Term contains the same terms and conditions as this Licence except for all changes necessary to reflect the new term of the licence and any variations made to this Licence during the Term.

15. Dispute Resolution**15.1 Dispute**

Any Dispute is to be dealt with in accordance with this clause 15.

**15.2 Notice of Dispute**

- 15.2.1 If a Dispute between the parties arises then either party may give the other a written notice of Dispute adequately identifying and providing details of the Dispute.
- 15.2.2 Notwithstanding the existence of a Dispute, the parties must continue to perform their obligations under this Licence.

15.3 Dispute Representatives Determination

- 15.3.1 The Disputes Representatives must meet to discuss the Dispute in good faith within 10 Business Days after service of a notice of dispute under clause 15.2.1.
- 15.3.2 The Disputes Representatives must use reasonable endeavours to:
- (a) settle or resolve the Dispute; or
 - (b) agree a process for settling or resolving the Dispute, such as referral to a technical expert or mediation or such other forms of alternative dispute resolution,
- within 15 Business Days after the Disputes Representatives have met.
- 15.3.3 If the Dispute is not resolved within 30 Business Days after issue of a notice of Dispute under clause 15.2.1, clause 15.4 applies.

15.4 Litigation

- 15.4.1 If the Dispute is not resolved in accordance with clause 15.3 or a disputes process agreed under clause 15.3, then either party may commence proceedings in relation to the Dispute.
- 15.4.2 Subject to clause 15.5, the parties must follow the Dispute resolution procedures set out in this clause 15 before either commences litigation or takes similar action.

15.5 Summary relief

Nothing in this clause 15 will prejudice the right of a party to seek injunctive or urgent declaratory relief.

15.6 Survive termination

This clause 15 will survive the termination of the Licence.

16. GST**16.1 Definitions**

In this clause:

- 16.1.1 words and expressions that are not defined in this Licence but which have a defined meaning in the GST Law have the same meaning as in the GST Law;
- 16.1.2 **GST** means GST within the meaning of the GST Law and includes penalties and interest. If under or in relation to the *Intergovernmental Agreement Implementation (GST) Act 2000* (NSW) the supplier makes voluntary or notional payments, then:



- (a) the definition of GST includes those voluntary or notional payments; and
- (b) expressions containing the term 'GST' have a corresponding expanded meaning; and

16.1.3 **GST Law** has the meaning given to that term in the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

16.2 GST exclusive

Except where specified to the contrary in this Licence, all consideration payable under this Licence in relation to any supply is exclusive of GST. If GST is payable in respect of any supply made by a supplier under this Licence (**GST Amount**), the recipient must pay to the supplier an amount equal to the GST payable on the supply. Provided that the supplier has provided a tax invoice, the recipient must pay the GST Amount at the same time and in the same manner as the consideration for the supply is to be provided under this Licence in full and without deduction, set off, withholding or counterclaim (unless otherwise provided in this Licence).

16.3 Reimbursements

If this Licence requires a party to pay, reimburse or contribute to any expense, loss or outgoing suffered or incurred by another party, the amount which the first party must pay, reimburse or contribute is the sum of:

- 16.3.1 the amount of the payment, reimbursement or contribution, less any input tax credit in respect of the payment, reimbursement or contribution to which the other party is entitled; and
- 16.3.2 if the payment, reimbursement or contribution is subject to GST, an amount equal to that GST.

17. Notices

17.1 Delivery of notice

- 17.1.1 A notice or other communication required or permitted to be given to a party under this Licence must be in writing and may be delivered personally to the party, by leaving it at the party's address, by posting it by registered post, priority registered post or express post addressed to the party at the party's address or by electronic mail to the party's email address, in each case, as specified in the notice details of that party or as notified by one party to the other from time to time during the Term.
- 17.1.2 If the Licensee is a company, the notice or other communication may be served on it at its registered office.

17.2 Time of service

A notice or other communication is deemed delivered:

- 17.2.1 if delivered personally or left at the person's address, upon delivery;
- 17.2.2 if posted within Australia to an Australian address using registered post or priority registered post, 4 Business Days after posting and using express post, 2 Business Days after posting;



- 17.2.3 if delivered by electronic mail, subject to clause 17.2.4, at the time the email containing the notice left the sender's email system, unless the sender receives notification that the email containing the notice was not received by the recipient; and
- 17.2.4 if received after 5.00pm in the place it is received or on a day which is not a business day in the place it is received, at 9.00am on the next business day.

18. Governing law

This Licence is governed by the law applying in [insert State or Territory] and the parties submit to the non-exclusive jurisdiction of the courts of [insert State or Territory].

19. Interpretation

19.1 Words and headings

In this Licence, unless expressed to the contrary:

- 19.1.1 words denoting the singular include the plural and vice versa;
- 19.1.2 the word 'includes' in any form is not a word of limitation;
- 19.1.3 where a word or phrase is defined, another part of speech or grammatical form of that word or phrase has a corresponding meaning;
- 19.1.4 headings and subheadings are for ease of reference only and do not affect the interpretation of this Licence; and
- 19.1.5 no rule of construction applies to the disadvantage of the party preparing this Licence on the basis that it prepared or put forward this Licence or any part of it.

19.2 Specific references

In this Licence, unless expressed to the contrary, a reference to:

- 19.2.1 a gender includes all other genders;
- 19.2.2 any legislation (including subordinate legislation) is to that legislation as amended, re-enacted or replaced and includes any subordinate legislation issued under it;
- 19.2.3 any document (such as a deed, agreement or other document) is to that document (or, if required by the context, to a part of it) as amended, novated, substituted or supplemented at any time;
- 19.2.4 writing includes writing in digital form;
- 19.2.5 'this Licence' is to this Licence as amended from time to time;
- 19.2.6 'A\$', '\$', 'AUD' or 'dollars' is a reference to Australian dollars;
- 19.2.7 a clause, schedule or attachment is a reference to a clause or attachment in or to this Licence;



- 19.2.8 any property or assets of a person includes the legal and beneficial interest of that person of those assets or property, whether as owner, lessee or lessor, licensee or licensor, trustee or beneficiary or otherwise;
- 19.2.9 a person includes a firm, partnership, joint venture, association, corporation or other body corporate;
- 19.2.10 a person includes the legal personal representatives, successors and permitted assigns of that person, and in the case of a trustee, includes any substituted or additional trustee;
- 19.2.11 any body (**Original Body**) which no longer exists or has been reconstituted, renamed, replaced or whose powers or functions have been removed or transferred to another body or agency, is a reference to the body which most closely serves the purposes or objects of the Original Body; and
- 19.2.12 a month is a calendar month.

20. General

20.1 Costs and expenses

Each party must pay its own costs and expenses in connection with:

- 20.1.1 the preparation, execution, stamping and any necessary registration of this Licence and any related document (including penalties and fines);
- 20.1.2 any request for the consent of the Licensor; and
- 20.1.3 any amendment to, waiver under, surrender of, or dealing contemplated by, this Licence or any related document.

20.2 Variation

This Licence may only be varied or replaced by a document duly executed by the parties.

20.3 Counterparts

This Licence may be executed in counterparts, all of which taken together constitute one instrument.

20.4 Entire agreement

This Licence constitutes the entire agreement between the parties; and supersedes and cancels any contract, deed, arrangement, related condition, collateral arrangement, condition, warranty, indemnity or representation imposed, given or made by a party (or an agent of a party) prior to entering into this Licence.

20.5 Liability

If a party consists of 2 or more people or entities, an obligation of that party binds each of them jointly and severally.

**20.6 Severability**

- 20.6.1 Any provision of this Licence that is held to be illegal, invalid, void, voidable or unenforceable must be read down to the extent necessary to ensure that it is not illegal, invalid, void, voidable or unenforceable.
- 20.6.2 If it is not possible to read down a provision as required by this clause, part or all of the clause of this Licence that is unlawful or unenforceable will be severed from this Licence and the remaining provisions continue in force.

20.7 Further assurance

Each of the Licensor and the Licensee must promptly execute and deliver all documents and take all other action necessary or desirable to effect, perfect or complete the transactions contemplated by this Licence.

20.8 Survival and enforcement of indemnities

- 20.8.1 Each indemnity of the Licensor or the Licensee is a continuing obligation, separate and independent from the other obligations of the parties and survives termination of this Licence.
- 20.8.2 The party with the benefit of an indemnity must before enforcing a right of indemnity under this Licence:
- (a) use reasonable endeavours to mitigate its loss; and
 - (b) actually incur an expense or make payment.

20.9 Business Day

If a payment or other act is required by this Licence to be made or done on a day which is not a Business Day, the payment or act must be made or done on the next following Business Day.

20.10 Exclusion of statutory provisions

To the full extent permitted by law, any legislation that adversely affects an obligation of the Licensor or the Licensee under this Licence, or the exercise of a right or remedy by the Licensor or the Licensee under this Licence, is excluded from this Licence.

20.11 Licensor's consent

Where the Licensor is required to give its consent under this Licence, the Licensor must not unreasonably delay or withhold its consent, but may give its consent subject to such reasonable conditions as the Licensor may reasonably determine.

B. Agreed Amendments

Each of the Agreed Amendments in Schedule 2 apply to this Licence.

C. Special Conditions

Each of the Special Conditions in Schedule 3 apply to this Licence.



Schedule 1 Installation Works Schedule

1. Licensor's Works

- 1.1 The Licensor must use its best endeavours to:
 - 1.1.1 commence the Licensor's Works promptly after the date that the last of the parties signs this Deed; and
 - 1.1.2 complete the Licensor's Works by the Target Date for Completion of the Licensor's Works as shown in Item 14(b).
- 1.2 The Licensor must have the Licensor's Works carried out and completed at its own cost and:
 - 1.2.1 diligently, efficiently and in a proper and workmanlike manner;
 - 1.2.2 with high quality and proper materials;
 - 1.2.3 in accordance with the description in Item 14(a) and the Licensor's Works Plans;
 - 1.2.4 in accordance with the requirements of all relevant Government Agencies; and
 - 1.2.5 by qualified tradespeople that have been approved by the Licensee.
- 1.3 The Licensor must not make any changes to the Licensor's Works (including to the Licensor's Works Plans) without the approval of the Licensee, which may be withheld if the proposed change will affect:
 - 1.3.1 the position, size or layout of or access to the Licensed Area or any Charging Station;
 - 1.3.2 the Services or facilities available in connection with the Licensed Area;
 - 1.3.3 the carrying out of Interdependent Works;
 - 1.3.4 the Licensee's Works; or
 - 1.3.5 the on-going use and operation of any Charging Station.
- 1.4 If the Licensor has not obtained a Completion Acknowledgement by the Target Date for Completion of the Licensor's Work, the Licensee can elect to either:
 - 1.4.1 terminate this Deed; or
 - 1.4.2 complete the Licensor's Works at the Licensee's own cost.
- 1.5 If the Licensee exercises its rights under clause 1.4.2 then the Licensor must reimburse the Licensee's costs incurred in exercising its rights under clause 1.4.2 within 20 Business Days after demand by the Licensee.
- 1.6 The Licensor must:
 - 1.6.1 rectify any Defects existing at the Date of Practical Completion of the Licensor's Works as soon as possible after the Date of Practical Completion of the Licensor's Works; and



- 1.6.2 ensure that the rectification of Defects is carried out at times and in a manner which causes as little inconvenience to the Licensee and the users of the Licensed Area as is reasonably possible.
- 1.7 If at any time prior to the expiration of any Defects Liability Period (including, prior to the Date of Practical Completion of the Licensor's Works), the Licensee discovers or believes there is a Defect, the Licensee may inform the Licensor of the Defect and the Licensor must promptly rectify the Defect:
 - 1.7.1 diligently, efficiently and in a proper and workmanlike manner;
 - 1.7.2 with high quality and proper materials;
 - 1.7.3 in accordance with the requirements of all relevant Government Agencies;
 - 1.7.4 by qualified tradespeople that have been approved by the Licensee;
 - 1.7.5 so as to minimise the impact on the use of the Licensed Area and the Licensee's Property; and
 - 1.7.6 in a manner which causes as little inconvenience as possible to the Licensee, the users of the Charging Stations, any Service or any access to the Licensed Area.
- 1.8 If the Licensor fails to comply with clause 1.7, the Licensee may carry out the works necessary to rectify the Defects.
- 1.9 If the Licensee exercises its rights under clause 1.8 then the Licensor must reimburse the Licensee's costs incurred in exercising its rights under clause 1.8 within 20 Business Days after demand by the Licensee.
- 1.10 The Licensor indemnifies the Licensee from and against any Claim or Liability brought against, suffered or incurred by the Licensee in respect of:
 - 1.10.1 damage to, or loss or destruction of, any real or personal property (including the Licensee's Property); or
 - 1.10.2 injury to, or illness or death of, any person,
 arising out of or in connection with the performance of, or any act or omission of the Licensor in connection with, the Licensor's Works.
- 1.11 The Licensor's liability to indemnify the Licensee under clause 1.10 will be proportionately reduced to the extent that a negligent act or omission of the Licensee caused or contributed to the Claim or Liability.

2. Licensee's Works

- 2.1 The Licensor grants and the Licensee accepts a licence of the Licensed Area and any Licensor's Adjoining Land that the Licensee needs to use in connection with the Licensee's Works, and where required to complete the Licensor's Works or carry out works to rectify any Defects.
- 2.2 Before it commences the Licensee's Works, the Licensee must:
 - 2.2.1 at its own cost, obtain any necessary consent or approval from any Government Agency to carry out the Licensee's Works;



- 2.2.2 provide to the Licensor plans, drawings and specifications of the Licensee's Works;
and
- 2.2.3 provide to the Licensor details of those of the Licensor's Works and the Licensee's Works that the Licensee has identified as Interdependent Works.
- 2.2.4 The Licensor:
 - (a) will not charge the Licensee for any permit, consent or approval required by the Licensee for the construction and maintenance of the Licensee's or the Charging Stations; and
 - (b) agrees that by signing this Deed, it grants to the Licensee land owner consent to the Licensee lodging with any Government Agency any application for any permit, consent or approval required by the Licensee for the construction and maintenance of the Licensee's Works or the Charging Stations.
- 2.3 The Licensee must have the Licensee's Works carried out and completed at its own cost and:
 - 2.3.1 diligently, efficiently and in a proper and workmanlike manner;
 - 2.3.2 in accordance with the requirements of all relevant Government Agencies; and
 - 2.3.3 in performing its obligations under clauses 2.3.1 and 2.3.2:
 - (a) use reasonable endeavours to ensure it does not cause undue noise or nuisance to the occupiers of the Land;
 - (b) comply with reasonable directions by the Licensor's responsible officers; and
 - (c) comply with all applicable WHS Laws as principal contractor with respect to the Licensee's Works.
- 2.4 Once the Licensee's Works have been completed the Licensee must promptly:
 - 2.4.1 notify the Licensor that the Licensee's Works have been completed; and
 - 2.4.2 provide to the Licensor copies of all certificates in its possession that evidence that the Licensee's Works have been completed in accordance with clause 2.3.2.

3. Interdependent Works

- 3.1 Each of the Licensor and the Licensee agree to work together in a consultative and co-operative manner to ensure that the Interdependent Works are completed diligently, efficiently and in a proper and workmanlike manner, including to ensure that:
 - 3.1.1 the performance and sequencing of the Interdependent Works is optimised;
 - 3.1.2 the timeframe for the completion of the Interdependent Works is minimised;
 - 3.1.3 the Interdependent Works are completed by the Target Date for Completion of the Licensor's Work; and
 - 3.1.4 the safety of all individuals working on or near the Interdependent Works is maintained.



4. Definitions

4.1 In this Schedule:

A reference to a clause is a reference to a clause in this Schedule and:

Completion Acknowledgement means a notice issued by the Licensee to the Licensor which acknowledges that Practical Completion of the Licensor's Works has been achieved to the reasonable satisfaction of the Licensee.

Date of Practical Completion of the Licensor's Works means the date on which the Licensee gives to the Licensor a Completion Acknowledgement.

Defects means any defect, deficiency, fault, error or omission in or from the Licensor's Works, or any other aspect of the Licensor's Works that:

- (a) does not comply with the requirements of this Schedule; or
- (b) prevents the Licensee's Property or the Licensed Area from being reasonably capable of being used for the Permitted Use.

Defects Liability Period means the period commencing on the Date of Practical Completion of the Licensor's Works and expiring on the date that is 12 months after the Date of Practical Completion of the Licensor's Works.

Interdependent Works means the works described in Item 16(a).

Licensee's Works means the works described in Item 15(b).

Licensor's Works means the works described in Item 14(a) and in the Licensor's Works Plans.

Licensor's Works Plans means the plans, drawings and specifications of the Licensor's Works agreed by the Licensor and the Licensee on or before the date of this Deed.

Practical Completion of the Licensor's Works means the point at which the Licensor's Works have been completed in accordance with clause 1 (except for minor omissions and defects that in the Licensee's reasonable opinion would not prevent the Licensee from either commencing or completing the Licensee's Works and would not prevent the Licensee from using the Licensed Area for the Permitted Use.

Target Date for Completion of the Licensor's Work means the date in Item 14(b).



Schedule 2 Agreed Amendments

The parties agree that the Standard Terms are amended as follows:

Not Applicable / [Insert]



Schedule 3 Special Conditions

###Add / remove as applicable for site

1 Sale or transfer by Licensor

If the Licensor proposes to sell, transfer or otherwise dispose of its interest in this Licence or in the Land during the Term, the Licensor must give notice to the Licensee of the proposed disposal and procure that the proposed purchaser or transferee enters into a deed under which the proposed purchaser or transferee agrees to be bound by the terms of the Licence as Licensor, and otherwise on terms acceptable to the Licensee acting reasonably.

2 Relocation

2.1 The Licensor may require the Licensee to relocate the Charging Stations to other car parking bays or car parking spaces on the Land or the Licensor's Adjoining Land in accordance with this clause.

2.2 If the Licensor want to relocate the Charging Stations, the Licensor must:

- (a) first provide the Licensee with details of a proposed redevelopment of the Land sufficient to indicate a genuine proposal that:
 - (i) is to be carried out within a reasonably practicable time after relocation of the Charging Stations; and
 - (ii) cannot be carried out practicably without vacant possession of the Licensed Area; and
- (b) give the Licensee a written notice that:
 - (i) specifies a relocation date that is at least 6 months after the date of service of the notice;
 - (ii) gives details of alternative car parking bays or car parking spaces on the Land or the Licensor's Adjoining Land to be made available to the Licensee (**Alternative Licensed Area**); and
 - (iii) offers the Licensee a licence of the Alternative Licensed Area on the same terms and conditions as this Licence, but commencing on the date which is one day after the date that is 6 months after the date of service of the Relocation Notice and ending on the same day as this Licence (**Alternative Licence**),

(Relocation Notice).

2.3 Once the Licensor has issued a Relocation Notice, the Licensee may either terminate this Licence or accept the relocation.

2.4 If the Licensee wants to terminate this Licence after the Licensor has issued a Relocation Notice, the Licensee must give the Licensor a written termination notice within 2 months after receiving the Relocation Notice. In that case:

- (a) this Licence will terminate on the date that is 6 months after the date of service of the Relocation Notice, unless the Licensor and the Licensee agree on another date;



- (b) subject to clause 2.4(c), each of the Licensor and the Licensee must continue to comply with the terms of this Licence, until that date of termination; and
 - (c) the Licensee must vacate the Licensed Area by that date of termination, as if it were the Terminating Date.
- 2.5 If the Licensee does not give the Licensor a written termination notice within 2 months after receiving the Relocation Notice, the Licensee is taken to have accepted the offer to relocate on the terms of the Alternative Licence, unless the Licensor and the Licensee have agreed to a licence on some other terms.
- 2.6 If the Licensee has accepted the offer to relocate then:
- (a) before the date that is 6 months after the date of service of the Relocation Notice (unless the Licensor and the Licensee agree another date):
 - (i) the Licensor must carry out the installation of a concrete footing, bollards, signage and markings for each Charging Station and installation of conduits for the electrical cabling from the concrete footing to point of connection with the electricity grid or power supply in accordance with the plans, drawings and specifications provided by the Licensee (**Relocation Works**), at its own cost and Schedule 1 of this Licence applies as if the Relocation Works were the Licensor's Works;
 - (ii) the Licensee must arrange for its lawyers to prepare an Alternative Licence;
 - (iii) the Licensee must give the Licensor an executed Alternative Licence; and
 - (b) until the date that is 6 months after the date of service of the Relocation Notice (unless the Licensor and the Licensee agree another date):
 - (i) subject to clause 2.6(b)(ii), each of the Licensor and the Licensee must continue to comply with the terms of this Licence, until the date that the Alternative Licence commences; and
 - (ii) the Licensee must vacate the Licensed Area by the date that is one day before the date that the Alternative Licence commences, as if it were the Terminating Date; and
 - (c) the Licensee will carry out any works, other than the Relocation Works, necessary to allow the Licensee to use the Alternative Licensed Area for the Permitted Use and Schedule 1 of this Licence applies as if those works were the Licensee's Works.

3 First right of refusal

- 3.1 If during the Term or any Further Term:
- (a) an additional area or areas on the Land adjacent to the Licensed Area become vacant (**Additional Space**) and available for lease or licence, the Licensor must, at least 28 days prior to the Additional Space becoming available, give written notice to the Licensee providing details of the Additional Space (including but not limited to the size and location) and subject to clause 3.3 any other relevant terms; and
 - (b) the Licensee requires additional space on the Land to carry out any works, repairs or replacements of any part of the Charging Stations or the Licensee's Property (**Works Area**) and the Licensee provides to the Licensor details of the Works Area that it requires, the Licensor must on each occasion, within 28 days of receiving the Licensee's notice, notify the Licensee which part or parts of the Works Area or any



other parts of the Land is at the time vacant or is to become vacant within the following six months and subject to clause 3.3, any other relevant terms on which the Licensor proposes to licence that part of the Land.

- 3.2 If the Licensee wishes to enter into a lease or licence of the Additional Space or Works Area the Licensee must notify the Licensor within 14 days of receipt of the Licensor's notice under clause 3.1.
- 3.3 If the Licensee gives the Licensor a notice in accordance with clause 3.2 the Licensor must grant to the Licensee a lease or licence of the relevant part of the Land (**New Licence**) on the same terms and conditions contained in this Licence (with such changes as the context requires).
- 3.4 The Licensee must execute and return to the Licensor the New Licence within 28 days of receiving it from the Licensor. The Licensee and the Licensor agree to be bound by the provisions of the New Licence even if a party has not executed the New Licence.
- 3.5 If the Licensee does not give notice in accordance with clause 3.2, the Licensor may grant a lease or licence of the whole or any part of the Additional Space or the Works Area specified in the Licensor's notice under clause 3.1 to a party other than the Licensee.

4 Warranty

- 4.1 The Licensor warrants that the usability, power, electricity and energy storage systems of the Licensee's Charging Stations will not be affected or impacted by the installation of a Charging Station on the Land by any other party or supplier that is not the Licensee. The Licensor also warrants that any other party or supplier that is not the Licensee will not benefit from the Licensee's Works.



SIGNING PAGE

Executed by the parties as a Deed

Executed on behalf of **the Licensor** pursuant to the power delegated to them **by an authorised delegate pursuant to the Local Government Act 1993** in the presence of:

)
)
)
) Signature of **delegate**
)
)
) Full name of **delegate** (please print)

.....
Signature of Witness

.....
Full name of Witness (please print)

The Common Seal of **## ACN ##** was affixed in accordance with s 127(2) of the *Corporations Act 2001* in the presence of:

.....
Signature of Director

.....
Signature of Director/Company Secretary

.....
Print full name

.....
Print full name

Executed by the Licensee by **NRMA Electric Highways Pty Ltd** (ABN 35 659 311 163) by its attorneys pursuant to power of attorney dated 2 April 2019 who state that no notice of revocation of the power of attorney has been received and that he/she has not ceased to hold office with or to be an employee of National Roads and Motorists' Association Limited or a subsidiary of National Roads and Motorists' Association Limited in the presence of:

)
)
) Signature of Attorney
)
)
) Full name of Attorney (please print)
)
)
) Signature of Attorney
)
)
) Full name of Attorney (please print)

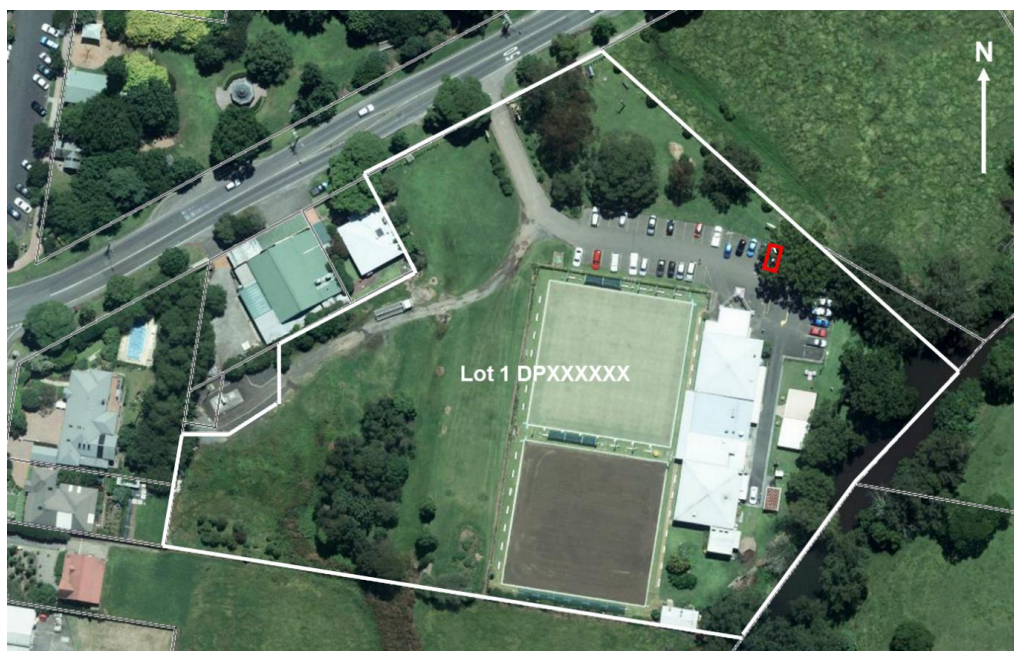


Attachment 1 Plan of Licensed Area

The Licensed Area is shown as the red [and blue] highlighted area on the Land in the plans below.

[For draft version show aerial(s) of location(s) with red highlighting]

[For final version show aerial with exact location with red highlighting of car space charger and bollards. Blue highlighting for MSB. Note: Lot / DP number clearly shown, thick white border for boundary, full lot visible, North arrow]



Additional plan showing details of the location of the Charging Station, parking bays, bollards and main switchboard panel.

[To be inserted once build and electrical team have carried out site inspection and provided detailed plans.]

[Licence is not to be signed until plans are inserted.]



Attachment 2 Signage Plans

Indicative design is shown below. As-built design may vary.



[7894949: 24342066_1]

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Charging Station livery showing charger livery:



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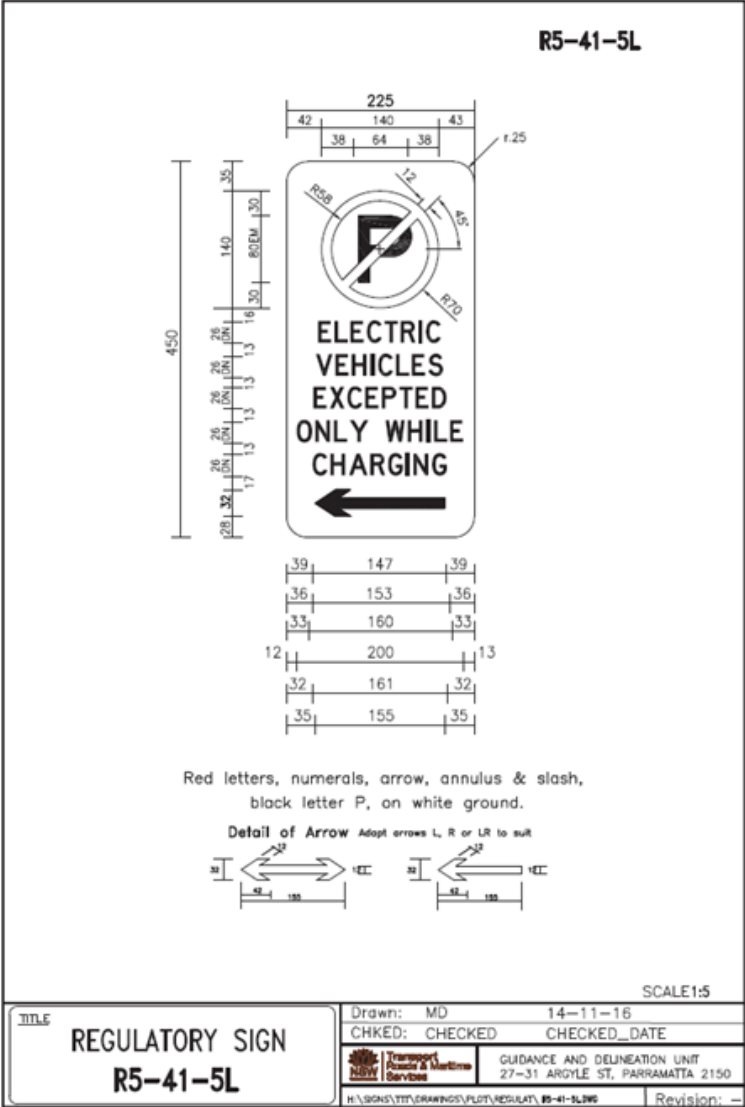
[Update co-branding logo. Remove below image if not co-branded]



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Classified as Internal

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COVER SHEET

CONFIDENTIAL REPORT

17 October 2023

Council Meeting

8.1 Office of the Mayor and CEO

8.1.1 SUPREME COURT LEGAL ACTION UPDATE

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 public participation, assist public awareness and allow for the scrutiny of information. Attendance at a Council meeting is one means of satisfying this interest. The public will only be excluded from a Council meeting when the need for confidentiality pursuant to Section 90(2) of the Act outweighs the public interest of open decision-making.

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that it is related to supreme court action currently lodged

On balance, the above reason which supports the need for confidentiality pursuant to Section 90(2) of the Act outweighs the factors in favour of the public interest of open decision-making.

RECOMMENDATION

That Council:

- (1) Under the provisions of Section 90(2) of the *Local Government Act 1999*, make an order that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director Corporate Services and Business Innovation, Director Development and Community Services, Director Infrastructure and Environmental Service and the Minute Secretary, in order to consider in

confidence a report relating to being information that must be considered in confidence pursuant to:

Section 90(3)(i) of the *Local Government Act 1999*:

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 the council;

- (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 in order that it is related to supreme court action currently lodged