



MINUTES OF THE MEETING OF THE BAROSSA COUNCIL

held on Tuesday 17 October 2023 commencing at 5.30pm
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa.

MINUTES

Acknowledgement of country by Mayor Lange who declared the meeting open at 5.31pm.

1. ATTENDANCE RECORD

1.1 Members Present

Mayor Bim Lange, Crs John Angas, Don Barrett, David de Vries, Kathryn Schilling, Cathy Troup, Bruce Preece, Jess Greatwich, Rick Lane and Heidi Thompson.

Cr Bruce Preece entered the meeting at 5.32pm

Apologies

Crs Jane Evans and Tony Hurn.

Not Present

Nil

Leave of Absence

Nil

2. CONFIRMATION OF MINUTES

2.1 Minutes of previous meetings – for confirmation:

MOVED Cr Preece

That the Minutes of the Council meeting held on Tuesday 19 September 2023 at 5.30pm and the Special Council meeting held on Wednesday 4 October 2023 at 7.45 pm, as circulated, be confirmed as true and correct records of the proceedings of those meetings.

SECONDED Cr de Vries

CARRIED 2022-26/263

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

Nil

4. MAYOR

4.1 Mayor's Report

MOVED Cr de Vries

That the Mayor's report be received.

SECONDED Cr Greatwich

CARRIED 2022-26/264

MOVED Cr Troup

That the Mayor's report be received.

SECONDED Cr de Vries

CARRIED 2022-26/265

5. COUNCILLORS' REPORTS

Nil

6. MATTERS FOR INFORMATION

- 6.1 Roadside Vegetation Management Plan - Endorsed by Native Vegetation Council 5 September 2023
- 6.2 Gawler River Floodplain Management Authority Minutes
- 6.3 Legatus Annual Report
- 6.4 Local Government Association Annual General Meeting
- 6.5 Road Closures - event related
- 6.6 Local Government Finance Authority Annual Report
- 6.7 Government of South Australia Community Climate Conversations
- 6.8 Williamstown Hotel Car Park Licence
- 6.9 Local Nuisance and Litter Control Act 2016 Reforms
- 6.10 Hydrogen and Renewable Energy Act - Draft Bill
- 6.11 Design Standard for Residential Driveway Crossovers
- 6.12 Additional Unscoped Work - Tanunda Recreation Park
- 6.13 Additional Unscoped Work - Talunga Caravan Park and Surrounds
- 6.14 Williamstown and Lyndoch Landcare Group Inc.

Cr Barrett moving the following Motion regarding Item 6.13.

MOVED Cr Barrett

That Council having noted the options analysis for further works at the Mt Pleasant Talunga Park Caravan Park:

- (1) Accelerate the investment outlined in Option 2 and undertake the work in the 2023/24 financial due to the longer term cost saving and it can be aligned with the current sealing program, without necessitating further relocation costs, and that the road base is established without requiring further reheating and forming in a further budget year; and
- (2) Include minor sealing works at the entrance to the Show Hall to be agreed on site with relevant stakeholders but limited to no more than \$25,000 on further works.
- (3) Authorise the Chief Executive Officer to increase the capital budget allocation for asset number 601653 by \$246,840 noting the current first quarter budget review will be amended to include the costs and reflect changes in the financial statements and indicators.

SECONDED Cr Preece

CARRIED 2022-26/266

7. DEBATE REPORTS

7.1 Office of the Mayor and CEO

7.1.1 CODE OF PRACTICE FOR PUBLIC ACCESS TO MEETINGS AND MEETING DOCUMENTS 23/72530

MOVED Cr de Vries

That Council, pursuant to Section 92(5) of the *Local Government Act 1999* endorse the draft Code of Practice for Public Access to Meetings and Meeting Documents Attachment 1

SECONDED Cr Angas

CARRIED 2022-26/267

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(5) of the *Local Government Act 1999* (the Act).

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 release 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 \(barossa.sa.gov.au\)](https://www.barossa.sa.gov.au/Public-Consultation-Policy.pdf)

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Legislative Requirements

Local Government Act 1999

Local Government (Procedures at Meetings) Regulations 2013

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Resources

Cost incurred for advertising within local newspapers.

Risk 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

As per Council's Public Consultation Policy and as outlined in the document.

7.1.2 CHANGE TO COUNCIL RESOLUTION NUMBER - 2022-26/220 - REVIEW OF VINTAGE FESTIVAL
23/91628

MOVED Cr Angas

That Council having considered the report, rescind Council resolution 2022-26/220 of the ordinary meeting of Council dated 15 August 2023.

SECONDED Cr Greatwich

CARRIED 2022-26/268

Subject to recommendation 1 being passed:

MOVED Cr Angas

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.

SECONDED Cr Barrett

CARRIED 2022-26/269

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.

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

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.

**7.1.3 APPOINTMENT OF MEMBERS TO THE NURIOOTPA CENTENNIAL PARK AUTHORITY
AUDIT AND RISK COMMITTEE
23/91655**

MOVED Cr Preece

That Council appoint Elaine Ratcliffe and Matthew Taylor to the Audit and Risk Committee for a period concluding on 1 July 2025.

SECONDED Cr Schilling

CARRIED 2022-26/270

PURPOSE

To consider appointments to the Nuriootpa Centennial Park Authority Audit and Risk Committee.

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

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Legislative Requirements

Section 42 of the Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

Nil required or recommended.

**7.1.4 APPOINTMENT OF MEMBER TO THE NURIOOTPA CENTENNIAL PARK AUTHORITY
BOARD OF MANAGEMENT
23/91658**

MOVED Cr de Vries

That Council appoint David Paprzycki to the Nuriootpa Centennial Park Authority Board of Management from 23 August 2023 and concluding on 22 August 2025.

SECONDED Cr Preece

CARRIED 2022-26/271

PURPOSE

To consider appointments to the Nuriootpa Centennial Park Authority Board of Management.

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

Legislative Requirements

Section 42 of the Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

Nil required or recommended.

7.1.5 REQUEST FOR TOP 5 REGIONAL INFRASTRUCTURE PRIORITIES - REGIONAL DEVELOPMENT AUSTRALIA - INFRASTRUCTURE PRIORISATION ASSESSMENT
23/91692

MOVED Cr Angas

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.

SECONDED Cr Greatwich

CARRIED 2022-26/272

PURPOSE

To review the priorities put forward by the Executive Leadership Team as the highest regional infrastructure priorities.

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

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.

7.2 Corporate Services and Business Innovation

7.2.1 MONTHLY FINANCE REPORT AS AT 30 SEPTEMBER 2023 23/85137

MOVED Cr de Vries

That Council receive and note the Monthly Finance Report as at 30 September 2023 as provided at Attachment 1.

SECONDED Cr Troup

CARRIED 2022-26/273

PURPOSE

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

REPORT

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

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

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.

7.2.2 **BAROSSA ARTS FESTIVAL SPONSORSHIP REQUEST** 23/85207

MOVED Cr Greatwich

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 the sponsorship funds are paid after 30 November 2023.
 - 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.

SECONDED Cr Angas

CARRIED 2022-26/274

PURPOSE

To determine support of the Barossa Arts Festival (BAF) being held in April 2024.

REPORT

Background

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.

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.

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 |
| Attachment 2 | Barossa Arts Festival 2024 - Event Impact statement - Regional Development Australia |

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTSLegislative 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

7.3 Infrastructure and Environment Services

7.3.1 ROAD NAMING - WIRRAMINNA CARE - PRIVATE ACCESS ROAD **23/72360**

MOVED Cr Barrett

That Council name the private access road within Lot 204 Memorial Drive, Williamstown Acacia Court, and number the dwellings sequentially from 1 – 10.

SECONDED Cr Preece

CARRIED 2022-26/275

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.

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 REQUIREMENTS

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".

7.3.2 TANUNDA KEGEL CLUB - TOILET CONSTRUCTION**23/75437****MOVED** Cr Barrett

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.

SECONDED Cr Preece**CARRIED 2022-26/276****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.

REPORTBackground

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 from 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 REQUIREMENTS

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.

7.3.3 GSM - GREENOCK ROAD - SAMUEL ROAD - MOPPA ROAD - ROUNDABOUT - UPDATE **23/75443**

MOVED Cr de Vries

That Council:

- (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 costs associated in support of the strategic road project.

SECONDED Cr Schilling

CARRIED 2022-26/277

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.

REPORTBackground

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 approved then make a resolution to revoke the community land status. The resulting parcel of land can then be created and transfer 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 REQUIREMENTS

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.

7.4 Development and Community Services

7.4.1 ELECTRIC VEHICLE (EV) CHARGING STATION - NURIOOTPA SOLDERS MEMORIAL HALL - POST CONSULTATION **23/87670**

MOVED Cr de Vries

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.
- (2) 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.

SECONDED Cr Lane

CARRIED 2022-26/278

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.

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
Attachment 2 NRMA - Draft License Agreement - EV Electrical Vehicle Charging Station

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

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.

8. CONFIDENTIAL REPORTS

8.1 Office of the Mayor and CEO

8.1.1 SUPREME COURT LEGAL ACTION UPDATE 23/91609

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.

MOVED Cr de Vries

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

SECONDED Cr Greatwich

CARRIED 2022-26/279

The meeting moved into confidence at 6.10pm

MOVED Cr Preece

That Council:

- (1) Council resolution
- (2) Council resolution
- (3) Council resolution
- (4) Having considered this matter in confidence under Sections 90(2) and 90(3)(i) of the *Local Government Act 1999*, makes an order pursuant to Section 91(7), that the minutes, agenda report and attachments other than the minutes relating to this confidentiality order of the Confidential Council Meeting held on 17 October 2023 in relation to item 8.1.1 Supreme Court Legal Action Update be kept confidential and not available for public inspection and authorise the Chief Executive Officer to review and revoke the order as part of the annual review of Confidential Orders.

SECONDED Cr de Vries

CARRIED CO 2022-26/280

Resumption of open council meeting at 6.11pm

9. URGENT OTHER BUSINESS

With leave of the meeting, the Mayor allowed Cr de Vries to address the Chamber advising them of an invitation he has received to attend an event in China in his official capacity as Deputy Mayor.

The Chamber was reminded that the Mayor is Principle Spokesperson under the *Local Government Act 1999* and within our Council policies and as such, any request needs to be addressed to the Mayor in the first instance.

As there is no written invitation, no determination was made.

10. NEXT MEETING

Tuesday 21 November 2023 at 5.30pm

11. CLOSURE

Mayor Lange declared the meeting closed at 6.19pm.

Confirmed at Council Meeting on 21 November 2023

Date:.....

Mayor:.....

APPENDIX 1

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

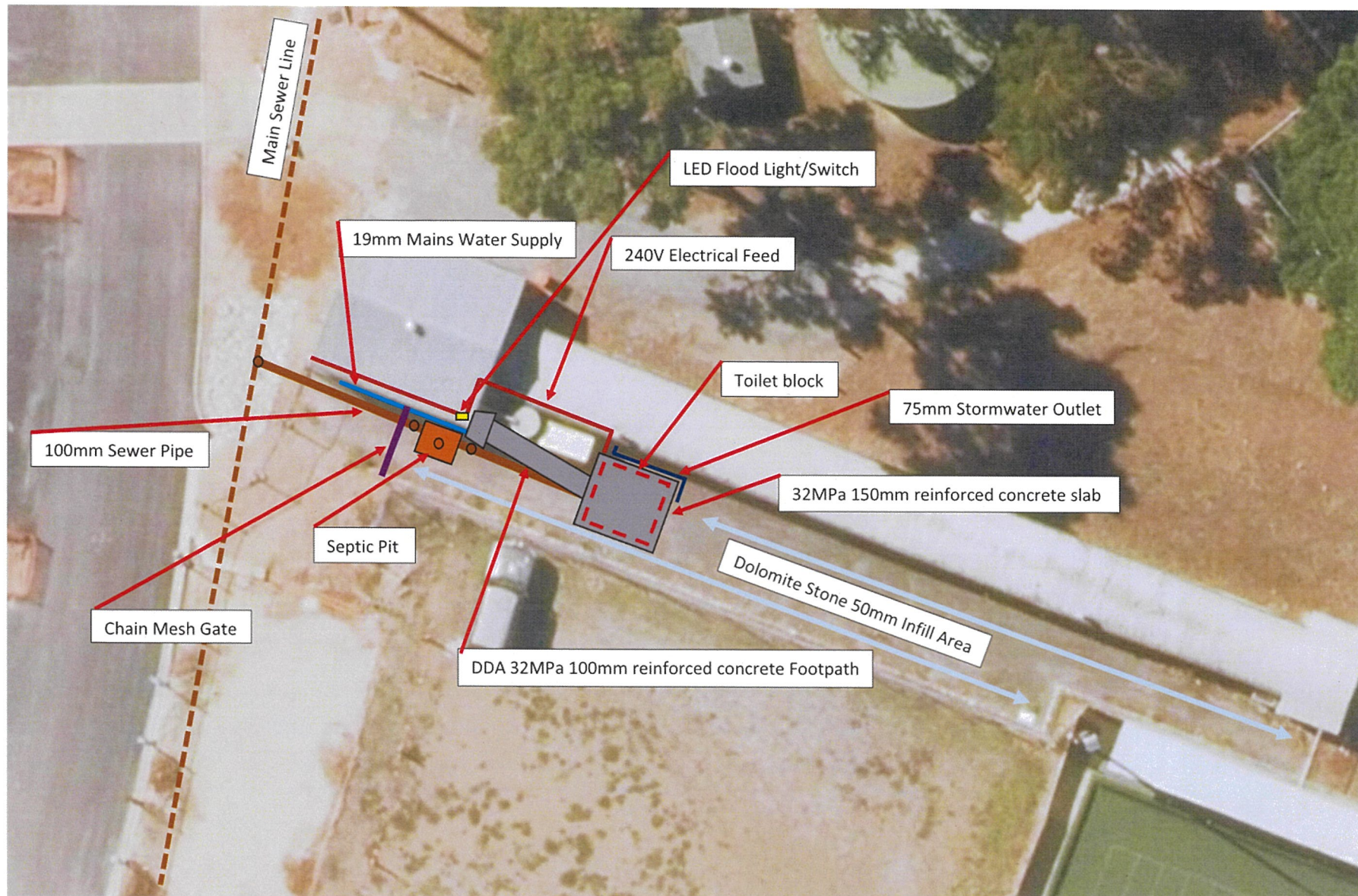
Financial Considerations

(where additional funding outside adopted budget is required)

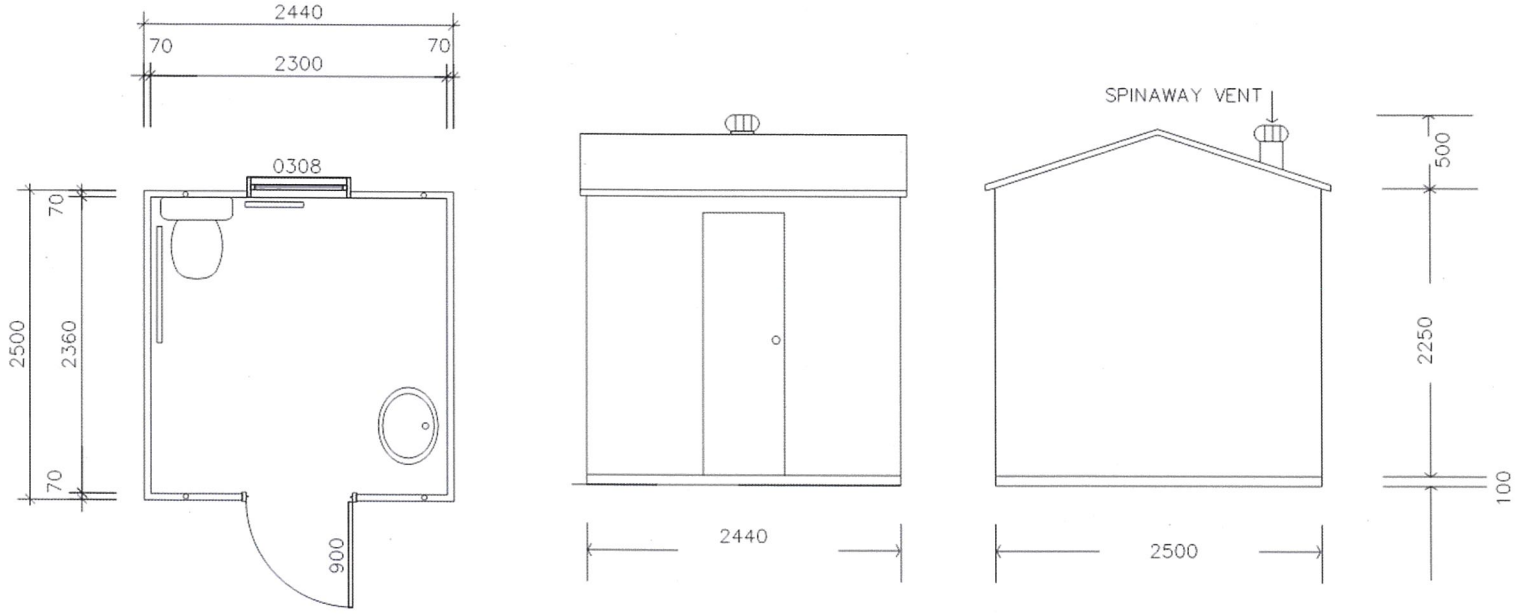
(where additional funding outside adopted budget is required)								Confidential Item
Items Being Considered in this Agenda		Further Works at Tanunda		Further Works at Talunga Park - Option 2 Plus Works around show hall		Kegal Club Toilet		Supreme Court Legal Case
Net operating costs (incl depreciation)		\$6,820.29		\$8,815.71		\$5,250.00		
Total project cost (ex GST)		\$238,710		\$246,840		\$63,000		
Grant / Other Income (ex GST)		\$0		\$0		\$20,000		
Funding required by Council				\$246,840		\$43,000		
Where funding is sourced from:		Borrowings		Borrowings		Borrowings		
DDR provided		Not required		Not required		Not required		
Business Assessment Tool Score Cut Off Comparison		Not assessed as part of budget development - assessment is pursuant to Clause 3.5 of the Annual Business Plan and Budget Policy		Not assessed as part of budget development - assessment is pursuant to Clause 3.5 of the Annual Business Plan and Budget Policy		Not assessed as part of budget development - assessment is pursuant to Clause 3.5 of the Annual Business Plan and Budget Policy		
If approved – a BAR or NI will be included in the:		September 2023 Quarterly Budget Update		September 2023 Quarterly Budget Update		September 2023 Quarterly Budget Update		
KPI	Current Adopted or Revised Budget \$'000	Budget Result for 2023/24	Result	Budget Result for 2023/24	Result	Budget Result for 2023/24	Result	
Operating Surplus / (Deficit)	(\$2,345)	(\$2,352)	Increase of \$8.5K	(\$2,361)	Increase of \$12.3K	(\$2,366)	Increase of \$12.3K	
Operating Surplus / (Deficit) - Adjusted (removes effect of Grants upfront payment)	(\$260)	(\$267)		(\$276)		(\$281)		
Operating Surplus Ratio (Target: -2% to 10%)	-5.20%	-5.22%	Increase of 0.02%	-5.23%	Increase of 0.01%	-5.25%	Increase of 0.02%	
Operating Surplus Ratio - Adjusted (removes effect of Grants upfront payment) (Target: -2% to 10%)	-0.58%	-0.59%	Increase of 0.01%	-0.61%	Increase of 0.02%	-0.62%	Increase of 0.01%	
Net Financial Liabilities Ratio (Target: >0 to <100%)	66.1% (peaking in 2024/25 at 76.8%)	66.6% (peaking in 2024/25 at 77.3%)	Increase of 0.5%	67.2% (peaking in 2024/25 at 77.8%)	Increase of 0.6%	67.3% (peaking in 2024/25 at 77.9%)	Increase of 0.1%	
Asset Funding Renewal Ratio (Target: >80% to <110%)	116.8%	116.8%	No change	116.8%	No change	116.8%	No change	

* Assumes all are approved and presented in order of the agenda and all other components of budget will be achieved.

APPENDIX 2



1



DISABLED/UNISEX TOILET

N.T.S

