MINUTES OF THE MEETING OF SPECIAL COUNCIL MEETING
held on Wednesday 7 February 2024 commencing at 5.00pm
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa.

M I N U T E S

Welcome by Mayor and declared the meeting open at 5.01PM.

1. ATTENDANCE RECORD

1.1 MEMBERS PRESENT

Mayor Bim Lange, Crs John Angas David de Vries, Cathy Troup, Jane Evans, Bruce Preece, Kathryn Schilling, Rick Lane, Heidi Thompson and Tony Hurn.

APOLOGIES

NIL

NOT PRESENT

Cr Jess Greatwich

LEAVE OF ABSENCE

Cr Don Barrett

2. DEBATE REPORTS

2.1 Office of the Mayor and CEO

2.1.1 REVOCATION OF COMMUNITY LAND STATUS - ALLOTMENT 801 ATZE PARADE NURIOOPTA - FACILITATION OF INSTALLATION OF A ROUNDABOUT AT THE GREENOCK ROAD, SAMUEL ROAD AND MOPPA ROAD SOUTH INTERSECTION
24/16252

MOVED Cr Preece

That Council having noted Minister Brocks approval and then being satisfied the revocation is beneficial to the community:

(1) Pursuant to Section 194(3)(b) of the *Local Government Act 1999* revoke the community land classification of Allotment 801 Atze Parade, Nuriootpa contained in Deposited Plan 71226 and held as Certificate of Title Volume 5983 and Folio 23.

(2) Instruct the Chief Executive Officer to give effect to the revocation by updating the relevant community land register.

(3) Authorise the Chief Executive Officer, or his delegate, to issue a license to Light Regional Council to allow the construction of a roundabout at Greenock Road, Samuel Road and Moppa Road South intersection and enter into any other necessary agreement to give effect to the infrastructure improvement.

(4) Authorise the Chief Executive Officer, or his delegate, to proceed with the process to amalgamate the land into the adjacent road reserves.

(5) Authorise the Mayor and Chief Executive Officer to execute any documentation necessary to give effect to any of the resolutions part 1-4 under the seal of Council.

SECONDED Cr de Vries **CARRIED 2022-26/350**

PURPOSE

To consider for the final time, and if Council is satisfied as to the benefit of the proposal, pass a resolution to formally revoke the community land classification on Allotment 801 Atze Parade Nuriootpa.

REPORT

Background
Council is well versed in the purpose of the revocation proposal. Two prior reports have been considered by Council at the meetings of 23 January 2024 and 17 October 2023. The purpose of the revocation is to make the land available for a critical safety upgrade, through a roundabout installation, at the Greenock Road, Samuel Road and Moppa Road South Intersection.

Discussion
The necessary Council approvals approvals and community engagement had been achieved in the prior reports. Council resolved to proceed to apply to the Minister to seek the necessary concurrence from the Minister at the 23 January 2024 meeting.

Due to the urgent need based on the grant funding conditions to start the project, Minister Brock and his office have rapid assessed the Council request and his approval has been received and is tabled at Attachment 1. On behalf of Council, I have passed on my sincerely thanks to the Minister and his staff for the rapid support.

A map of the allotment proposed to be revoked from community land classification is provided at Attachment 2.

In due course the land will be incorporated into the adjacent road reserves.

With Ministerial approval, Council is required under *Section 194 (3)(b) of the Local Government Act* to revoke the community land status now formally, with prior resolution supporting the process for revocation.

Should Council approve the revocation officers will proceed immediately, under delegation, to issue the necessary licenses and enter into any other agreement/s deemed necessary to facilitate the capital works by Light Regional Council.

Summary and Conclusion
With the necessary components of the legislation now satisfied it is recommended that Council formally revoke the community land status of Allotment 801 Atze Parade Nuriootpa.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Ministerial Correspondence
Attachment 2 Map

Supporting references
Minutes of Ordinary Council - Tuesday, 23 January 2024 (barossa.sa.gov.au) – commencing at page 10

Agenda of Ordinary Council - Tuesday, 23 January 2024 (barossa.sa.gov.au) – commencing at page 90

17-Oct-2023-Ordinary-Council-Meeting-Minutes.pdf (barossa.sa.gov.au) – commencing at page 21

Agenda of Ordinary Council - Tuesday, 17 October 2023 (barossa.sa.gov.au) – commencing at page 281

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Infrastructure

Goal
8. To have a connected and safe transport network that meets the needs of our community

Strategies
8.2. Ensure a high quality road, shared paths and footpath network throughout the Barossa in partnership with all levels of government.

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 194 (3)(b) of the Local Government Act

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

No unknown impacts not already advised in the previous two reports to Council.

COMMUNITY ENGAGEMENT

Community engagement has been undertaken as per the requirements of the Act.

Cr Tony Hurn entered the meeting at 5.12pm

2.2 Infrastructure and Environment Services

2.2.1 LYNDOCH RECREATION PARK - MINOR VARIATIONS TO CONCEPT PLANS - APPROVAL TO LODGE DEVELOPMENT APPLICATION
24/11245

MOVED Cr de Vries

That Council having received and reviewed final stakeholder feedback and noting prior community engagement when the master plan was first developed:

(1) Endorse the responses and actions highlighted to the feedback as provided in Table 1 – Final Engagement Submissions within this report.

(2) Approve the amended Option 3 masterplan as presented at Attachment 1 noting there will be design changes and amendments as the detailed design proceeds.

(3) Proceed with vegetation removal between Barossa Valley highway and the main oval and clearing of newly purchased allotment where the second oval shall be situated upon planning approval.

(4) Proceed to develop a landscape and tree replacement program.

SECONDED Cr Preece **CARRIED 2022-26/351**

PURPOSE

To obtain approval of the Lyndoch Recreation Park redevelopment designs for development approval and seeking approval to lodge the planning application.

REPORT

Background
Council is aware that The Big Project previously undertook extensive planning and engagement processes across our community infrastructure portfolio. Part of this work included a master planning process for what was titled then, the Southern Barossa Recreation Hub. The Southern Barossa Recreation Hub was effectively a hub and spoke model, and incorporated planning for Lyndoch as the hub and Williamstown and Curdnatta Parks as supporting locations.

The initial stage 1 priority for investment was the investment in Rugby, which is underway, and allowed the release of the Lyndoch Recreation Park to be redeveloped for the transfer of football and netball and future investments for the community and other stakeholders. The further downstream benefit of this development is then releasing Williamstown to become an adventure, environmental recreation and tourism hub including expansion of the caravan park.

The original master planning and secondary review was undertaken when no additional land was available. Since that time, Council has negotiated the purchase of land adjacent to the Lyndoch Recreation Park with settlement to be completed on Tuesday 6 February 2024.

Introduction
With the passage of time since the first master planning process, along with the commencement of preliminary work for design and implementation guidelines prior to successfully negotiating the adjacent land purchase, a new master plan and review process was invoked.

Due to the original and subsequent planning, Council engaged in a third round of engagement with existing park stakeholders, including football, netball, tennis, little athletics, and the Southern Barossa Alliance to undertake further refinement of the planning process.

In accordance with sound project planning practice, DASH Architects were engaged through a market approach to support the work.

Council was also consulted prior to the release of three revised layout and design options to stakeholders for comment.

Engagement with stakeholders by the Mayor, DASH and senior officers has been undertaken and a period for stakeholder comment provided. The comments received indicate universal support for Option 3, this too was a supported model of elected members, this was confirmed by Council's endorsement of the Option 3 Concept Plan at the 6 December 2023 Special Council Meeting and a final round of consultation with the relevant clubs was undertaken.

Discussion
Final engagement for the concept plans required for planning was undertaken with the relevant stakeholders along with the Mayor, Council Officers, and DASH Architects.

This was an opportunity for stakeholders to provide feedback on the overarching plan, noting that internal fit out and materials can be amended through the detailed design phase. The final consultation round was built around the previously developed design principles:

- ***Vision for the site***
    - A precinct that provides modern fit for purpose facilities that meet the needs of the community now and into the future.

- ***Development Principles:***
    - Best use of the available space and topography – whilst maximising views, minimising impact of sun and prevailing weather and providing sufficient space for each use/discipline.
    - Modern fit for purpose facilities that are sustainable and meet current legislative requirements.
    - Focus on integrated design and delivery to reduce duplication of assets and long-term costs for maintenance and renewal.
    - Diversity of recreational pursuits and offerings – organised sport, passive recreation and playground whilst maintaining the heritage and feel of the town.
    - Future proofing for state and national sporting activities – i.e. cricket and football.

Engagement feedback is captured in the following table by theme and proposed action or non-action. The full submissions are attached. Please note the follow table is assessing the feedback in relation to option 3 only being the clear preferred option.

The assessment of the information has considered the generally agreed design principles for the location and redevelopment being:

The table below outlines additional feedback impacting the development of planning documentation received post Council approval of the Option 3 masterplan. There are a number of elements within the feedback received that will be included as a part of the detailed design phases.

<u>Table 1 – Engagement Submissions</u>

	Who	Theme	Commentary	Recommendation
1.1	**Barossa Districts (Football and Netball)**	Various pro's outlined.	Nil	Noted no further changes recommended.
1.2		Additional line markings shown on netball courts	At this stage allowances have been made for 4 exclusive tennis courts, 2 x exclusive netball courts and 2 x shared courts	Adjustment of the exclusive netball to be those closer to the building
1.3		Netball admin room	Requirement for netball administration on game days	The design be supported as tabled at Option 3.
2.1	**Southern Barossa Alliance**	No further feedback received.		

3.1	**Tennis Club**	Want exclusive use to the tennis facilities especially the courts, minimal changes or upgrades.	The LRP like all others is a community facility. The infrastructure needs to be efficient in the long term. It is recommended in the final master plan that the tennis club in the near future integration into the clubrooms and change rooms building and the existing building be removed to allow for future use and redevelopment of that area. The courts have been and are currently a shared cost of the club and community (through Council). It would flow, as it does from other facilities such as Tanunda that the courts be available for community use, when not required by the club. The alternative is if exclusive use is wanted the club can be provided a lease for the facilities on condition, they pay all maintenance and replacement costs. Upgrades have been removed.	The design be supported as tabled at Option 3. That Tennis club be integrated and use the joint infrastructure facilities as it results in more efficient infrastructure. That the Tennis club we offered two ways of managing the existing club tennis courts: • Exclusive use and therefore all costs will be paid by the club. • The courts, when not under license and use by the club be available for the community on a 50/50 contribution model. 1.
3.2		Tennis courts to not be marked with netball lines.	The theme outlines the request. This can be achieved with netball having four new courts.	The design be supported as tabled at Option 3.
3.3		Want a further two courts for growth	Noted, currently providing for access for services current provided being the initial premise for their submissions	Preliminary drawings show two more courts could be retrofitted, if necessary, defer at this time pending later assessment once built and operating model in place. At this time can be addressed by simple lining both new courts netball and tennis lines and this is the recommendation.
3.4		Upgrading of the existing "exclusive use"	Not part of the original specification as these are existing assets and	With the aimed for vision and design outcomes sought at the location and new courts for netball and shared tennis being installed the investment in court upgrade,

		courts and lighting	not within The Big Project scope.	with co-contribution from club, is a sound investment. Lighting will be investigated through the implementation process and should funds extend to this, noting there are now unbudgeted upgrades required to achieve the design standard for clubrooms which are not budgeted, will be brought back to Council for final determination.
3.5		Retention of current Tennis Building	Significant club connection to the existing facility, new design has made allowances for the retention of the current building. The current building is still serviceable and is not near the end of its useful life.	Current building to remain, but to be rendered or other agreed treatment applied to meet the design standards of the new facility, but the building not to be renewed at the end of its useful life.
4.1	**Little Athletics**	No further feedback received.		
5.1	**Lyndoch Cricket Club**	Viewing Pavilion to be reconfigured to allow better viewing.	This has been discussed and is a required design consideration given cricket will make significant use of this facility.	Amendment to plans to allow for better viewing.
5.2		Storage under pavilion building	Requirements for close and direct access to the oval for specific turf management equipment	To be included in design plans

There were no submissions from other direct stakeholders in the final engagement processes. Community feedback from prior design and engagement processes has been previously reviewed and is incorporated in the masterplan including a basketball area, open space needs, a playground and family garden.

In summary, the changes made to the master plans from the above matters include:

- Minor design changes to the internal layout.
- Storage under the new pavilion facility.
- Retain the current tennis building but render the facade to match design standards of new buildings.

Many of the matters raised will be subject to:

- Design and ultimately costing outcomes as outlined in the table above.
- Management arrangements to ensure utilisation of the facility for its primary purpose of sport and recreation.

Summary and Conclusion
That having undertaken final consultation on the approved updated master plan as a result of changes resulting from the purchase of adjacent land and having engaged in an abridged engagement process with key stakeholders, that Council reviews the feedback and endorse the master plan for submission for planning approval. Noting any master plan will always be subject to variation and change as detailed design is undertaken.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1	Lyndoch Recreation Park - Redevelopment - DASH Architects - Planning Application DA234510 - 31 January 2024
Attachment 2	Combined Feedback - Lyndoch Recreation Park - Southern Barossa Alliance - Lyndoch Cricket Club - Lyndoch Little Athletics Club - Barossa District Football and Netball Club - Lyndoch Tennis Club - November 2023
Attachment 3	Combined Feedback - Lyndoch Recreation Park - Football - Netball - Cricket -Tennis - Southern Barossa Alliance - 20 December 2023 updated drawings
Attachment 4	Combined Feedback - Lyndoch Recreation park - Football - Netball - Cricket - Tennis - 22 January 2024

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Natural Environment and Built Heritage

Community and Culture

Infrastructure

Health and Wellbeing

Business and Employment

Goal 1
The history of our region including aboriginal sites is reflected in our streetscapes and our historic buildings are maintained for future generations.

Goal 2
The Barossa fosters community resilience, connection and wellbeing through its social planning, recreation, safety, education, preventative health and social strategies especially for our youth and vulnerable people.

Goal 3
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.

Goal 4
Our community has fair and equitable access to the resources and services they need to lead a safe, healthy, inclusive and connected lifestyle.
Our community has fair and equitable access to the resources and services they need to lead a safe, healthy, inclusive and connected lifestyle.

Goal 5
We are a visitor destination of choice.

Legislative Requirements
Section 7, 8, 44, 48, 123 of the Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The current budget has resources allocated to achieve the forecast works in this resolution being the engagement of necessary support to design, achieve planning approval, undertake engineering design, survey, geotechnical needs and other preparatory work.

There is no doubt the current scope of works with the additional area, design standard and new building will result in increased costs than the original estimates related to the redevelopment. The need for significant additional funding is therefore critical to the ability to deliver the full master plan. At present the development is funded to an amount of approximately $9.604M exclusive of the land purchase which is approximately $1.725M in sale price, costs and taxes which is fully funded.

There is a broad estimate of $13M-18M for Option 3 prior to any adjustments being made to the scope following detailed consultation with stakeholders. With the scope of this development being practically a complete rebuild this generational investment provides new opportunity to achieve a high design standard and set the Barossa's southern sporting and recreation hub infrastructure up for many generations to come and assist with the early impacts of the Concordia development. There is a strong likelihood with the inclusion of the changes outlined, a commitment to achieving a quality design and authentic Barossa aligned design brief, as practically a new build, and ongoing and extensive increase in buildings costs being experienced in Australia will push the final costs up significantly.

As part of developing the governance framework for the project, a full risk assessment will be undertaken, however the general risks are known and amount to the following key risk issues of:

- Financial risk.
- Project delivery risks ranging from contractor sourcing and management to environmental, weather, design creep, material costs and the like.

COMMUNITY ENGAGEMENT

Community engagement facilitated to date is outlined in the body of this report and the governance arrangements for the redevelopment will cover future stakeholder engagement through the four main phases of design, project delivery, defects and ongoing management.

Pursuant to Section 73 of the Local Government Act 1999, Cr de Vries disclosed a Conflict of Interest in the matter Item number 2.3.1 - Appointment of Elected Member Representative to the Community Assistance Scheme Committee.

Cr de Vries left the meeting at 5:15 pm

2.3 Development and Community Services

2.3.1 APPOINTMENT OF ELECTED MEMBER REPRESENTATIVE TO THE COMMUNITY ASSISTANCE SCHEME COMMITTEE
24/4518

MOVED Cr Preece

That Council endorse Cr Dave de Vries as an Elected Member Representative to the Community Assistance Scheme Committee, for the remainder of the current term of Council.

SECONDED Cr Schilling **CARRIED 2022-26/352**

PURPOSE

To endorse the re-appointment of Cr Dave de Vries as an Elected Member representative to the Community Assistance Scheme Committee, for the remainder of the current term of Council.

REPORT

Background
The Community Assistance Scheme Committee (CASC) was established on 21 June 2011 to manage Community Grants, Youth Grants and Heritage Grants in accordance with the Objectives set out in its Terms of Reference and Community Assistance Scheme and Guidelines. The Terms of Reference was last updated and endorsed by Council at its meeting held 28 November 2022.

Introduction
Since November 2022 Cr Dave de Vries has chaired the meetings in his capacity as Deputy Mayor, following his appointment for a period of 12 months, on 28 November 2022.

Following the conclusion of the 12-month tenure, Council appointed Cr Kathryn Schilling as Deputy Mayor, endorsed at its meeting held at its meeting held 21 November 2023.

Discussion
Clause 3 of the Terms of Reference (clause 3.4.3 referring to Deputy Mayor) states that in the case of change to the Deputy Mayor appointment, the outgoing Deputy Mayor must seek Council endorsement if they wish to continue as an Elected Member representative on the Committee.

3.	MEMBERSHIP

3.1 The Committee will consist of:

(i) The Mayor;
(ii) The Deputy Mayor; and
(iii) A minimum of 3 Elected Members nominated by the Council.

3.2 The Committee will at the first meeting following every periodic Local Government election (and further annually at its determination and as recorded in its Minutes), appoint at a minimum the Chairperson of the Committee who shall be either the Mayor or Deputy Mayor.

3.3 Administrative support – The Council Officers assigned the responsibility will attend meetings to ensure that reports, agendas, notice of meetings and minutes of the Committee are recorded and managed in accordance with legislative compliance requirements. Any staff attending will have no voting rights and will not be considered as part of the Committee membership.

3.4 Subject to clause 1.3, membership of the Committee is for the current term of the Council, with the following exceptions:

3.4.1 a member resigns or is otherwise incapable of continuing as a member
3.4.2 a member is removed from office by the Council
3.4.3 the Deputy Mayor, whose term expires when his/her Deputy Mayoral appointment expires, unless he/she has been appointed to the Committee in his/her own right

3.5 Subject to clauses 1.3 and 3.4, Committee members are eligible for re-appointment to the Committee at the expiration of their term of office.

Summary and Conclusion
Cr de Vries has expressed his interest in remaining on the Committee, but in the capacity of Elected Member representative, and is therefore seeking Council endorsement.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Signed Terms of Reference - Community Assistance Scheme Committee

Supporting references
Terms of Reference of the Community Assistance Scheme Committee

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Community and Culture

Goal
5. 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.

Strategies
5.1. Support the development of activities that celebrate the history, art and culture of the Barossa and its people.
5.3. Create vibrant public spaces that provide places for creative development, cultural interaction and social connections.

Corporate Plan
CS6 Community - To help the prosperity and wellbeing of the community. Community grants programs. Support for community groups – networking, advice, input to The Big Project

Legislative Requirements
Section 41 of the Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The financial allocations, resources and risk are managed in accordance with current settings and processes.

COMMUNITY ENGAGEMENT

There is not a requirement or recommendation to undertake community consultation.

Cr de Vries returned to the meeting at 5:15pm.

3. NEXT MEETING

Tuesday 20 February 2024 at 5.30pm

4. CLOSURE

Mayor Lange declared the meeting closed at 5.15pm.

Confirmed at Council Meeting on 20 February 2024

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