TheBarossaCouncil

MINUTES OF THE MEETING OF THE BAROSSA COUNCIL
held on Tuesday 21 May 2024 commencing at 5.30pm
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa.

M I N U T E S

Welcome by Mayor Bim Lange declared the meeting open at 5.30pm

1. ATTENDANCE RECORD

1.1 Members Present

Mayor Bim Lange, Crs John Angas, Don Barrett, Tony Hurn, Kathryn Schilling, Cathy Troup, Jane Evans, Jess Greatwich, Rick Lane and Heidi Thompson

Apologies

Cr David de Vries

Not Present

Nil

Leave of Absence

Cr Bruce Preece

2. CONFIRMATION OF MINUTES

1.1 Minutes of previous meetings – for confirmation:

MOVED Cr Hurn

That the Minutes of the Council meeting held on Tuesday 16 April 2024 at 5.30pm and the Special Council meeting held on Tuesday 14 May 2024 at 5.30 pm, as circulated, be confirmed as true and correct records of the proceedings of those meetings.

SECONDED Cr Greatwich **CARRIED 2022-26/422**

1.2 Matters arising from previous minutes

2.2.1 COMPLETION OF ACTIONS RECOVERING COSTS ASSOCIATED WITH ANGAS RECREATION PARK CANOPY MATTER
24/38055

The work to complete the settlement negotiations related to the Angas Recreation Park canopy matter have been concluded in alignment with Councils prior resolutions most recently the confidential meeting of 20 February 2024.

Funds will be paid to Council by 30 June 2024.

The full and commercial details are confidential. As outlined above the outcome is fully aligned to Councils prior approval for the Deed; costs recovered cover the cash costs of rebuilding the canopy.

SUPPORTING REFERENCES

Nil

2.2.2 TOWN OF GAWLER BOUNDARY REFORM PROPOSAL - FINAL ENDORSED ENGAGEMENT PLAN
24/39636

Council at its meeting of 19 March 2024 considered a report including assessing the preliminary engagement plan of the consultants who are undertaking the investigation into the boundary proposal and provide the feedback below. This feedback was provided to the relevant parties. The Commission has now determined the form of the engagement and written to the Mayor to inform Council of the outcome. The correspondence and finalised engagement plan are tabled for Councils information.

MOVED Cr de Vries

That Council receive and note the report and assessment of impact and resourcing needs and provide the following input for the consultants consideration:

(1) That the general public consultation processes:
- a. Be deferred until after the statutory requirements placed upon Council are completed, approximately August 2024 and thus time the engagement to get the best possible engagement from community.
- b. Must be open to all residents of effected and neighbouring Councils, not just those within the nominated reform area as the changes could have significant impact on broader community and the financial viability of Councils.
- c. Include multiple methods of receiving input including a mailout to every resident as per item b. above, online survey, personal and written feedback.

(2) That Elected Members be engaged through a face-to-face meeting, survey and are provided briefings at each relevant decision or data analysis point through

a face-to-face meeting with the provision of necessary data and information to inform those meetings.

(3) That relevant regional associations and industry groups be engaged including Barossa Australia, Regional Development Australia, SA Primary Producers, TICSA and others identified for all Councils by the consultant.

SECONDED Cr Preece **CARRIED 2022-26/389**

SUPPORTING REFERENCES

Nil

2. PROCEDURAL ITEMS

2.1 Petitions

Nil

2.2 Deputations/Visitors to the meeting

Volunteer Recognition

Mayor Lange welcomed and thanked the following dedicated Volunteers for their many years of service to the community and presented them with certificates:

Stuart Swan - Tanunda Recreation Park Volunteer Advisory Group - 10 Years, Kathy Wallace - Community Transport - 15 years, and Margaret Heidrich - Rowland Flat Community Centre Volunteer Advisory Group.

Mayor Lange also acknowledged Bill Gransbury, in absentia, for 35 years of volunteering for the Old Union Chapel Committee.

2.3 Notice of Motion

Nil

2.4 Questions with Notice

Nil

3. MAYOR

3.1 Mayor's Report

MOVED Cr Evans

That the Mayor's report be received.

SECONDED Cr Troup **CARRIED 2022-26/423**

4. COUNCILLORS' REPORTS

5.1 COUNCILLOR'S REPORT TO COUNCIL - CR SCHILLING

MOVED Cr Angas

That the Councillor Schilling's report be received.

SECONDED Cr Hurn **CARRIED 2022-26/424**

5.2 COUNCILLOR'S REPORT TO COUNCIL - CR GREATWICH

MOVED Cr Evans

That the Councillor Greatwich's report be received.

SECONDED Cr Troup **CARRIED 2022-26/425**

5. MATTERS FOR INFORMATION

6.1 Williamstown And Lyndoch Landcare Group Inc.

6.2 Request For Increase In Service Level - Nitschke Road Tanunda

6.3 Gawler River Floodplain Management Authority

6.4 Trees For Life - Bush For Life Report

6.5 Correspondence Regarding Landscape Levy For 2024-2025

6.6 Local Government Association Ordinary General Meeting

6.7 Rectification Of Encroachment

6.8 Independent Review Of The Landscape South Australia Act 2019

6.9 Consultation On Ministerial Building Standard - NCC 2022 Liveable Housing And Energy Efficiency Provisions

6.10 Draft Barossa Growth And Infrastructure Investment Strategy - Consultation Update

6. DEBATE REPORTS

6.1 Office of the Mayor and CEO

7.1.1 NORTHERN AND YORKE LOCAL GOVERNMENT ASSOCIATION - 2024-2025 BUSINESS PLAN
24/34298

MOVED Cr Angas

That Council having reviewed the Northern and Yorke Local Government Association 2024-2025 Business Plan:

(1) Supports the Business Plan settings.

(2) Does not support the implementation of a levy on Councils' who are successful in receiving a special local road grant as the management of this process and the associated transport plan is a core service and deliverable to Councils that should be funded by the membership fees, and therefore request the NYLGA to recast the budget without this revenue stream and that the outcomes of the recasting of the budget be reported back to Councils for further consideration once completed.

SECONDED Cr Evans **CARRIED 2022-26/426**

PURPOSE

To review the proposed Annual Business Plan and Budget and determine support or otherwise.

REPORT

Background and Introduction
The Northern and Yorke Local Government Association (NYLGA) has developed its Annual Business Plan and Budget and is seeking endorsement from its member Councils.

Representatives of NYLGA have recently presented to Council on their activities at the Workshop of 3 April 2024.

Discussion
The documents presented have been broadly assessed and comments follow for Council review:

Annual Business Plan and Budget 2024-2025

The document is tabled at Attachment 1.

In summary the plans for the organisation having recently completed a significant review of its priorities and operations is to focus more on core business centred on advocacy with value-add activities also included. The NYLGA plans to focus on:

- Federal Election platform as its key advocacy action under its Advocacy Strategy.
- In alignment with its Coordinate Strategy it plans to focus on:
    - Regional Transport Plan review, this is welcomed and of high value and should focus heavily on our interfaces and needs under peri-urban development underway.
    - Waste collection knowledge and promotion

    - Continued management of the regional collaboration model for CWMS.
    - Northern and Yorke Climate Change Sector Agreement and Regional Drought Resilience Plan.
    - Run a regional forum.
- The last strategy under Operate the NYLGA plans to focus on:
    - Annual member satisfaction survey.
    - Position descriptions and needs and support for officer bearers.

Budget for 2024-25 with 3 Year Forward Estimates

In summary the plan highlights:

- Membership increase of 5%.
- Introduction of a $35,000 levy from Councils who receive special local road program funding, impacting the Council if we are successful with grant applications.
- Reduction of CEO hours and administration officer no longer funded.
- A small operating deficit of $20,300 which will be funded from available reserves currently standing at over $400,000.

Summary and Conclusion
The Budget and Business Plan are presented for consideration of Council and reflect significant realignment of priorities and an improving long term financial position.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Draft Business Plan and Budget

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan
BS13 Strategic/Legislative Planning and Reporting - Provision of organisational performance report (outcomes), activity report (outputs), a range of statutory reporting (e.g. public health, tax, superannuation), financial reporting. Transparency and accountability regarding Council activity and expenditure provided

Legislative Requirements
Section 43 of the Local Government Act

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The difference in the proposed increase in membership fees to the draft budget is minor at $347.22.

COMMUNITY ENGAGEMENT

Nil required however the Council's Annual Business Plan and Budget outlines the expected membership costs and our participation as a member with NYLGA.

7.1.2 REVIEW OF COMMUNITY PLAN
24/38071

MOVED Cr Barrett

That Council having considered and reviewed the Community Plan 2020-2040 endorse the draft Community Plan 2024-2044 and associated analysis document to be released for public consultation, noting the extensive feedback and processes undertaken with recent engagements through two rounds of the Growth and Investment Strategy and Local Economic Development Plan and in accordance with the following:

(1) Issuing notices via local papers, social media and the Council website seeking written community comment on the plan.

(2) Public consultation shall commence on Wednesday, 3 July 2024 and conclude on Friday, 2 August 2024 at 5pm.

SECONDED Cr Schilling **CARRIED 2022-26/427**

PURPOSE

To consider and review the work undertaken to update the Community Plan 2024-2044 and approve the commencement of public consultation on the draft document.

REPORT

Introduction
The Councils' Community Plan is its highest-level guiding and aspirational strategic management plan. Council determines strategic management plans that are the subject of Section 122(8) of the Local Government Act, which the Community Plan is so declared.

Under the Local Government Act any strategic management plans Council must undertake a comprehensive review within 2 years after each general election, that being November 2024.

Discussion
The current analysis, update and redrafting of the Community Plan 2024-2044 constitutes a comprehensive review. Other strategic management plans to be reviewed are the Long Term Financial Plan which is reviewed annually as part of the annual business plan and budget processes and the Infrastructure and Asset Management Plans (IAMP), which are currently being redrafted and will be presented

to Council in the new financial year for review and comment before undertaking a further public consultation on the IAMP.

Works undertaken to date in accordance with the Community Plan Review Project Plan, include:

- Three workshops with Council to explore strategic thinking for the future, vision, values and other priorities for Council.
- Establishment of a staff reference group and various meetings and staff engagement.
- Analysis of the current policy framework priorities of State and Commonwealth Governments.
- Analysis of existing policy frameworks of other relevant bodies namely Reginal Development Australia.
- Reference to the suite of Council or community strategic work undertaken in the past 18-24 months including the Local Economic Development Plan, Growth and Investment Strategy, Barossa Water Security Strategy, Corporate Plan and the Regional Public Health and Wellbeing Plan.
- Environmental scan and strengths, opportunities, and challenges analysis.
- Review of industry and population analysis and trends.
- Legislative review.

A detailed analysis document has been developed from these investigations to inform the review and update to the Community Plan and is provided at Attachment 2.

The draft revised Community Plan is at Attachment 1. It is recommended that as part of the review the Advocacy Plan be repealed. The Advocacy Plan has not been used actively and the Community Plan provides guidance on key activities and what role Council will play with the various strategies and actions in support of delivering upon the Community Plan.

The integration of our planning frameworks continues, and the Community Plan is supported by the Corporate Plan, which is Council's administrative and service level document, this too has been updated and provided at Attachment 3. This is not the subject of consultation but will be provided as the revised Community Plan heavily integrates with the Corporate Plan.

Summary and Conclusion
The draft Community Plan is now tabled for consideration and authorisation for undertaking of public consultation, which is timed to occur after the Annual Business Plan and Budget engagement processes.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1	Draft Community Plan 2024-2044 - For Public Consultation
Attachment 2	Research and Information Paper - Review of Community Plan
Attachment 3	Updated and Realigned Corporate Plan 2024-2028

Supporting references
Public Consultation Policy

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS13 Strategic/Legislative Planning and Reporting - Provision of organisational performance report (outcomes), activity report (outputs), a range of statutory reporting (e.g. public health, tax, superannuation), financial reporting. Transparency and accountability regarding Council activity and expenditure provided

Legislative Requirements

Section 122 of the Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The works have been undertaken internally bar one hosted workshop with Council which was funded from consultancy budget allocations already made in the 2023-2024 budget.

The proposed consultation processes are budgeted for and represent business as usual activity therefore the are no finance, resourcing, or additional risk management considerations.

COMMUNITY ENGAGEMENT

Consultation will be open for a period of 4 weeks with normal notices issued through social media, website and papers circulating in the area as per the Public Consultation Policy.

7.1.3 STORMWATER MANAGEMENT AUTHORITY - CALL FOR BOARD NOMINATIONS 24/38213

Pursuant to Section 75 of the Local Government Act 1999 Mayor Bim Lange declared a material conflict of interest due to being a current Board Member, and his subsequent expression of interest for re-nomination as there is a financial benefit and left the meeting.

Mayor Lange left the meeting at 5.45pm, and Deputy Mayor Kathryn Schilling assumed the Chair.

MOVED Cr Angas

That Council endorse Mayor Lange in his submission to the LGA Nominations Committee for the role as Stormwater Management Authority (SMA) Board member for the term of three years or as determined by the Minister.

SECONDED Cr Hurn **CARRIED 2022-26/428**

PURPOSE

The LGA is undertaking a call for nominations for Stormwater Management Authority Board member positions, for a three-year term until August 2027, with nominations from councils due by 28 May 2024.

Mayor Lange has held a Board member position since 2022 and has expressed an interest in re-nominating for this position and is seeking Council endorsement through formal resolution.

REPORT

Background
The Stormwater Management Authority is a state-level committee established under the *Local Government Act 1999*.

Introduction
The Stormwater Management Authority implements the Agreement on Stormwater Management between the State of South Australia and the LGA.

The Authority leads the development, and supports the implementation, of multi-objective stormwater management plans which address flood risk, environmental amenity and water security, maximising the public benefit of stormwater.

The Authority operates as a body for the planning, prioritisation and funding of stormwater initiatives, and administers the Stormwater Management Fund which provides funding for stormwater planning and infrastructure projects.

Discussion
Generally, six meetings of the SMA are held per year, held bi-monthly.

The ordinary members remuneration is $12,383 pa. Note: Council employees are eligible to nominate, however are not eligible for payment.

Summary and Conclusion
Mayor Lange has extensive, relevant background in this field and is well placed to continue the role.

The nominee and Council are required to complete the Nomination Form (Part B) and forward to nominationscoordinator@lga.sa.gov.au by 28 May 2024.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1	Part A Stormwater Management Authority Call For Nominations
Attachment 2	Part B Stormwater Management Authority Nomination Form

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Natural Environment and Built Heritage

Infrastructure

Goal

3. We take a proactive approach in responding to key environmental challenges such as climate change, water security and waste management.
7. Community infrastructure planning is aligned to both current and the future needs of the community

Strategies

3.3. Ensure long term confidence in the Barossa's capacity to access water to meet its industrial, domestic and environmental needs.
7.1. Build on sound asset management practices to deliver sustainable services to ensure that infrastructure is adequate to support the community.

Legislative Requirements
Nil.

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil.

COMMUNITY ENGAGEMENT

No required.

Mayor Lange returned to the meeting at 5.46pm, and assumed the Chair.

7.1.4 APPOINTMENT OF COMMUNITY MEMBER TO NURIOOTPA HIGH SCHOOL GOVERNING COUNCIL
24/39832

MOVED Cr Greatwich

That Council receive and note the report.

SECONDED Cr Schilling **CARRIED 2022-26/429**

PURPOSE

To appoint Elected Members or staff representatives to necessary external associations, board and committees.

REPORT

Council considered appointment of a Member or senior executive at its 21 February 2023 meeting and appointment myself to the role. Due to sheer work hours, priorities and recent illness and the fact I am also involved in 3 other external boards or committees, one for Council and two for community involvement, I have determined to reduce the external activities I undertake. I have therefore resigned from the Governing Council and one other external involvement. That will leave me still representing Council on the RDA Board and one personal external board appointment.

The Governing Council has been a rewarding experience, to be part of learning about another sector which is striving to achieve wonderful things for our youth and community in ever challenging times has been appreciated. There is a many synergies with Council and opportunities to assist each other.

The Governing Council meet twice per term, therefore eight meetings per year and are held on a Monday evening, a date not clashing with Council meetings is set. Meetings are approximately a 2-3 hours commitment and involvement in reading and following up agenda or action items is in the order of 2-4 hours a month depending on the matters at hand, it can be more hours when deeper policy matters are being pursued and discussed.

The appointment can be any Member, senior executive, or community member appointed by the Council.

If no Members wish to elect to be on the Governing Council, the Chief Executive Officer will engage with the senior and managerial staff to ascertain interest, and come back to Council thereafter.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Community and Culture

Goal
4. 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.

Strategies
4.1. Build on a strong sense of community pride with active community groups and individuals participating in local decision making and community building activities.

Advocacy Plan
Nil
Legislative Requirements
Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

6.2 Corporate Services and Business Innovation

7.2.1 PUBLIC INTEREST DISCLOSURE POLICY AND PROCESS REVIEW
24/34645

MOVED Cr Troup

That Council:

(1) Receives the draft *Public Interest Disclosure Process* as detailed in Attachment 1, which will be approved by the Chief Executive Officer in accordance with legislation and administrative process.

(2) Having considered the draft Public Interest Disclosure Policy at Attachment 2, endorses the amended Policy.

SECONDED Cr Angas **CARRIED 2022-26/430**

PURPOSE

For Council to note updates to the Public Interest Disclosure Process and endorse changes to the Public Interest Disclosure Policy.

REPORT

Background
Council has responsibilities under the *Public Interest Disclosure Act 2018,* has committed to upholding the principles of transparency and accountability, and encourages the making of Disclosures that reveal Public Interest Information.

A key mechanism to manage Council's responsibilities under the Act is the appointment of Responsible Officers by Council's Principal Officer, the Chief Executive Officer. Due to staff turnover, there has recently been a need to appoint a new Responsible Officer under the *Public Interest Disclosure Act 2018*.

Discussion

Following appointment of a new Responsible Officer to deliver obligations under the *Public Interest Disclosure Act 2018,* Council's Public Interest Disclosure Process has been updated to reflect the change in the name of the Officer within the applicable listing (see Attachment 1).

The opportunity to review the overarching Policy in line with the supporting Process has also been taken and only minor administrative changes are recommended as per Attachment 2.

Summary and Conclusion

Council is now asked to consider and endorse the draft *Public Interest Disclosure Policy* and note the changes made to the supporting Process.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Public Interest Disclosure Process - Proposed Update
Attachment 2 Public Interest Disclosure Policy - Proposed Update

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

BS9 Information - Management and maintenance of corporate records (both physical and electronic) held by Council, and providing support to the organisation to ensure organisational compliance with record keeping obligations under the State Records Act and other relevant legislation.

Legislative Requirements

Public Interest Disclosure Act 2018
Public Interest Disclosure Guidelines

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Council Officers undertake Responsible Officer duties under the *Public Interest Disclosure Act 2018* as part of business-as-usual operations therefore there are no budget or resource implications inherent in delivering obligations under the Act.

COMMUNITY ENGAGEMENT

There is no requirement for community consultation under legislation.

7.2.2 OFFICE CLOSURE
24/35091

MOVED Cr Schilling

That Council:

(1) Pursuant to Section 45(2) of the *Local Government Act 1999*, approves the Principal Office and other offices of the Council to open at 10.15am and 10.30am respectively on Thursday, 13 June, 2024.

(2) Makes the following alternative arrangements to enable the local community to access the services of the Council which are ordinarily available at the Principal Office of the Council:

Email: barossa@barossa.sa.gov.au
After Hours Service: Answering Adelaide 8563 8444
Website (Online Services and Make a Payment): barossa.sa.gov.au

SECONDED Cr Hurn **CARRIED 2022-26/431**

PURPOSE

To consider and adopt a proposal for late Council office opening in order to facilitate all staff access and inclusion in an organisation-wide professional development event.

Specifically, to consider and adopt the following late opening times for Thursday 13 June, 2024:

- 10.15am opening for Council workplaces that provide direct service to the public.
- 10.30am opening for the following three locations that provide direct service to the public:
    - Lyndoch Library
    - Mt Pleasant Library
    - Williamstown Depot.

REPORT

Background
Twice per annum organisation-wide professional development events are held in support of Council's ongoing commitment to the implementation of modern people and culture strategies and the development and retention of staff, with a strong aim to continuously improve the quality of services to our community through the professional development of our staff.

Introduction
An all-staff professional development event is scheduled to be held on Thursday 13 June 2024, from 8am to 10.00am. To allow as many staff to attend and return to the

workplace, the timing of the event will commence at 8am, before normal working hours, and will run to approximately 10.00am. To facilitate this timeframe, support is being sought to allow Council workplaces providing direct services to the public to open 75/90 minutes later than normal at 10.15/30am, allowing staff to attend the event in its entirety.

Discussion
This event has been designed to promote knowledge sharing and connection of staff from various departments and work sites. It also provides a pivotal opportunity for new and existing staff alike to broaden their understanding and appreciation for the positive impacts that Council makes within our community.

Whilst face to face service delivery will be impacted for 75/90 minutes due to the delayed opening of Council workplaces, online services will continue to be available, along with email enquiries and Council's after-hours telephone contact service.

Summary and Conclusion
Council' support is being sought to approve the amendment of the opening times of Council's Principal Office and other offices to 10.15/30am to support staff attendance at an organisation-wide professional development and recognition event on Thursday, 13 June 2024.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan
BS10 People and Culture - Support to Managers and employees across the full employee lifecycle, including attraction, recruitment and selection, induction and on-boarding, training and performance development, performance management and offboarding.

Legislative Requirements
Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

There is no change to resourcing, budget or risk considerations.

COMMUNITY ENGAGEMENT

No consultation required given the amendment is minor in nature, although promotion and awareness to the community of the late opening will occur via social media, public notices and signage at relevant sites.

7.2.3 MONTHLY FINANCE REPORT AS AT 30 APRIL 2024
24/37878

MOVED Cr Angas

That Council receive and note the Monthly Finance Report as at 30 April 2024 as provided at Attachment 1.

SECONDED Cr Troup **CARRIED 2022-26/432**

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 April 2024) 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 April 2024

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.

7.2.4 NURIOOTPA BOWLING CLUB - LOAN SUPPORT
24/37885

MOVED Cr Angas

That Council having received the updated information and financial model agree to:

(1) Increase the Nuriootpa Bowling Club application to $235,000 through a Local Government Finance Authority principal interest loan repaid over a maximum of 15 years subject to:

a. the club considering the reduction of the term of the loan period to 10 years as per Council Treasury Management Policy.

b. evidence being provided that the Club has approved the loan facility in whatever way that is required to be approved by the Club.

c. Entering into the standard Loan Agreement with Council for the repayment of the loan.

(2) Authorise the Mayor and Chief Executive Officer to sign, seal and execute any relevant documentation to give effect to Part 1 of this resolution.

SECONDED Cr Hurn **CARRIED 2022-26/433**

PURPOSE

To consider increasing funding support through a community loan via the Local Government Finance Authority for the Nuriootpa Bowling Club, which was approved at the 19 September 2023 meeting of Council at a value of $70,000.

REPORT

Background an Introduction
The club briefed Council about its development plan at the July 2023 Council workshop and Council has supported a $70,000 loan facility to assist the club in installing artificial rinks. This support was contingent of being successful in recent sport and recreational funding grant application. Their grant application for the project was not successful; however, they wish to proceed by funding the construction cost via borrowings.

Their application for loan funding is at Attachment 1.

Analysis of their financial statements and associated documents is at Attachment 2 including a financial model for the next 20 years.

Discussion
The basis of the prior report to Council remains relevant and a link is provided to the prior agenda, the relevant report commences at page 79.

The updated financial estimates indicate:

1. The project is estimated to cost $325,000.
2. The loan is affordable on current settings, albeit the cash position of the club during the repayment term will be tight, minor downward shifts in their financial revenue or upward pressure on their expenses over the 3% modelled in the financial model will place the club under financial pressure.
3. The loan is affordable using a 10-year repayment period, however a principal and interest loan can be taken out for 15 years and this would help with cash flow pressures outlined in point 1 above. A 15-year loan is contrary to Council policy.
4. The financial position of the club indicates a project cash balance at the end of the 2022-23 financial year of $74,680 and with predicted 2023-24 activities this should increase to approximately $108,000 if the forecasts as outlined are realised. The funding application is that the club expects to fund $90,000 which is understood to come from a combination of private contributions ($30,000) and its cash balance ($60,000). Thus, whilst the cash balance at present provides some ongoing buffer for the club to meet any unexpected expenses and still make the necessary repayments it will be reduced by up to $60,000 to support the upgrade work.
5. Depending on useful life of the greens, based on knowledge and experience of Council this will be around 15 years, at this time the club has a funding gap for replacement, however, has time to make provision for that replacement over the long term.

The application identifies club member private contributions and use of cash balance of $90,000 and therefore meets the minimum 25% contribution requirements being 27.7%.

Summary and Conclusion
The application is reasonable and aligned, other than the repayment timeframe, to Council's policy position. The loan will place some pressure on the budget in the near future however the financial model is supportive of the loan application.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Nuriootpa Bowling Loan Application - May 2024
Attachment 2 Attachment 2 - Nuriootpa Bowling Club Financial Analysis - May 2024

Supporting references
Agenda of Ordinary Council - Tuesday, 19 September 2023 (barossa.sa.gov.au) – commencing at page 79.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Community and Culture

Health and Wellbeing

Goal

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

Strategies

4.1. Build on a strong sense of community pride with active community groups and individuals participating in local decision making and community building activities.
9.1. Work towards combating loneliness and social isolation and ensuring that people enjoy a sense of inclusion and feel connected.
9.2. Promote a healthy community through a planned approach to public health, and sustainable access to allied, primary and mental healthcare services and facilities.

Legislative Requirements

Local Government Act 1999, Chapter 8

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial and risk considerations are outlined in the body of the report.

There are no resourcing impacts not already budgeted for.

Council's Treasury Management Policy requires:

> *3.2.2.7 The Council community loans/loan guarantees portfolio should be maintained below 7.5% of Councils General Rate Revenue at any one time to ensure the financial sustainability of Council's overall financial position. This ensures that Council's loan capacity is not inhibited and that it does not significantly affect financial performance indicators.*

The forecast borrowing commitments for community-based loans as at 30 June 2024 including this loan, is $1,723,968. Please note this does not include interest payments, this is the loan or principal amount currently outstanding. The 23/24 general rate revenue (GRR) is $31,327,905, as such the total current and forecast community loan principle including this loan is 5.5% of the GRR. The policy position requires the use of community loans not to exceed 7.5% of GRR.

> *3.2.2.8.7 The community group will provide a minimum contribution generally more than 25% of the loan amount, ie. $50k contribution for a Loan of $200k. This contribution can be supported with the provision of in-kind support in the delivery of the project.*

The Club is contributing cash and contributions of $90,000, which represents 27.7% of the project cost.

COMMUNITY ENGAGEMENT

Consultation is not required under the Act or Policy.

7.2.5 BUDGET UPDATE - QUARTER 3 2023-2024 - AS AT 31 MARCH 2024
24/38292

MOVED Cr Barrett

That Council having reviewed the Budget Update for 2023/2024 (as at 31 March 2024) at Attachment 1 adopt the budget update report and budget variations including reserve transfers contained therein.

SECONDED Cr Hurn **CARRIED 2022-26/434**

PURPOSE

The Budget Update for 2023-2024 (as at 31 March 2024) is attached for Council consideration and adoption of budget variations.

REPORT

Background

On a quarterly basis the budgets of Council are to be reviewed in accordance with the *Local Government Act 1999* and associated regulations.

Officers undertake a review of all budget lines and adjust where budgets are trending over or under budget, changes are required associated with capital programs, or new or changed funding conditions are present.

Further, the first review in September each year brings into the budget changes associated with the finalisation of the financial statements and carried forward funding, final annual grant allocations, insurance costs and many others that are estimated in the budget but are solidified in the first quarter of each financial year when annual accounts are received. Each quarter will present prior decisions of Council where funding changes have been made so they are captured in the full estimates and budgeted financial statements.

Discussion

The report provided at Attachment 1 provides information as to the financial position of Council, containing budget update reports which include Executive Summary, Uniform Presentation of Finances, Key Performance Indicators, Summary of Operating Budget Variance Adjustments and Summary of Capital Budget Variance Adjustments.

The proposed variances between the Original Budget and this budget update are listed on the operating and capital budget adjustment pages.

Summary and Conclusion
The review has been completed and is ready for review and endorsement.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 2023 - 2024 Third quarter Budget Update as at 31 March 2024

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
Section 123(13) of the Local Government Act 1999 Regulation 9 of the Local Government (Financial Management) Regulations 2011.

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The report provides the best up to date estimates of financial and resource estimates to achieve the annual business plan and strategies set by Council.

COMMUNITY ENGAGEMENT

Community Consultation was part of the Original Budget adoption process in July 2023, as per legislation.

7.2.6 RISK APPETITE REPORT
24/39157

MOVED Cr Troup

That Council:
(1) Endorse the proposed Risk Appetite Statements as outlined in this Report.
(2) Direct the integration of these statements into the Enterprise Risk Management Framework and training programs.
(3) Review these statements on an annual basis to ensure they continue to reflect the Council's strategic priorities and risk management capacity.

SECONDED Cr Greatwich **CARRIED 2022-26/435**

PURPOSE

The purpose of this report is to present the newly developed Risk Appetite Statements for Council's endorsement. Risk appetites have been developed against each of Council's risk categories using achievement of Council's long term objectives as a focusing lens providing a framework for making risk-informed decisions.

REPORT

Background

Risk management is integral to Council operations and strategic decision-making. Establishing a clear risk appetite is essential to ensure that all levels of the organisation can confidently assess and manage risks in alignment with Council's expectations. These statements have been developed in consultation with the Local Government Association, Executive Leadership Team and Elected Members reflecting a commitment to responsible governance.

Introduction

Risk appetite is an articulation of an organisation's willingness to accept risk and is an integral part of any risk management capability because it operates at strategic and operational levels. In order to influence strategies and objectives it should be considered and reviewed during Strategic Planning.

Council has articulated its appetite for risk through the use of qualitative risk appetite statements that are based on its nominated risk categories. Council has chosen to identify its risks within five risk categories, and has a primary risk appetite for each category, with secondary appetite statements where considered necessary.

Risk appetite levels were determined for each risk category through a workshop exercise involving Council's Executive Leadership Team and Elected Members using an ordinal scale of four risk appetite levels: averse, cautious, accepting and open. In this order, the risk appetite levels provide an indication of an increasing willingness to take on or retain risk.

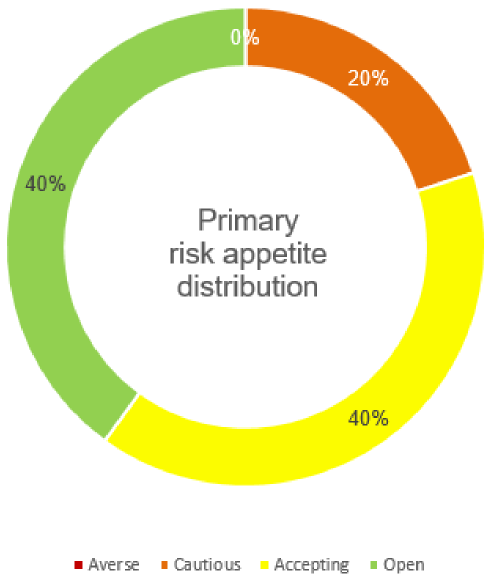
Averse	Cautious	Accepting	Open
• Well established & effective controls in place • Very little appetite for decisions or activities that may increase level of risk	• Controls are in place or being developed • Activities closely monitored • Preference for safer options with little opportunity for adverse exposure	• There is an acceptance of the existing level of risk and all options that improve performance will be considered where reasonable protections can be implemented	• Activities are new, innovative & challenge existing practice • Willing to take risk to achieve improved outcomes • Risk is monitored & responded to as appropriate

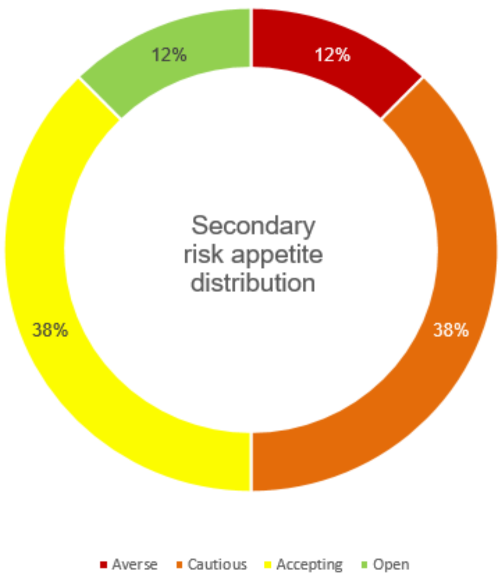
Discussion

Council has a primary risk appetite position that is reasonably accepting of risk, with four (4) of the five (5) risk categories having a primary risk appetite of accept or open, which represents 80% of all categories. The remaining risk category is in the cautious level. The secondary risk appetite levels are a little more conservative with 50% of the secondary risk appetites split between averse (12%)/cautious (38%) and accepting (38%)/open (12%).

The distribution of primary and secondary risk appetites is indicative of a reasonably accepting overall appetite towards taking risk, whilst recognising that in some instances, less risk-taking will be necessary to deliver consistent and reliable outcomes for Council and the community.

The distributions of primary and secondary levels of Risk Appetite for Council are illustrated in the charts below.





Risk Appetite Statements

The tables below contain the Risk Appetite Statements for each of Council's risk categories. These statements are qualitative in nature and designed to provide an indication of Council's general position when deciding to take or retain risk in pursuit of its objectives.

Note that achievement of objectives will often be subject to consideration of more than one risk appetite, (e.g. environmental health programs may require consideration of public health, service delivery and legal and compliance risk appetites.)

SERVICE DELIVERY

Refers to the delivery of services to the community, which includes the systems and physical assets that enable provision of these services, including structures (such as roads, buildings and facilities) as well as IT infrastructure, plant, vehicles & other equipment

	Level	Risk Appetite Statement
	Open	Council strives to innovate, ensure continuous improvement principles are embedded and pursue reasonable reform of service delivery to achieve improved service standards and levels. Council is therefore ***open*** to risks arising from pursuit of these objectives where there are long term benefits for Council or the community, (e.g. trialling innovative designs, materials, etc.). ▲ Where legislative requirements or standards exist, Council will ***accept*** risk only where appropriate controls are in place and effective. ▼ Council will take a more ***cautious*** approach to delivery of critical services and infrastructure (e.g. internal IT services and systems, community wastewater and road infrastructure) and will ensure that effective measures are in place to minimise disruption to those services.

SUSTAINABILITY & ENVIRONMENT

Relates to measures to preserve, protect and minimise impact on the natural environment, including sacred and indigenous lands, flora, fauna, heritage, water, waste, hazardous materials and pollution.

	Level	Risk Appetite Statement
	Open	Council promotes service provision that appropriately manages its environment. Councils' general appetite is ***open*** in relation to innovation and alternatives in its approach to managing sustainability and environment. The Council prioritises environmentally friendly practices and strives to protect and preserve the natural resources within its jurisdiction. ▼ Council is ***adverse*** to any activities that could have significant or long-term negative impacts on the environment (such as the North Para River system) or lands and sites of indigenous, sacred or significant European heritage. ▲ Council ***accepts*** that there may be some risk associated with opportunities to develop sustainable solutions and will explore these options in the interests on long-term sustainability as long as efforts to offset any environmental harm are in place.

FINANCIAL

Refers to planning and control of Council's budget to align with the sustainable achievement of the desired outcomes articulated in its Community Plan

	Level	Risk Appetite Statement
	Cautious	Council will align financial resources to its articulated vision and strategies and strive for ongoing financial sustainability. As such, Council takes a ***cautious*** approach to financial risks, considering the current maturity of the organisation and aims to avoid any actions that could have a negative impact on its long-term financial sustainability. ▲ Council will take a less conservative approach and is prepared to ***accept*** risks where there is a high level of confidence in financial projections and evidence to support a business case. Likewise, Council is also willing to explore opportunities to invest to help support innovation where potential benefits are likely to be realised.

PEOPLE

Relates to recruitment, retention, wellbeing and safety of employees and volunteers and engagement and management of contractors as well as the wellbeing and safety of the community

	Level	Risk Appetite Statement
	Accepting	Council acknowledges the difficulty in engaging the right people to ensure that our desired outcomes are achieved. Council strives to ensure that contemporary people systems are implemented and ***accept*** some degree of risk in order to support the vision and strategies and promote innovation, continuous improvement, accountability and safety. ▲ Council will, however, be ***open*** where there is a dividend to the community and staff that doesn't have a negative impact on the safety and wellbeing of people or the organisation's culture, (e.g. encouraging innovation/ new ideas, improving wellbeing, outsourcing and providing flexible/remote working arrangements etc.) ▼ In consideration of Council's commitment to the safety and wellbeing of its workers (employees, volunteers and contractors) and community, Council will take a more ***cautious*** approach and not put the health, safety or wellbeing of any person at risk and will work within regulatory boundaries. (Note that this also extends to provision of essential services.)

REPUTATION

Relates to policy, decisions, actions and circumstances that may cause Council to lose credibility with the community, ratepayers, key stakeholders, other levels of government and its own employees and contractors.

	Level	Risk Appetite Statement
	Accepting	Council shall focus on vision, policy and strategy that promotes balanced community outcomes, is environmentally and financially sustainable and focuses on public benefit to the majority of people. Council is willing to ***accept*** some negative community feedback as long as long-term benefits to the community can be demonstrated. ▼ In order to maintain an inclusive and cohesive community, Council is ***cautious*** about potential harm to its reputation and is conservative in its approach to decision making that impacts the wider community. Likewise, Council will take a more conservative approach with regards to activities or decisions where there is potential for legal or regulatory non-compliance or harm to workers or members of the community.

Summary and Conclusion
Council is asked to endorse the proposed Risk Appetite Statements to strengthen Council's Enterprise Risk Management Framework and support ongoing efforts to achieve strategic objectives whilst managing risk effectively. It will ensure that Council operates within defined risk parameters contributing to its overall resilience and success.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Legislative Requirements
Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Risk considerations are covered in the body of this report.

COMMUNITY ENGAGEMENT

Not required.

7.2.7 MANDATORY AND DISCRETIONARY REBATES FOR 2024/2025 FINANCIAL YEAR
24/39763

Pursuant to Section 75 of the Local Government Act 1999 Cr Angas declared a material conflict of interest due to being a member of two Boards of Management / committees who are recommended to receive a rate rebate and left the meeting.

Pursuant to Section 75 of the Local Government Act 1999 Cr Schilling declared a material conflict of interest as a Board of Management member of the Nuriootpa Futures Association, who are recommended to receive rate rebate and left the meeting.

Crs Angas and Schilling left the meeting at 6.03pm.

MOVED Cr Greatwich

That Council approve the discretionary rebates pursuant to the relevant and identified section of the Local Government Act at Attachment 1.

SECONDED Cr Troup **CARRIED 2022-26/436**

PURPOSE

To consider the application of discretionary rate rebates for the 2024/2025 rating year.

REPORT

The report in Attachment 1 outlines proposed discretionary rate rebates to be applied for the 2024/2025 rating year and is consistent with the current year approvals basis.

A summary of estimated mandatory rate rebates for the same period is at Attachment 2.

Discretionary Rebates

There have been no significant factors or legislative changes applying to discretionary rebates and it is for Council to determine if it provides the rebate. The rebating of rates as a policy decision should be balanced against the benefits these groups provide to our community. The value of the rebates is estimated to be $162,224.10.

Mandatory Rebates

Under legislation, mandatory rebates must be rebated and therefore no resolution of Council is required. The value of the rebates is estimated to be $581,421.01.

Management of Discretionary Rebates Next Year

With the adoption of the recent Rebate Policy and in alignment with legislative requirements, from next year those receiving a discretionary rebate will be required to make formal application on a yearly basis. This will be communicated with relevant landowners as part of this year's rates notice and a process in 2025 to inform them of the requirements to make application for a discretionary rebate.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Discretionary Rebates 2024-25
Attachment 2 Mandatory Rebates 2024-25

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

CS22 Volunteers - Support of community volunteering through provision of the Volunteer Resource Centre. Provision of volunteer opportunities and engagement of volunteers in Council programs

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

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
Local Government Act 1999 Division 5

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The draft budget for 2024/25 consultation document includes estimated mandatory $568,435 and discretionary $166,880 rate rebates.

Any rebates approved by Council will apply to both general rates along with other service charges and service rates as required by Section 159(9) of the Local Government Act.

COMMUNITY ENGAGEMENT

The annual budget and business plan includes consultation in accordance with the Local Government Act and Council's Public Consultation Policy.

Crs Angas and Schilling returned to meeting 6.05pm.

6.3 Infrastructure and Environmental Services

7.3.1 LYNDOCH RECREATION PARK PROJECT SCOPE AND COSTING UPDATE 24/35757

The Chief Executive Officer briefed Council that one further specification change was recommended, to increase the lighting level to 750 lux. This was raised subsequent to the issuing of the agenda and will facilitate greater use and event capacity for the site and Cricket Australia has committed to support the majority of the cost which is estimated at $148,000. It was explained technology will manage the ability to use that level of lighting and limit is use to occasional use for significant events.

MOVED Cr Angas

That Council:

(1) Receive and note the update report.

(2) Continue to instruct Council officers and support the State in aligning the expenditure to the target budget of $40,000,000 but agree to lift the ceiling cost of the project to that identified in the RLB estimates outlined in the report conditional on budget performance and market outcomes and that the specifications not be altered to increase the scope without Council approval.

(3) Instruct the Chief Executive Officer to factor the upper ceiling limit into the 2024-2025 Annual Business Plan and Budget post consultation processes being completed.

(4) Approve the updates and changes to the design and scope of the project.

(5) Approve the amalgamation of the current two allotments which form the Lyndoch Recreation Park being Allotment 55 in Filed Plan 38979 in the Hundred of Barossa, Certificate of Title 5677 Folio 209 and Allotment 3 in Deposited Plan 133394 in the Hundred of Barossa, Certificate of Title 6296 Folio 849.

(6) Pursuant to the actioning of part 5 of this resolution, approve that the resultant amalgamated allotment be allocated as Community Land pursuant to Section 193(4) of the Local Government Act and shall be assigned to the Community Land Management Plan 3 Recreation Reserves.

(7) Authorise the Mayor and Chief Executive Officer to sign and seal any necessary documentation to give effect to part 5 of this resolution.

(8) Approve the retention of the existing tennis clubrooms until they reach end of life and are due for renewal.

(9) Approve the delegation to the Chief Executive Officer, or an officer acting in the position of the Chief Executive Officer, and that the Chief Executive may not sub-delegate this power, the ability to approve procurement of goods and services for the Lyndoch Recreation Park redevelopment on the following conditions:

   (a) Where the procurement of an individual trade package or other procured item amount exceeds $4,000,000 the Chief Executive Officer shall consult with the Mayor, or in his absence the Deputy Mayor, before approving the engagement.
   (b) Where the engagement is not within the estimated budget for the relevant trade package or procured item plus budget allowance for contingency.
   (c) Where the Chief Executive Officer agrees with the procurement assessment report of the Project Director.

SECONDED Cr Hurn **CARRIED 2022-26/437**

PURPOSE

To provide an update regarding the scope and costings for the Lyndoch Recreation Park Development and seeking endorsement of changes.

REPORT

Background
The Big Project is Council's long term, intergenerational strategy for community infrastructure redevelopment. Its strategic vision extends for a target period of 35 years and touches upon four key areas of service:

- Sport and recreation
- Culture, the arts, heritage, and history
- Aquatics
- Cycling, adventure and leisure

The Lyndoch Recreation Park (LRP) redevelopment is one of the first phase priorities.

With the securing of the additional land the opportunity to build a full regional facility was enabled. At Council's Ordinary Meeting on 7 February 2024, the updated masterplan and subsequent demolition and vegetation removal was approved allowing for submission for Development Approval. Planning approval was granted on 1 April 2024 post public consultation and Barossa Assessment Panel endorsement.

At Council's Special Meeting on 21 February 2024, the reimagined LRP Council and State Partnership Redevelopment Project and associated Council contribution of $20M was approved allowing works to commence.

Introduction
As the project has been progressing at an extremely fast pace with detailed design being developed with input from our Managing Contractor (Built) and our design team consisting of iEDM, Dash, Walbridge & Gilbert, Lucid and Landskap there have been a number of updates and reviews made to the original approved design and associated budgets.

Discussion

Scope and Design Changes

As the project is being delivered under a fast-tracked methodology with the engagement of a Managing Contractor, trade package detailed design is occurring in parallel at a fast pace. This has resulted in some additional inclusions and design changes from the original masterplan previously presented and approved. The changes are outlined in detail within Attachment A and also summarised below:

- Generally
    - Plaza to upper floor decreased in size

        - With the design development of the lower and upper plans we were able to reduce the amount of upper plaza and reduce the amount of first floor slab tanking and waterproofing.

- Floor Plans

    - Lower - Gym and Storage arrangement modified

        - The layout of the gym and storage area was rearranged to maximise the gym's frontage to the oval and improve its outlook.

    - Lower – Canteen, public toilets and umpires arrangement modified

        - The exit to the umpire's facility was separated from the public toilets and circulation, enabling the hallway to be deleted (good for passive safety) and the public toilets to exit direct to the outside of the facility.

    - Lower - Pitch roller positioned to lower floor from main pavilion

        - The roller position beneath the pavilion building was re-evaluated as the expense was difficult to justify (construction, retaining) and the position selected under the main building was an improvement.

    - Lower - Keg room added to lower floor

        - As the brief for the kitchen/canteen/bar has developed, the requirements for servicing have increased, including beverage provision, necessitating additional cold storage.

    - Upper - Committee Room formalised and eastern entry formalised

        - The main function room has flexibility in providing larger spaces for 40 or more people, there was a perceived need for a flex/committee space that could be used for smaller functions and sporting club meetings that suited this scale of operation.

    - Upper - Cool room size increased

        - The food service provision briefing has necessitated an increase in size of the cold storage.

    - Plant room increased in size

        - As the detail of plant has been developed the design team has continued to keep the building plant in the same enclosure to maximise access to plant on ground.

- Site Plan:
  - Reduce boundary fence to Barossa Valley Way
    - The picket presentation to the Barossa Way was seen as desirable to preserve and to continue to offer as a fundraiser into the future.
  - Reuse lighting to Oval 2
    - The reuse of the old Oval 1 lights was seen as a benefit to the overall site outcome due to the reasonable condition of the lights to be removed.
  - New Fencing to upper tennis courts
    - Demolition and replacement of the lighting was a constructability improvement issue for access and site lay off areas.
  - New Lighting to upper tennis courts
    - The proximity of the new building undermined the existing lighting necessitating the replacement with Tennis Aus standard lighting.
  - Relocation of half-court basketball court position
    - The court was relocated to improve the functionality and access to the facility.
  - Formalisation of levels and terracing
    - The oval (1&2) levels have proven challenging to create AFL standard outcomes and also provide a high-quality spectator experience for local games. Retention and terracing were necessary to overcome level differences and maintain visual access to the grounds.
  - Increasing of formalised nose in car parking to south-east of Oval 1
    - This was seen as a highly desired outcome, the link with country football and cars parked around the oval on game day. This has formed a design feature to the oval.
  - Reduction in terraced seating to Oval 1
    - The provision of terraced seating is seen as a bonus that can be included if permissible later in the programme.

Tennis Clubrooms

Significant investigation has occurred to determine the best way forward with regards to the tennis clubrooms. The pro's and con's of the options to either retain or move and rebuild the clubrooms are outlined below:

Retain	Move
Pro's: - Fulfills the wishes of the tennis club - Significant cost savings when compared to a new building – circa $400k - Minimises the delay in the ability for tennis to return to accessing the site post construction and Gather Round Con's - Maximisation of preferred design outcomes are compromised - Building will not be to the same quality/design standard as the new facility - The proposed veranda on the tennis court side is intended to help blend the tennis club in with the development – cost of circa $160k - Requires expenditure to the tennis club to "make over" potentially to be re-clad in materials to match the adjacent new clubroom building so that the area read as a precinct rather than a village of different buildings	Pro's - The levels of the club and its immediate surrounding area are substantially higher than the intended level of the plaza to the upper floor of the club rooms. The plaza and entry area would be more consistent and regular as an entry experience if the tennis club were to be relocated - A new facility that is built to better fit within the precinct Con's - Significant cost to demolish and rebuild - Risk of completion at the same time as the rest of the precinct and could have tennis returning to the site being delayed

Based upon this, it is recommended that given the significant time and costs associated with relocating the tennis clubroom that the existing clubroom be retained and clad/painted as appropriate but that the new veranda is removed (saving of circa $160k). It is further recommended that at such time the clubrooms reach end of life that the facility is reviewed and the option of the tennis club joining the main facility be explored.

Land Amalgamation

As the project has progressed more significant requirements to move soil across sites and implement infrastructure that straddles boundaries have emerged, as such it has been recommended and agreed that the amalgamation of the two pieces of land is the best way to manage this long term. The amalgamation would generate a single community land allotment. There is no reason to maintain two allotments, this was required at the time to achieve the sale of the private land to Council. This process is a simple one and requires the generation of an amalgamation plan (Attachment B) that will be submitted to Land Services SA for execution.

Budget Status

The current budget target remains $40M. The project is progressing ahead of schedule and the current RLB external assessment of the upper limit of the project is $42M. The project costs are under ongoing review and amendment as trade packages are issued and design outcomes completed.

At present the summary of the budget performance is:

1. Budgeted total of trade packages and tendered works issued to the market total $18,678,009.
2. Total market outcomes and contracted value not including contingency is $16,645,070, with contingency it is $18,543,009.
3. Current market outcomes indicates a saving to date against the upper budgeted estimate by $1,897,939.
4. To date the general contingency has not been called up and savings if the $16,645,070 are realised is a further saving of approximately $90,070.
5. The recommendation related to the tennis rooms identifies a further saving of $160,000 bringing total savings (without contingency) to $2,148,010.
6. Works continue to issue packages to the market as designs are completed.
7. Works continue to align the estimates to the target $40M and should contract performance meet tendered outcomes the current forecast is $40.192M however it is considered prudent at this time to increase the ceiling to the current estimated $42M noting with the current budget position we are tracking to the target budget.
8. Local and Barossa regional suppliers to date have been directly engaged or employed as subcontracts to successful contractors to the value of $6,588,600.

A full budget analysis is provided at the confidential report later in this agenda. The full budget provides extensive line by line analysis of costing estimates for works that have not yet been to the market. The release of this information publicly prior to market approaches is not a sound strategy as it has significant potential to reduce competitive pricing tension on the market as trade packages are issued by the managing contractor.

Management of Procurement and Delegations

The nature of the project sees the Managing Contractor approaching the market for tendering of respective trade packages. The Managing Contractor assesses the submissions along with the Project Manager, Architect and DPC representative and make a recommendation to the Project Director, our Director, Infrastructure and Environmental Services.

The ability to rapidly make decisions and implement contracts is a key performance need and targeted at 48 hour turnaround, to achieve the necessary deadlines for this project.

To date the Chief Executive Officer has been able to act within his delegations, which for projects under the banner of The Big Project is $4,000,000. However, in this case the issuing of separate parcels to the market in future will extend beyond this. The Chief Executive Officer has authority to spend the approved budget and it is logical to align the procurement authority with the expenditure authority in this case.

It is recommended that for this project that the Chief Executive Officer be delegated to approve all trade packages and engagements on the following conditions:

1. Where the procurement of individual trade packages or other procured items exceeds $4,000,000 the Chief Executive Officer shall consult with the Mayor, or in his absence the Deputy Mayor, before approving the engagement.
2. Where the proposed engagement is within +4.2% of the estimated budget (being the general contingency budget applied to the project) for the relevant trade package or procured item.
3. Where the Chief Executive Officer agrees with the procurement assessment report of the Project Director.

In all other instances the Chief Executive Officer shall seek the concurrence of Council at a special or ordinary meeting depending on the timing necessary to engage a contractor.

Summary and Conclusion
The Lyndoch Recreation Park project has moved at a significant pace that has required design and scope changes as well as revised budgetary requirements. It is recommended that the design and scope changes are positive and will enhance the final product that is delivered.

Significant review has been undertaken of the tennis clubrooms and the retention and exterior uplift of the clubrooms at this stage is the preferred option.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Community and Culture

Infrastructure

Health and Wellbeing

Business and Employment

Goal

4. 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.
6. The Barossa maintains and develops infrastructure that meets the needs of the region and is efficient.
7. Community infrastructure planning is aligned to both current and the future needs of the community
9. Our community has fair and equitable access to the resources and services they need to lead a safe, healthy, inclusive and connected lifestyle
10. Our region enjoys the benefits of sustainable community groups, networks and facilities that encourage everybody to participate in the community.
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.
12. We are a visitor destination of choice

Strategies

4.1. Build on a strong sense of community pride with active community groups and individuals participating in local decision making and community building activities.
4.2. Continue creating strong and sustainable community networks, and support young people to actively participate in the community and develop the leaders of the future.
4.3. Embrace place-making principles when developing community infrastructure and regulate planning and development in public spaces and active recreation.
6.2 Continue to ensure that infrastructure considers place-making is inclusive and accessible for all.
7.1. Build on sound asset management practices to deliver sustainable services to ensure that infrastructure is adequate to support the community.
7.2. Ensure both current and future infrastructure needs are met in a proactive rather than reactive way.
9.1. Work towards combating loneliness and social isolation and ensuring that people enjoy a sense of inclusion and feel connected.
10.1. Children and young people are supported to feel safe and to engage, thrive and feel empowered within the community.

11.1. Work closely with State Government, Federal Government and other key stakeholders to support economic growth, development and job creation.
12.2. Support economic development and destination awareness through events, festivals, creative enterprise and attractions.
12.1. Encourage and support the sector to further promote and develop tourism experiences including ecological, cultural and agricultural tourism.
12.3. Provide experiences and infrastructure that continue to support the needs of the tourism market.

Legislative Requirements
Section 123 of the Local Government Act

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Outlined in the body of the report.

COMMUNITY ENGAGEMENT

Extensive consultation and engagement has been undertaken since 2016 and most recently in the second half of 2023 and early 2024 and is ongoing with stakeholders through the construction phase.

6.4 Development and Community Services

7.4.1 EARLY CHILDHOOD STRATEGY PROPOSAL
24/33873

MOVED Cr Thompson

That Council endorses the Manager, Library Services, or a representative, to develop Barossa Council Early Childhood Strategy to be presented to Elected Members at a subsequent Council workshop for consideration.

SECONDED Cr Greatwich **CARRIED 2022-26/438**

PURPOSE

At the Council Workshop on 3 April 2024, Elected Members recommended that the Manager, Library Services prepare an Early Childhood Strategy for The Barossa Council to guide potential resources and budget in future years.

REPORT

Background
The Manager, Library Services and Director, Development and Community Services presented data from the Australian Early Development Census (AEDC) and outcomes from a conference convened to discuss the data at the Council Workshop held on 3 April 2024. Potential Council lead actions in response to the local early childhood data

were discussed, and the need for a strategy to guide Council's response was identified by Elected Members at the workshop.

Introduction

Early childhood is a crucial time for learning. Up to 85% of brain development occurs in the first three years of life; this is a time when important neural pathways are developed. Children who have access to the things they need to develop well (e.g opportunities to develop relationships with supportive adults, and safe places to play and learn) are more likely to go on to thrive and be healthy throughout their childhood and adulthood. Not every child has access to these resources.

Data such as the AEDC are collected every three years to provide a snapshot indication of how children are developing when they start school at around 5 years. The data is collected to provide evidence to support policy, planning and action for health, education and community support for early childhood at the federal, state and local government level. Research has demonstrated that children who start school 'on track' (as opposed to 'vulnerable') across the five AEDC domains are more likely to go on to achieve academically, have increased well-being and positive life course outcomes (e.g. fewer negative events, improved health) (AEDC Research Snapshot, 2014 - The impact of socio-economics and school readiness for life course educational trajectories (aedc.gov.au)). Children who begin school developmentally behind their peers are unlikely to catch up and often fall further behind as they get older (summarised in Hertzman et. al., 2011). The negative outcomes of this trajectory include poor school performance, increased teen pregnancy and criminal behaviour, and increased poor health outcomes in adulthood (e.g. elevated blood pressure, depression, premature aging, coronary heart disease).

Taken together this means that interventions that improve child development in the early years can have a significant impact on positive life-long individual, family and community outcomes.

Discussion

Barossa region AEDC findings

The most recent AEDC data was collected on children starting school in 2021. Sixty-five percent (65%) of children in the Barossa region were identified as developmentally on track across all five AEDC domain (physical health and well-being, social competence, emotional maturity, language and cognitive skills, and communication skills and general knowledge). This means that 35% started school at risk or vulnerable on one or more domain.

Of particularly note, 12% of children were considered vulnerable on the emotional maturity domain. This domain measures a child's ability to self-regulate, form relationships in a pro-social way and empathise with others. Strong skills in this domain in early childhood predict success, wellbeing and mental health in adults. Family level factors, such as parents playing with their children, help support the development of emotional maturity by allowing children to express and cope with feelings, and role play situations which may generate strong emotions of fear, excitement or anxiety. At the community level, inequitable access to services, materials and programs can contribute to emotional immaturity (Dept of Education Western Australia, 2017).

Examples of Early Childhood Strategies

Early childhood strategies and recommendations have been developed at both the Federal and State level to provide a framework for service provisions, decision making and investment in projects and policies that affect young children (e.g. The Draft Early Years Strategy 2024-2034 - for consultation (dss.gov.au) and recommendations in the Royal Commission into Early Childhood Education and Care | Royal Commission into Early Childhood Education and Care (royalcommissionecec.sa.gov.au)).

At the local government level examples include Child Friendly Campbelltown | Campbelltown City Council (a co-designed action plan that included achieving UNICEF Child Friendly City status); the Mt Barker Child and Youth Action plan Document Library | Children and Youth Action Plan 2023-2027 | Your Say Mount Barker. Examples from outside South Australia include the City of Kingston Family and Children's Strategy final-family-and-childrens-strategy-2020-2024.pdf (kingston.vic.gov.au), and the Yarriambiack Shire Council Early Years Plan early-years-plan-2023-2028.pdf (yarriambiack.vic.gov.au). The examples here provide an indication of potential inclusion in an early year's strategy for The Barossa Council.

Summary and Conclusion

An early childhood strategy for The Barossa Council will provide high level guidance and a cohesive approach to the services and projects Council provides and/or supports in the region. It will articulate the importance The Barossa Council places on early childhood, and support decision making, investment and accountability around policies that affect young children. It will also clearly define Council's scope in this space over the next five years, and take into consideration existing programs, budgets, and community expectations.

This report recommends Council endorse the drafting of an early childhood strategy to be presented at an Elected Member Workshop and subsequent community consultation.

Focussing on supporting, empowering and respecting the rights the youngest members of our community and their families now will increase the likelihood of a healthy, vibrant and prosperous Barossa community both now and in the future.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references

Nil.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Community and Culture

Health and Wellbeing

Goal

4. 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.
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.
9. Our community has fair and equitable access to the resources and services they need to lead a safe, healthy, inclusive and connected lifestyle
10. Our region enjoys the benefits of sustainable community groups, networks and facilities that encourage everybody to participate in the community.

<u>Strategies</u>

4.1. Build on a strong sense of community pride with active community groups and individuals participating in local decision making and community building activities.

5.3. Create vibrant public spaces that provide places for creative development, cultural interaction and social connections.

9.1. Work towards combating loneliness and social isolation and ensuring that people enjoy a sense of inclusion and feel connected.

9.2. Promote a healthy community through a planned approach to public health, and sustainable access to allied, primary and mental healthcare services and facilities.

10.1. Children and young people are supported to feel safe and to engage, thrive and feel empowered within the community.

10.2. Advocate for and encourage services that ensure equity and support inclusion and at risk members of the community.

10.3. Build on the capacity of community members to participate in cultural, creative, recreational, sporting and learning opportunities.

<u>Legislative Requirements</u>
Libraries Act 1982

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

There will be no additional cost to Council to prepare the Strategy.

COMMUNITY ENGAGEMENT

Formal community engagement will be proposed after the Strategy has been drafted.

7.4.2 CONSIDERATION AND ADOPTION OF COMMITTEE RESOLUTIONS - BAROSSA BUSHGARDENS
24/34386

MOVED Cr Troup

That Council having reviewed the minutes of the Barossa Bushgardens S41 Committee meeting held 10 April 2024, adopt the resolutions contained therein.

SECONDED Cr Hurn **CARRIED 2022-26/439**

PURPOSE

The minutes of Council Section 41 Committees are presented here for consideration and adoption by Council.

REPORT

Discussion
The consideration and adoption of recommendations of Council Committees to Council requires assessment by Council to ensure compliance obligations under section 6(a) of the *Local Government Act 1999*. The relevant minutes received in the past month are therefore presented for Council adoption.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Minutes - Barossa Bushgardens Committee Meeting - 10 April 2024 - Minutes of Barossa Bushgardens Committee - Wednesday, 10 April 2024

Supporting references
Nil.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Natural Environment and Built Heritage

Health and Wellbeing

Goal
3. We take a proactive approach in responding to key environmental challenges such as climate change, water security and waste management.
10. Our region enjoys the benefits of sustainable community groups, networks and facilities that encourage everybody to participate in the community.

Strategies

3.1. Support community based sustainability initiatives to help reduce the Barossa's contribution to the climate crisis and build on the capacity of local residents and industry to mitigate negative impacts.

10.3. Build on the capacity of community members to participate in cultural, creative, recreational, sporting and learning opportunities.

Corporate Plan

CS17 Natural Resources - Regional development and management of the environment including natural resource management to ensure the region is managed sustainably and the environment is protected and enhanced

CS19 Social Inclusion - Advocate and work in collaboration with core service providers to ensure vulnerable people have increased access and inclusion.

BS4 Council and Committees - Provision of support to Council and Committees through the provision of required information, agendas, and minutes. Council and Committees are provided with support to enable informed decisions

Legislative Requirements

Local Government Act and Regulations

Landscape South Australia Act 2019 and Landscape South Australia (General) Regulations 2020

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Identified in the body of the minutes and is included within endorsed Council budget.

COMMUNITY ENGAGEMENT

Not required by Council.

7.4.3 REQUEST FOR FUNDING - SOUTH AUSTRALIAN INDOOR BIAS BOWLS ASSOCIATION INC
24/38222

MOVED Cr Angas

That Council:

(1) Endorses the request for funding support for the South Australian Indoor Bias Bowls Association Inc.

(2) Approve a budget variance of up to $5,000 to support the South Australian Indoor Bias Bowls National Championships to be held in Tanunda for a six-day period, commencing 25 August 2024.

(3) Should funding be approved, require the South Australian Indoor Bias Bowls Association Inc. to appropriately acknowledge The Barossa Council as a funding source for the project through social media, signage, website, and promotional material and packaging.

SECONDED Cr Hurn **CARRIED 2022-26/440**

PURPOSE

To consider a request for financial support from the South Australian Indoor Bias Bowls Association Inc. (SAIBBA) to assist with the hosting of the six-day National Championships, to be based in Tanunda commencing 25 August 2024.

REPORT

Background
The South Australian Indoor Bias Bowls Association Inc. submitted an application for funding ($5,000) to Round Three of the Community Assistance Scheme Committee to assist with the hosting of the six-day National Championships to be staged in Tanunda (based at The Rex) commencing 25 August 2024. The application forms Attachment 1.

Introduction
Following review of the Community Grant Application at the meeting of the Community Assistance Scheme Committee held on 1 May 2024, the Committee resolved to refer the application to Council for consideration, as it was felt that the application had merit, but the Committee had insufficient funds to support the application in full.

The resolution is included below:

MOVED Mayor Lange

That Community Assistance Scheme Committee refers the Application for funding to Council for decision, to be considered at the meeting of Council to be held 21 May 2024

SECONDED Cr Angas **CARRIED CA 2022-26/54**

Discussion
SAIBBA had approached both State and Federal departments, including Tourism and Events, but is not eligible for any of the funding grants due to the comparatively small number of participants,

It is envisaged that the Championships will attract over 300 participants (plus family and friends) to the Barossa Valley.

Participants will be travelling from NSW, Victoria, Tasmania and Queensland in addition to South Australia (both metropolitan and regional areas) and it could be assumed that the majority of participants will require accommodation, creating a flow-on benefit to hospitality and tourism businesses in the Barossa.

Summary and Conclusion
The 54th Australian Indoor Bias Bowls National Championships will be held in Tanunda over a six-day period commencing 25 August 2024, and is expected to attract in the vicinity of 300 participants, bringing economic benefits to various businesses in the Barossa Valley.

The Community Assistance Scheme operates with a $25,000.00 budget per annum, for both Community and Youth Grants, but has received a high number of applications during the first three rounds, leaving a remaining balance of $1453.50. It is envisaged that Round Four will not be able to proceed.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Community Grant Application 2 - South Australian Indoor Bias Bowls Association Inc - Redacted

Supporting references
Nil.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Health and Wellbeing

Business and Employment

Goal
10. Our region enjoys the benefits of sustainable community groups, networks and facilities that encourage everybody to participate in the community.
12. We are a visitor destination of choice

Strategies
10.3. Build on the capacity of community members to participate in cultural, creative, recreational, sporting and learning opportunities.
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.

Legislative Requirements
Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Should Council agree to the request, it is proposed that the remaining Community Assistance Scheme Committee budget be allocated to the National Championships, with remaining funds to be provided by Council.

COMMUNITY ENGAGEMENT

Not required under Council Policy or Legislation.

7.4.4 NOMINATION FOR THE BUSHFIRE MANAGEMENT COMMITTEE 24/38614

MOVED Cr Barrett

That Council endorse Darren Hurst, Manager Health Services and Community Safety as the Member and Glen Carter, Manager Infrastructure and Environmental Services as Deputy Member for the Barossa Council on the Adelaide Mount Lofty Ranges Bushfire Management Committee.

SECONDED Cr Troup **CARRIED 2022-26/441**

PURPOSE

To appoint a Member and Deputy Member to the Adelaide Mount Lofty Ranges Bushfire Management Committee (the Committee) following correspondence calling for nominations.

REPORT

Background

The Committee has a role in developing and promoting policies, practises, plans and strategies for its area, focusing on the assessment and reduction of bushfire risk and hazards. It is also an advisory committee to the State Bushfire Coordination Committee on bushfire prevention matters for its area.

Discussion

The Committee wrote to Council on 29 April 2024 (refer **Attachment 1**) seeking nominations for the position of member and deputy member to represent Council. The current terms of Members and Deputy Members is due to expire on 30 June 2024.

It is recommended that Darren Hurst, Manager Health Services and Community Safety be appointed to the Committee, with Glen Carter, Manager Infrastructure and Environmental Services continuing as the deputy member. Both staff members are authorised to make decisions and/or are responsible for bushfire management activities with the Council area.

The term of the appointment will be for 3 years.

Summary and Conclusion

It is important to ensure that best practises, plans and strategies are considered to assist in minimising the risk of fire and assist with community safety in the Barossa Council area. Due to their positions and current delegations, the Manager Health Services and Community Safety, and the Manager Infrastructure and Environmental Services are recommended as the most appropriate representatives for the Barossa Council.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Correspondence - Bushfire Coordination Committee - Seeking Nominations

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Community and Culture

Goal

4. 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.

Strategies

4.1. Build on a strong sense of community pride with active community groups and individuals participating in local decision making and community building activities.

Legislative Requirements
Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

7.4.5 INITIATION OF AN AMENDMENT TO STATE PLANNING POLICY 1 - INTEGRATED PLANNING
24/38875

MOVED Cr Schilling

That Council endorse the draft submission contained in *Attachment 1.*

SECONDED Cr Greatwich **CARRIED 2022-26/442**

PURPOSE

To seek endorsement of a submission to amend State Planning Policy 1 – Integrated Planning.

REPORT

Introduction
The State Planning Commission is proposing an amendment to State Planning Policy 1: Integrated Planning to:

- Address the long-term resourcing and provision of skills to service our planning system; and
- To support and enhance SA's future planning capabilities.

The draft amendment to State Planning Policy 1 was released for consultation on 11 April 2024 and will conclude on 6 June 2024.

A copy of the letter from Craig Holden, Chair of the State Planning Commission inviting feedback regarding the proposed consultation is contained in Attachment 2.

Discussion
There is currently a national shortage of urban and regional planners, highlighted in the Planning Institute of Australia's '*Planning in Australia: State of the Profession Report*' and in the Federal Government's 'Skills Priority List'.

This planning skills shortage if a critical concern for the state. South Australia needs qualified planning professionals to deal with challenges like housing affordability, population growth and the transition to a net-zero emissions future.

To address this problem, the Commission has proposed an amendment to State Planning Policy 1: Integrated Planning that states:

> *Provide an effective, efficient and enabling planning system that is well resourced with qualified professionals to support development, investment and good planning outcomes.*

Increasing South Australia's planning capabilities will assist in delivering National Cabinet's new national target to build 1.2 million new well-located homes over 5 years. It will also lead to better and faster decision making on development proposals or implementing critical initiatives such as rezoning land for housing or employment.

Recognising the future development of Concordia which is planned to accommodate in excess of 10,000 new homes and the significant growth already occurring in The Barossa Council, increasing the planning capabilities to support growth is fundamental.

To support the critical needs of Development services, Council administration has been successful in registering an Administration and Technical Support Officer to complete the Certificate IV in Local Government and, in the building space, has appointed a Building Cadet to complete the Bachelor of Construction Management.

Summary and Conclusion

The draft submission contained in *Attachment 1* broadly supports the proposed change to State Planning Policy 1: Integrated Planning to amend the State Planning Policy to incorporate a principle regarding the long-term resourcing and provision of skills and expertise to service the planning system in South Australia.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1	Draft submission - Initiation of an Amendment to State Planning Policy 1 - Integrated Planning
Attachment 2	Notification - Initiation of amendment to State Planning Policy - Integrated Planning

Supporting references

Further information can be found via the following link:

[Enabling SA's planning future: Proposed amendment to State Planning Policy 1 | YourSAy]

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Natural Environment and Built Heritage

Goal

1. The Barossa has sustainable farmland providing diverse and stable returns, while protecting the unique natural environment and biodiversity of the region.

Strategies

1.1. Ensure land use planning and resource use protects the quality of the natural environment, the existing character of rural landscapes, historic significance and the high value of agricultural land.
1.2. Support tourism development that is sensitive to the natural environment and ensures that the unique character of the rural landscape is appropriately managed and promoted.
1.3. Build on the conservation of the region's natural heritage including bush eco-systems, grassy woodlands, agricultural landscapes and recreational green spaces.

Legislative Requirements
Planning, Development and Infrastructure Act 2016

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

The consultation was released on 11 April and will conclude at 5pm on 6 June 2024.

7.4.6 LAUNCH OF REGIONAL PLANNING PORTAL AND UPDATE OF COMMUNITY ENGAGEMENT CHARTER
24/39311

MOVED Cr Greatwich

That Council endorse the draft submission contained in Attachment 1.

SECONDED Cr Troup **CARRIED 2022-26/443**

PURPOSE

To seek endorsement of a submission to amend the Community Engagement Charter and to inform Council of the launch of the Regional Planning Portal.

REPORT

Introduction

The draft Kangaroo Island Regional Plan was released on 14 March 2024 for a 12 week public consultation period. To support launch of the Regional Plan, Planning and Land Use Services (PLUS) have developed Australia's first 100% digital, dynamic and interactive Regional Planning Portal.

This is the first of seven new regional plans for South Australia to be developed in the innovative platform, allowing for real-time updates that ensure the plan remains contemporary. The Greater Adelaide Regional Plan (GARP) is one of these seven regional plans that will be based upon the same digital platform.

The Commission is also seeking feedback on proposed improvements to the Community Engagement Charter, which guides public participation in preparing and amending designated planning policies, strategies and schemes, including the regional plans.

A copy of the letter from Craig Holden, Chair of the State Planning Commission inviting feedback regarding the proposed consultation is contained in Attachment 2.

Discussion

The Regional Planning Portal will provide access to a state-wide planning and infrastructure framework that will:

- Provide a long-term vision for the region, with supporting targets and actions for land use, transport infrastructure and the public realm through interactive maps, dynamic data and spatial plans;
- Increase the availability, accuracy and relevance of data to inform integrated land use and infrastructure decisions, including current and forward projections, statistical data and analysis;
- Facilitate deeper up-front engagement with community, landowners, agencies and other stakeholders about plans for their area and how it will affect their land, neighbourhood or townships;
- Allow fast implementation of planning strategies to respond quickly to housing demand or employment growth by streamlining zoning changes.

The State Planning Commission and PLUS are seeking feedback on both the Regional Planning Portal and the draft Kangaroo Island Regional Plan. Feedback received on the portal will assist in refining the new technology to deliver the remaining six regional plans throughout the State.

The proposed changes, which follow the Commission's inaugural 5-year review of the Charter, aim to:

- Ensure engagement is inclusive and respectful for all South Australians by highlighting the need to consider appropriate opportunities for the following communities to influence planning decisions that affect or interest them:

    - First Nations
    - Youth
    - Cultural and linguistically diverse communities
    - People living with disability and neurodiverse communities
    - Businesses, workers and employers.

- Streamline delivering changes to planning rules such as rezoning land, where the community has had an opportunity to give their views and influence the decision as part of the regional planning process. These changes, referred to as 'complying changes', would be subject to a streamlined engagement process where it is clear the change was anticipated in the relevant regional plan;

- Better reflect that the Community Engagement Charter is now a well-established part of the South Australian planning system and the mandatory engagement requirements outlined in the *Planning, Development and Infrastructure Act 2016*.

A draft submission has been prepared in response to the proposal to amend the Community Engagement Charter and is contained in *Attachment 1*. The draft submission provides support for:

- The objective to ensure engagement is inclusive and respectful for all South Australians;
- Streamlining of changes to planning rules where the community has been given opportunity to provide feedback during a regional planning process, in order to enable 'complying changes'.

Further guidance regarding the parameters in which 'complying changes' may be accepted are also desired to assist Council in understanding how the current strategic planning work may be embedded into the planning rules.

Summary and Conclusion

A draft submission broadly supports the proposed changes to the Community Engagement Charter which are presently open for consultation alongside the launch of the draft Kangaroo Island Regional Plan and Regional Planning Portal.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Draft Submission
Attachment 2 Launch of Regional Planning Portal and proposed update of the Community Engagement Charter

Supporting references
To view the Regional Planning Portal and for further information regarding the draft Kangaroo Island Regional Plan, visit: https://regional.plan.sa.gov.au.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Community and Culture

Natural Environment and Built Heritage

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.
1. The Barossa has sustainable farmland providing diverse and stable returns, while protecting the unique natural environment and biodiversity of the region.
2. The history of our region including aboriginal sites is reflected in our streetscapes and our historic buildings are maintained for future generations.

Strategies

5.2. Create places where people want to live and plan for the future in a coordinated, affordable, appropriate and proactive way.
1.1. Ensure land use planning and resource use protects the quality of the natural environment, the existing character of rural landscapes, historic significance and the high value of agricultural land.
1.2. Support tourism development that is sensitive to the natural environment and ensures that the unique character of the rural landscape is appropriately managed and promoted.
2.1. Continue to maintain streetscapes that reflect the character and heritage of the region and facilitate opportunities to repurpose or find alternative uses of built heritage.
2.2. Ensure clearly defined townships are maintained to manage residential and commercial development that is sensitive to the natural environment and areas of historical significance.

Legislative Requirements
Planning, Development and Infrastructure Act 2016

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

The draft Kangaroo Island Regional Plan was released on 14 March 2024 for a 12 week public consultation period, concluding at 5pm on 6 June 2024.

7. CONFIDENTIAL REPORTS

7.1 Office of the Mayor and CEO

8.1.1 <u>SUPREME COURT CASE UPDATE</u>
24/38018

The matter of the agenda item being 8.1.1 Supreme Court Case Update all information is provided pursuant to Section 83(5) of the Local Government Act 1999 ("the Act") being information that is recommended to be considered in confidence.

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 legal case between TTEG and Council is ongoing and subject to legal professional privilege.

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 Lane

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:

<u>Section 90(3)(i) of the *Local Government Act 1999:*</u>

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 legal case between TTEG and Council is ongoing and subject to legal professional privilege.

SECONDED Cr Greatwich **CARRIED 2022-26/444**

The meeting moved into confidence at 6.18pm.

MOVED Cr Greatwich

That Council:

(1) Council Resolution.

(2) 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 21 May 2024 in relation to item 8.1.1 Supreme Court Case Update be kept confidential and not available for public inspection and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr Angas **CARRIED CO 2022-26/445**

Resumption of open Council meeting at 6.19pm.

7.2 Infrastructure and Environment Services

8.2.1 LYNDOCH RECREATION PARK - AGREEMENT NEGOTIATIONS WITH STATE OF SOUTH AUSTRALIA
24/39696

The matter of the agenda item being 8.2.1 Lyndoch Recreation Park – Agreement Negotiations with State of South Australia all information is provided pursuant to Section 83(5) of the Local Government Act 1999 ("the Act") being information that is recommended to be considered in confidence.

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 relates to commercial negotiations with the State for ongoing success of the Lyndoch Recreation Park (Barossa Park) project and information which has been provided on a confidential basis

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 Greatwich

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)(b) of the *Local Government Act 1999:*

information the disclosure of which-
(i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
(ii) would, on balance, be contrary to the public interest; and

Section 90(3)(j) of the *Local Government Act 1999:*

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 the council, or a person engaged by the council); and
(ii) would, on balance, be contrary to the public interest;

(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 relates to commercial negotiations with the State for ongoing success of the Lyndoch Recreation Park (Barossa Park) project and information which has been provided on a confidential basis

SECONDED Cr Evans **CARRIED 2022-26/446**

The meeting moved into confidence at 6.19pm.

MOVED Cr Troup

That Council, having reviewed the (CONFIDENTIAL):

(1) Council Resolution

(2) Council Resolution

(3) Council Resolution

(4) Council Resolution

(5) Having considered this matter in confidence under Sections 90(2) and 90(3)(b) and (j) 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 21 May 2024 in relation to item 8.2.1 Lyndoch Recreation Park - Agreement Negotiations with State of South Australia be kept confidential and not available for public inspection and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr Lane **CARRIED CO 2022-26/447**

Resumption of open Council meeting at 6.38pm.

7.3 Development and Community Services

8.3.1 BAROSSA ASSESSMENT PANEL - CORRESPONDENCE FROM STATE PLANNING COMMISSION
24/38627

The matter of the agenda item being 8.3.1 Barossa Assessment Panel – Correspondence from State Planning Commission all information is provided pursuant to Section 83(5) of the Local Government Act 1999 ("the Act") being information that is recommended to be considered in confidence.

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 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 would be an unreasonable disclosure of information concerning the personal affairs of a person, and would reveal legal advice.

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 Greatwich

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)(a) of the Local Government Act 1999:

information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and

Section 90(3)(h) of the Local Government Act 1999:

legal advice;

(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 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 would be an unreasonable disclosure of information concerning the personal affairs of a person, and would reveal legal advice.

SECONDED Cr Troup **CARRIED 2022-26/448**

The meeting moved into confidence at 6.38pm.

MOVED Cr Hurn

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)(a) and (h) 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 21 May 2024 in relation to item 8.3.1 Barossa Assessment Panel - Correspondence from State Planning Commission be kept confidential and not available for public inspection and not to be released and authorise the Chief Executive Officer to review and revoke the order

SECONDED Cr Thompson **CARRIED CO 2022-26/449**

Resumption of open Council meeting at 7.03pm.

8. URGENT OTHER BUSINESS

Nil

9. NEXT MEETING

Tuesday 18 June 2024 at 5.30pm

10. CLOSURE

Mayor Lange declared the meeting closed at 7.04pm.

Confirmed at Council Meeting on 18 June 2024

Date:……………………………… Mayor:…………………………………