



MINUTES OF THE MEETING OF THE BAROSSA COUNCIL

held on Tuesday 18 June 2024 commencing at 5.30pm
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa.

MINUTES

Welcome and Acknowledgement of Country by Mayor Bim Lange who declared the meeting open at 5.30pm.

Mayor Lange introduced and welcomed, two new staff members, Mrs Catherine Nacey as Office of the Mayor and CEO Support Officer and Ms Kelly Wilksch as Manager Financial Services.

1. ATTENDANCE RECORD

1.1 Members Present

Mayor Bim Lange, Crs John Angas, Don Barrett, David de Vries, Tony Hurn, Kathryn Schilling, Jane Evans, Bruce Preece, Jess Greatwich, Rick Lane and Heidi Thompson

Apologies

Cr Cathy Troup

Not Present

Nil

Leave of Absence

Nil

2. CONFIRMATION OF MINUTES

2.1 Minutes of previous meetings – for confirmation:

MOVED Cr de Vries

That the Minutes of the Council meeting held on Tuesday 21 May 2024 at 5.30pm, as circulated, be confirmed as true and correct records of the proceedings of those meetings.

SECONDED Cr Hurn

CARRIED 2022-26/450

2.2 Matters arising from previous minutes

2.2.1 DRAFT ELECTED MEMBER BEHAVIOURAL MANAGEMENT POLICY AND PROCESS 24/42569

At its meeting held 16 April 2024, Council endorsed the Draft Elected Member Behavioural Management Policy and Draft Elected Member Behavioural Management Process for public consultation.

Council's resolution was as follows:

MOVED Cr de Vries

That Council:

- (1) *Endorse the Draft Elected Member Behavioural Management Policy as at Attachment 1 and the Draft Elected Member Behavioural Management Process for public consultation as at Attachment 2.*
- (2) *Adopt the Elected Member Behavioural Management Policy and Elected Member Behavioural Management Process at the immediate conclusion of the public consultation period, in the absence of any written submissions for significant change or amendments being received.*

SECONDED Cr Thompson

CARRIED 2022-26/412

Public Consultation commenced on 8 May 2024, and concluded at 5:00pm on Wednesday 29 May 2024. No submissions were received during the consultation period.

As specified in Council's resolution, in the absence of any written submissions for significant change or amendments being received, the Elected Member Behavioural Management Policy and Elected Member Behavioural Management Process would be immediately adopted at the conclusion of the public consultation period.

The Elected Member Behavioural Management Policy will now be uploaded to Council's website.

SUPPORTING REFERENCES

Nil

2.2.2 DRAFT ANCILLARY ACCOMMODATION AND STUDENT ACCOMMODATION DEFINITIONS REVIEW CODE AMENDMENT

24/43496

At its meeting held on 19 March 2024, Council endorsed a Submission on the Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment.

Feedback was invited on the draft Code Amendment from 29 February to 15 April 2024, and a total of 110 submissions were received from industry, council, government agencies and the community.

Plan SA have provided a short summary of the consultation feedback, which is included as Attachment 1.

Once completed, an Engagement Report will be provided to the Minister to enable a final decision to be made on the Code Amendment.

SUPPORTING REFERENCES

Nil

2.2.3 TALUNGA VILLAGE - COMPLETION OF OWNERSHIP TRANSFER

24/44606

On Tuesday 11 June 2024 the transfer of ownership of Talunga Village was completed. The transaction and settlement of the asset transfer was affected as per Council's resolution of 19 December 2023 and I have extended Council's thanks to Barossa Village for its collaborative and proactive approach to ensure the ongoing housing services provided through Talunga Village to Mount Pleasant and district is maintained and supported by an industry and community housing provider.

SUPPORTING REFERENCES

Nil

3. PROCEDURAL ITEMS

3.1 Petitions

Nil

3.2 Deputations/Visitors to the meeting

3.2.1 Deputy Mayor, Kathryn Schilling welcomed LGA CEO, Clinton Jury to present Mayor Bim Lange OAM with a certificate for 50 years of service in Local Government.

LGA CEO, Clinton Jury expressed his gratitude for his service to the Local Government sector and acknowledged his extraordinary achievement from his beginnings as an employee 'on the tools' to leading the organisation as Mayor. Mr Jury spoke to his commitment to not only The Barossa Council but for sector wide commitment sitting on boards such as the Stormwater Management Committee and previous engagement with the LGA.

Mayor Lange spoke to the Chamber, highlighting the support he has received only the many years and the importance of working as a team for the betterment of the community. He thanked his wife Cheryl noting they just last year celebrated 50 years of marriage, who has been a constant support of his numerous roles he has held over the past 50 years. The Mayor thanked past and present Councillors and staff.

Deputy Mayor, Kathryn Schilling also acknowledged the respect and gratitude on behalf of the Elected Members and praised the Mayor for his support and dedication to Local Government and The Barossa Council.

3.2.2 Mayor Lange welcomed Bill Gransbury - Volunteer for the Old Union Chapel Volunteer Advisory Group.

Bill Gransbury has made a significant contribution to the community as a committee member for the Old Union Chapel. With the building having fallen into disrepair, in 1989 restoration moves commenced. Bill joined and has remained on this committee, supporting the restoration and fundraising efforts and its ongoing use. Bill continues to champion the building within the Angaston community and beyond. As recently as February, as the Angaston and Penrice Historical Society commemorated the 180-year history of this the Barossa's oldest public building, Bill gave the presentation on the history and significance of the Old Union Chapel.

Mayor Lange acknowledged his 35 years of service and his outstanding contribution and presented Mr Gransbury with a certificate to recognise his volunteering service.

3.3 Notice of Motion

3.3.1 REMOVAL OF TREES - NURIOOTPA BOWLING CLUB 24/44602

MOVED Cr Hurn

That Council staff furnish a report and that the report include information on the removal of the trees in Buna Terrace next to the bowling green and replace with something suitable to the space that will not have any impact on the green and the users of the parking spaces, for consideration at the Council ordinary meeting of July 2024.

SECONDED Cr Preece

CARRIED 2022-26/451

PURPOSE

To debate the notice of motion put forward by Cr Hurn to seek a report on the removal of trees related to the development of artificial bowling greens at the Nuriootpa Bowling Club.

REPORT

Cr Hurn has provided the attached notice of motion and rationale. Officers have undertaken a preliminary assessment and a report can be prepared for Council consideration at the July meeting of Council at this time the assessment is sympathetic of the request and likely to be supportive subject to various needs for replanting and management including contribution from the club.

The Council has also received correspondence in support of this motion from the Nuriootpa Bowling Club and that is also attached.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

- Attachment 1 Notice of Motion 
 Attachment 2 Letter from Nuriootpa Bowling Club 
 Attachment 3 Photographs 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTSCorporate Plan

- CS12 Facility and Community Land - Management of buildings, maintenance and occupancy, including inspections and advice to enable safe, accessible, fit for purpose and well managed community facilities, office spaces and community land
- 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
- 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 (Procedures at Meetings) Regulations 2013

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

To be determined as part of the July report.

COMMUNITY ENGAGEMENT

To be determined as part of the July report.

3.3.2 BAROSSA HOSPITAL 24/44605

MOVED Cr Preece

That Mayor Lange writes to the Premier of South Australia on behalf of the residents and The Barossa Council in support of a Barossa Regional Hospital being built as soon as possible.

SECONDED Cr Hurn

CARRIED 2022-26/452

PURPOSE

To debate the notice of motion put forward by Cr Preece to seek the Mayor to write to Premier regarding the Barossa Hospital project.

REPORT

The requisite written notice has been received as required under the *Local Government (Procedure at Meetings) Regulations 2013* and is hereby placed on the Agenda. The signed notice is at the Attachment and provides the rationale put forward by Cr Preece.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Notice of Motion 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Health and Wellbeing

Goal

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

- 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 (Procedures at Meetings) Regulations 2013

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil considerations.

COMMUNITY ENGAGEMENT

Nil considerations.

3.4 Questions with Notice

Nil

4. MAYOR

4.1 Mayor's Report

MOVED Cr de Vries

That the Mayor's report be received.

SECONDED Cr Lane

CARRIED 2022-26/453

5. COUNCILLORS' REPORTS

5.1 COUNCILLOR'S REPORT TO COUNCIL - CR SCHILLING

MOVED Cr Greatwich

That the Councillor Schilling's report be received.

SECONDED Cr Barrett

CARRIED 2022-26/454

5.2 COUNCILLOR'S REPORT TO COUNCIL - CR TROUP

MOVED Cr de Vries

That the Councillor Troup's report be received.

SECONDED Cr Greatwich

CARRIED 2022-26/455

6. MATTERS FOR INFORMATION

- 6.1 Initiation of the Accommodation Diversity Code Amendment - State Planning Commission
- 6.2 Disability Access and Inclusion Plan Update
- 6.3 Williamstown and Lyndoch Landcare Group Inc.
- 6.4 Northern and Yorke Local Government Association Minutes of 7 June 2024

7. DEBATE REPORTS

7.1 Office of the Mayor and CEO

Nil

7.2 Corporate Services and Business Innovation

7.2.1 REVIEW PUBLIC SUBMISSIONS AND FINAL ADJUSTMENTS TO THE ANNUAL BUSINESS PLAN AND BUDGET FOR THE 2024/25 FINANCIAL YEAR **24/44323**

MOVED Cr de Vries

That Council having noted and considered the submissions and revised budget outcomes as presented at Attachment 1, endorse the responses and amendments as proposed in that Attachment.

SECONDED Cr Schilling

CARRIED 2022-26/456

PURPOSE

To review public submissions and final adjustments related to the Annual Business Plan and Budget 2024/25 (ABP&B), incorporating the Long-Term Financial Plan 2024/25 to 2033/34 (LTFP).

REPORT

Introduction

Council's draft ABP&B has been distributed and consulted on with the community as required by the *Local Government Act 1999* (the Act) and Council's instructions of 14 May 2024.

Discussion

Council must consider any submissions made during the public consultation period before adopting its ABP&B (with or without amendment) as required in Section 123 of the Act.

The consultation process was undertaken as approved by Council and closed on 7 June 2024. Public notices, social media, and the holding of a meeting which allowed the required 1 hour to hear any submission and answer questions was undertaken.

There were seven public submissions received and are outlined in the following table and provided at Attachment 1.

Public Submissions

At Appendix 1, a summation of the submissions, the submissions themselves, and notes from the public meeting held on 6 June 2024 are provided with associated recommendations.

Revised Budget Outcomes Since Commencement of Consultation

As part of continually refining the budget with new and updated information there are various changes necessary and recommended, they are also provided at Attachment 1. In summary they are:

Operating Adjustments

1. The Federal Assistance Grants to be paid in 2024-25 are estimated to be \$59,325 more than budgeted due to the adjustment for inflation being higher than budgeted.
2. The next iteration of the Commonwealth Roads to Recovery Program funding from the budget papers is estimated to be \$9,289 more than budgeted.
3. Minor adjustment of \$210 has been made to the statutory fee paid to the Electoral Commission based on correspondence provided.
4. An increase to the planning system portal to the State of \$12,900 is required to meet our legislative payment requirements as Council now has met the tier one development threshold requiring a greater contribution.
5. Recalculation and updates of the LTFP along with an extensive cash flow calculation month by month for 2024-25 has resulted in a saving of (net) \$268,256 in interest costs through cash flow management techniques.
6. Recommendation to support Barossa Australia with China Marketing proposal for \$30,000.
7. Adjustments necessary to raise rubble for capital and maintenance programs, has a net zero operating budget impact.

Capital Adjustments

1. Recognising the management of the State Government contribution to Barossa Park, has a net zero impact on the capital and capital budget but needs to be recognised as discussed with our Auditor.
2. Various adjustments, as provided at Attachment 2 which reflect the estimated capital program outcomes and carry over requirements, which have been factored into the updated ABP&B and LTFP.
3. Nuriootpa Centennial Park Authority (NCPA) has requested consideration of three additional capital adjustments and it is recommended in the table at Attachment 1 that two be placed in the budget totalling \$75,000 as they are replacement asset needs and the third be deferred until the borrowings from its prior upgrades are repaid.

Summary and Conclusion

With consultation completed, the final stages of budget assessment and adoption (later in this meeting) are prepared and ready for final determination.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES	
Attachment 1	Public Submissions - Public Meeting Notes - Recommended Budget Amendments
Attachment 2	23-24 Capital Budgets - Estimated Carry Forward for Final Budget Approval for 24-25 with Q3 Adjustments As At 10 June 2024

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

- BS3 Communications and Engagement - Management of media, social media, digital communications, branding and strategy, special projects, grants and research, corporate publications, community engagement and events.
- 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

Section 50 of the Local Government Act
Section 123 of the Local Government Act

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Outlined in the report and as part of the documents presented at the upcoming Special Council Meeting for adoption of the ABP&B and LTFP.

COMMUNITY ENGAGEMENT

Detailed within this report and included as part of the draft Annual Budget and Business Plan 2024/25 consultation and adoption process, and in accordance with the Act.

7.2.2 MONTHLY FINANCE REPORT AS AT 31 MAY 2024 **24/43270**

MOVED Cr de Vries

That Council receive and note the Monthly Finance Report as at 31 May 2024 as provided at Attachment 1.

SECONDED Cr Hurn

CARRIED 2022-26/457

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 31 May 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 May 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.

7.2.3 FEES AND CHARGES REGISTER 2024-25 **24/44495**

MOVED Cr Hurn

That Council adopt the fees and charges to be applied for the 2024-25 financial year as included in Attachment 1.

SECONDED Cr de Vries

CARRIED 2022-26/458

PURPOSE

To review and adopt the fees and charges to be applied for the 2024-25 financial year.

REPORT

Background

Section 188 of the *Local Government Act 1999* allows a Council to impose a variety of fees and charges for the goods and/or services it provides. These fees and charges may be fixed, varied or revoked by decision of the Council.

Discussion

A list of the proposed fees and charges for 2024-25 is provided in Attachment 1. The list includes fees and charges for the goods and/or services that the Council provides,

including dog registration fees, which were previously adopted by Council at the 19 March 2024 meeting.

Any fees and charges set by the State Government have been excluded from Attachment 1 given they do not require approval from Council and are available through the relevant State Government authorities.

Any fees and charges that do not have a comparable 2023-24 amount are new for 2024-25.

Summary and Conclusion

To continue to minimise the general rate burden on our community, it is imperative that Council increases the fees and charges in line with the cost increases being experienced by the council in delivering such goods and/or services to our community. Accordingly, all fees and charges have been reviewed by the relevant Budget Managers and increased where appropriate.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Draft Fees and Charges Register 2024-25 - To Council 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

- BS3 Communications and Engagement - Management of media, social media, digital communications, branding and strategy, special projects, grants and research, corporate publications, community engagement and events.
- 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

Section 188 of the Local Government Act 1999.

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The Draft Annual Budget and Business Plan 2024-25 is aligned to the draft Fees and Charges Register and this report represents no change in risk, financial outcomes or resource allocations.

COMMUNITY ENGAGEMENT

Fees and charges set by the State Government are a legislative requirement and Council is required to charge these amounts in accordance with the relevant Act.

These fees and charges are not shown as part of the Council's Fees and Charges Register but are available through the relevant State Government authorities.

Other fees and charges are set by the Council as part of the 2024-25 budget process, with the Draft Annual Budget and Business Plan 2024-25 made available to the community for public consultation. This public consultation process has now been completed.

The newly adopted fees and charges will be made available for the community to access on the Council's website from 1 July 2024.

7.2.4 ADOPTION OF ANNUAL BUSINESS PLAN AND BUDGET FOR THE 2024-2025 FINANCIAL YEAR INCORPORATING THE LONG TERM FINANCIAL PLAN FOR THE FINANCIAL YEARS 2024-2025 TO 2033-2034 **24/40141**

Through the Mayor, CEO, Mr McCarty addressed Council advising that he has received unexpected additional property valuation changes from the Valuer-General on 17 June 2024. The Finance Team have reconciled the changes and have updated the model, spreadsheets and plan and circulated to the Elected Members and placed an addendum agenda on Council's website.

The minor changes are:

- a. Property growth increased by 5 properties so this is highlighted at pages 29,33, 34,35 which has growth now at 0.46% instead of 0.43% and rateable properties at 13418 instead of 13413.
- b. Updated valuation data, minor changes to % changes on page 30 and total valuation.
- c. Minor reduction rate outcomes for the average presented on page 34.
- d. A reduction in general rates revenue less fixed charge collected of \$992 on page 35.

MOVED Cr de Vries

That Council, pursuant to Section 123 of the *Local Government Act 1999*, having previously reviewed the submissions made during the public consultation period and considered those submissions and further amendments to the Annual Business Plan for 2024-2025, adopt the Annual Business Plan 2024-2025 as presented at Attachment 1.

SECONDED Cr Hurn

CARRIED 2022-26/459

Subject to recommendation 1 being passed:

MOVED Cr de Vries

That Council having adopted the Annual Business Plan for the 2024-25 financial year:

- (1) Pursuant to Section 122 and 123 of the *Local Government Act 1999*, having previously reviewed the submission made during the public consultation period

and considered those submissions and further amendments to the Annual Budget and Business Plan, adopt, as presented at Attachment 1:

- (a) the draft Annual Budget 2024-2025, used for the purpose of public consultation, as amended, as The Barossa Council Annual Budget for the 2024-2025 financial year;
 - (b) the annual review of the draft Long Term Financial Plan for the 2024-2025 to 2033-2034 financial years, used for the purpose of public consultation, as amended, as The Barossa Council Long Term Financial Plan 2024-2025 to 2033-2034.
- (2) Notes the Chief Executive Officer's Council's Sustainability report on the Council's long term financial performance and position as recorded in the Annual Business Plan and Budget 2024-2025, incorporating the Long-Term Financial Plan 2024-2025 to 2033-2034.
 - (3) Authorises the Chief Executive Officer to make necessary typographical and grammatical changes and update the Annual Business Plan and Budget to reflect altered valuation and property information received on 17 June 2024, which is subject to Council report 7.2.5 of this agenda, prior to formal publication.
 - (4) Pursuant to Section 123 of the *Local Government Act 1999*, approve the borrowing of funds up to the amount identified in the Annual Business Plan and Budget 2024-2025, incorporating the Long Term Financial Plan 2024-2025 to 2033-2034 and that they shall be drawn from the Local Government Finance Authority using a combination of Cash Advance Debentures and Principal Interest loans as determined by the Chief Executive Officer in consultation with the Mayor and in alignment with Council's Treasury Management Policy.
 - (5) Authorise the Mayor and Chief Executive Officer to sign and seal any loan and related documentation to give effect to Part 2 of this resolution.

SECONDED Cr Schilling

CARRIED 2022-26/460

PURPOSE

To adopt the consolidated Annual Business Plan and Budget (ABP&B) 2024-2025, incorporating the annual review of the Long-Term Financial Plan (LTFP) 2024-2025 to 2033-2034.

REPORT

Background

Council approved a draft ABP&B and LTFP for consultation which has concluded. Council will (and will have concluded) consider the feedback provided and also alterations recommended as part of the Ordinary Council meeting of 18 June 2024, this matter cannot proceed until the report 7.2.1 Review Public Submissions and Final Adjustments to the Annual Business Plan and Budget for the 2024/25 Financial Year of this meeting is completed. This report outlines the submission outcomes and revised proposals for the budget.

The ABP&B has been developed through a rigorous process of consultation and review with Council Officers and Elected Members and follows the Business Planning Framework outlined in the Strategic Directions area of this document.

This report provides a summary of the final proposed ABP&B and LTFP.

Discussion

Revised Information

Valuation, General Rating, Service Changes - Analysis

Valuation

Valuation data, as provided by the Valuer-General, has been received and updated in Council's modelling tools, using the draft Rating Model as included within the Draft ABP&B for 2024-25. Updates have been made to the property valuation for the final data received on the week commencing 11 June 2024; an increase of 12.27% over last year and the increase in growth assessment numbers is 0.58%. Valuations have increased from \$7,478,941,400 to \$8,396,696,800 for all property. The value of rateable land has increased by 12.19% from \$7,328,819,865 to \$8,221,975,722.

General Rate Revenue

The overall increase to general rate revenue from last year has been reduced from the draft projection of 4.3% down to 4.16%, below the CPI rate of 4.3%. Due to slightly higher valuation increases from the consultation rating valuations and the growth in valuations for new rateable assessment being greater than budgeted at 1.12% this is despite actual net property growth being 0.58%. Where there has been growth in valuations from revisions since the draft budget rates in the dollar have been reduced to counter the increases and align the rates collected to the target budget value.

Service Charges - Community Wastewater Management Systems (CWMS)

The CWMS Service charge for Residential customers is set at \$396.50 per annum a small reduction against the draft plan due to greater connections than modelled; last year this was \$386 per annum representing a 2.72% increase, and for non-residential customers the amount decreased from last year at \$0.001004 rate in the dollar for their valuation to \$0.000932 reflecting valuation changes.

Service Charges - Waste Services

Overall, the refuse, recycling and green organics collection service charge has been increased from last year at \$271 to \$275.50, this is a significant reduction to the draft budget due to greater number of services than originally budgeted and reflects an increase of 1.66%. The 140L Refuse Bin has increased from last year at \$130 to \$133. recycling has increased from last year at \$70 to \$70.50 and Green Organics increased from \$71 to \$72. The refuse collection service rate for 240L bins, available to commercial premises to upsize to 240L, has increased from last year at \$169 to \$174. The service charges are based on cost increases for collection and disposal.

Operating Budget

Further reviews to the Budget since the draft was adopted have been outlined in the report at 7.2.1 of this agenda and represents a reduction in the budget deficit from \$737,000 to \$437,000 an improvement to the bottom line of \$300,000 with associated improvements to the forward years in the LTFP.

The Nuriootpa Centennial Park Authority (NCPA) board approved their 2024-2025 Budget and Business Plan and LTFP. The NCPA operating and capital budget information is contained within Council's ABP&B and LTFP.

Reserve Transfers

Service areas for CWMS and Waste, which have separate service charges and rates, are reconciled to the net operating result at the end of the financial year. Movements within these budgets are adjusted to/from the relevant reserve at the end of 2024-2025 and a report provided to Council in due course as is standard end of financial year practices. This is undertaken to ensure compliance with the rating provisions of the *Local Government Act* (the Act) where service areas that are subject to a service charge or rate are over the long-term covering the cost of the service.

Annual Budget and Business Plan

As required under Section 123 of the Act, the draft Business Plan has been prepared and is contained within the first section of the draft ABP&B 2024-2025.

The consolidated budgeted financial statements are included in the Annual Budget section of the ABP&B.

Pursuant to Section 123 (7) of the Act, Council must adopt its Annual Business Plan with or without amendment before the adoption of its Annual Budget, as per the following excerpt:

- (7) Each budget of a council must-
 - (a) be considered in conjunction with the council's annual business plan (and must be consistent with that plan, as adopted); and
 - (b) be adopted by the council after the council has adopted its annual business plan.

Pursuant to Section 153(5)(a) of the Act, Council must adopt its ABP&B *prior* to adopting rates for the financial year.

Long Term Financial Plan

As required in Section 122 of the Act, Council must undertake a review of its LTFP as soon as practical after adopting the Council's Annual Business Plan.

The annual review of the LTFP is included as a section within the ABP&B document. It is noted that following the inclusion of the submissions and revised information above, the LTFP has been updated from the draft consultation document.

The LTFP sub-plans are prepared for Waste Service, CWMS Services, NCPA, all other Council services and consolidated to form Council's summary LTFP - this summary annual review is reported within the consolidated financial estimates in the ABP&B.

The LTFP includes known operational and capital expenditure programs to maintain, renew and implement assets and services as required for Council services over the ten years.

Funding Plan

As required in Section 122 (1e) of the Act, to meet future service provision Council uses a mix of revenue sources including general rates, service charges, user and statutory charges, grants and contributions, commercial and other income along with loan financing as a means of funding both operating and capital expenditure.

Refer to the LTFP for Council's funding of operating and capital programs and requirements, indexation, financial assumptions and estimates, loan financing and financial indicators.

Revenue and Financing

The general rate revenue increase excluding growth at 4.16% for 2024/25 and for 2024/25 and 2025/26 at 4%, 3.5% for 2026/27, 3% for 2027/28 and the remaining years in the LTFP are 2.5% plus growth in assessments plus growth in assessment numbers at 1.00% pa. Further and full details are provided in the LTFP and there are no significant deviations in the settings from that which was adopted for consultation other than those already explained in this report.

Expenditure

Operating expenditure is indexed within a range of 0% to 4%, with one-off and cyclic expenditure works and programs scheduled in the appropriate year as and when required. Further and full details are provided in the LTFP and there are no significant deviations in the settings from that which was adopted for consultation other than those already explained in this report.

Summary and Conclusion

As required in Section 122 of the Act, the Council's Chief Executive Officer (CEO) is to prepare a report on the Council's long term financial performance and position, considering the provisions of Council's annual business plan and strategic management plans.

Council's Financial Sustainability Principles play an important part of the preparation of the LTFP and are included in the document. Council has adopted the Local Government sector key financial indicators to assess Council's long-term financial sustainability. The CEO report uses the Key Performance Indicators (KPIs) as a tool to analyse and measure forecasts to targets.

The measurement of Council's performance includes both financial and non-financial KPIs. These are reported within the document in detail for the budget year and in summary for the 10 year plan. An explanation of the variances for the LTFP KPIs are recorded in the document.

A Financial Sustainability Performance Report is included in the final ABP&B in the LTFP. The amendments to the budget and LTFP see all key performance indicators meeting target settings based on the current Elected body policy, service level and investment settings.

The plans and budgets do not currently include the Concordia development estimates, these are currently under development.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Annual Business Plan and Budget 2024-25 including the Long Term Financial Plan 2024-25 to 2033-34 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Natural Environment and Built Heritage



Community and Culture



Infrastructure



Health and Wellbeing



Business and Employment

Goal

1. The 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.
3. We take a proactive approach in responding to key environmental challenges such as climate change, water security and waste management.
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.
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
8. To have a connected and safe transport network that meets the needs of our 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
13. The Barossa is competitive and in a strong position to attract both private and public investment in the development of new and existing businesses, services and industry.

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.
- 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.
- 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.
- 3.2. Collaborate with partners and our community to support innovative approaches to waste minimisation, and increase reuse and recycling opportunities.
- 3.3. Ensure long term confidence in the Barossa's capacity to access water to meet its industrial, domestic and environmental needs.
- 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.
- 5.1. Support the development of activities that celebrate the history, art and culture of the Barossa and its people.
- 5.2. Create places where people want to live and plan for the future in a coordinated, affordable, appropriate and proactive way.
- 5.3. Create vibrant public spaces that provide places for creative development, cultural interaction and social connections.
- 5.4. Recognising and celebrating the community successes and learning from opportunities.
- 6.1. Advocate for and identify funding opportunities that support the development of community, cultural, health and other facilities and infrastructure to meet personal and commercial needs of residents and businesses.
- 6.2. Continue to ensure that infrastructure considers place-making is inclusive and accessible for all.
- 6.3. The use of new and emerging technologies, alternative and renewable materials where appropriate and cost effective will be trailed.
- 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.

- 8.1. Support opportunities to increase community transport and access to services and facilities.
- 8.2. Ensure a high quality road, shared paths and footpath network throughout the Barossa in partnership with all levels of government.
- 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.
- 11.1. Work closely with State Government, Federal Government and other key stakeholders to support economic growth, development and job creation.
- 11.2. Support proactive population growth that is incremental, well managed and is backed up by local planning and development opportunities.
- 11.3. Promote the Barossa as a place for business's to thrive, invest, innovate, take measured risks and prosper.
- 12.1. Encourage and support the sector to further promote and develop tourism experiences including ecological, cultural and agricultural tourism.
- 12.2. Support economic development and destination awareness through events, festivals, creative enterprise and attractions.
- 12.3. Provide experiences and infrastructure that continue to support the needs of the tourism market.
- 13.1. Foster small business and industry confidence and growth that translates into innovation and strong employment figures.
- 13.2. Attract investment for new and innovative industries, and facilitate business growth by supporting local industry and their capacity to compete for government contracts.

Legislative Requirements

Section 123 of the Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Outlined in the body of the report and the attachment.

COMMUNITY ENGAGEMENT

Has been undertaken and presented in the Ordinary Council meeting agenda of 18 June 2024 at agenda item 7.2.1.

7.2.5

A.1 UPDATED ADOPTION OF VALUATIONS FOR THE 2024-2025 FINANCIAL YEAR RATING PURPOSES
24/45087

MOVED Cr Barrett

That Council, in accordance with Section 167(2)(a) of the *Local Government Act 1999*, adopts for rating purposes for the year ending 30 June 2025, the Valuer-General's most recent valuations available to Council of the Capital Value in relation to the area of the Council, which specifies that the total values to apply within the area is \$8,398,283,800 of which \$8,223,562,722 is rateable.

SECONDED Cr de Vries

CARRIED 2022-26/461

PURPOSE

This is an addendum report to provide a further update to the issued report for Council meeting item 7.2.5 of the ordinary meeting of 18 June 2024 "Adoption of Valuations for the 2024-2025 Financial Year Rating Purposes". The purpose of this report is to adopt the latest information provided by the Valuer-General as required by Section 167 of the *Local Government Act 1999*.

REPORT

The information provided in the agenda released on Friday 14 June 2024 included valuations from the Valuer-General expected to be the final valuations. Further information was received from the Valuer-General on Monday 17 June 2024 and these valuations must be used to ensure compliance with Section 167 (3) of the *Local Government Act 1999*, which states:

"For the purposes of subsection (2) (a) (i) in relation to the adoption of valuations under subsection (2)(a)—the most recent valuations available to the council at the time that the council adopts its budget under this Act will govern the assessment of rates for the financial year".

Information from Original Agenda Item

The movement in property valuations from 2023-2024 to 2024-2025 is outlined in the table below.

Table 1 – Property Valuation Movement – Rateable Assessments

	2024-25			2023-24			
Local Government Categories	No. of assessments	Total Valuations	Ave Valuation	No. of assessments	Total Valuations	Ave Valuation	% Movement Total Valuations
Residential	9861	5,213,030,791	528,651	9752	4,590,015,758	470,674	13.57%
Commercial	256	176,553,108	689,661	256	160,349,541	626,365	10.11%
Commercial	72	37,471,245	520,434	71	32,335,395	455,428	15.88%
Commercial	355	326,495,057	919,704	356	292,105,271	820,520	11.77%
Industry - Light	48	25,704,678	535,514	43	21,162,773	492,158	21.46%
Industry - Other	91	284,826,261	3,129,959	90	275,146,833	3,057,187	3.52%
Primary Production	2157	1,938,545,230	898,723	2174	1,770,207,292	814,263	9.51%
Vacant Land	433	129,668,900	299,466	466	113,474,622	243,508	14.27%
Other	140	89,680,452	640,575	148	74,022,380	500,151	21.15%
Totals	13413	8,221,975,722	612,986	13356	7,328,819,865	548,729	12.19%
				Assessments	Value	Ave Value	Assessment Growth
Difference between years				57	893,155,857	64,257	0.43%

There has been an increase of approximately \$893m in total property valuations from last years' property valuations being 12.19%.

Revised Information Received 17 June 2024

The movement in property valuations from 2023-2024 to 2024-2025 is outlined in the table below including those received on 17 June 2024 which total an additional \$1,587,000 in valuations from that released in the agenda last Friday.

Table 2 – Property Valuation Movement – Rateable Assessments – Received 17 June 2024

	2024-25			2023-24			
Local Government Categories	No. of assessments	Total Valuations	Ave Valuation	No. of assessments	Total Valuations	Ave Valuation	% Movement Total Valuations
Residential	9868	5,217,202,791	528,699	9752	4,590,015,758	470,674	13.66%
Commercial	256	176,553,108	689,661	256	160,349,541	626,365	10.11%
Commercial	72	37,471,245	520,434	71	32,335,395	455,428	15.88%
Commercial	354	325,685,057	920,014	356	292,105,271	820,520	11.50%
Industry - Light	48	25,704,678	535,514	43	21,162,773	492,158	21.46%
Industry - Other	91	284,826,261	3,129,959	90	275,146,833	3,057,187	3.52%
Primary Production	2157	1,938,545,230	898,723	2174	1,770,207,292	814,263	9.51%
Vacant Land	432	128,668,900	297,845	466	113,474,622	243,508	13.39%
Other	140	88,905,452	635,039	148	74,022,380	500,151	20.11%
Totals	13418	8,223,562,722	612,875	13356	7,328,819,865	548,729	12.21%
				Assessments	Value	Ave Value	Assessment Growth
Difference between years				62	894,742,857	64,147	0.46%

There has been an increase of approximately \$895m in total property valuations from last years' property valuations being 12.21%.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

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 167 of the Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

There are no changes to the financial, resources or risk management considerations not already known and embedded in the organisation because of this report.

COMMUNITY ENGAGEMENT

Included as part of the draft Annual Budget and Business Plan 2024-2025 consultation and adoption process.

7.2.6 DECLARATION OF DIFFERENTIAL GENERAL RATES FOR THE 2024-2025 FINANCIAL YEAR **24/40136**

MOVED Cr Angas

That Council, pursuant to Sections 152(1)(c)(i), 153(1)(b) and 156(1)(a) of the *Local Government Act 1999*, declares the following differential general rates on rateable land within its area for the year ending 30 June 2025, based upon the capital value of the land, with rates varying with reference to land use categories as per Regulation 14 of the *Local Government (General) Regulations 2013*:

- (1) Category (a) (Residential), a rate of 0.002762 in the dollar;
- (2) Category (b) (Commercial – Shop), Category (c) (Commercial – Office) and Category (d) (Commercial – Other), a rate of 0.00434 in the dollar;
- (3) Category (e) (Industry – Light) a rate of 0.00445 in the dollar;
- (4) Category (f) (Industry – Other) a rate of 0.01485 in the dollar;
- (5) Category (g) (Primary Production) a rate of 0.002649 in the dollar;
- (6) Category (h) (Vacant Land) a rate of 0.00559 in the dollar;
- (7) Category (i) (Other) a rate of 0.0044 in the dollar.

AND

GENERAL RATES CAP - RESIDENTIAL AND PRIMARY PRODUCTION

That Council, pursuant to section 153(3) and (4) of the *Local Government Act 1999*, has determined to fix, on application of the property owner, a maximum increase in general rates (excluding fixed charge) levied upon a category (a) land use (Residential) or category (g) land use (Primary Production) property, for the year

ending 30 June 2025 which constitutes the principal place of residence of a principal ratepayer at:

- (a) 7.5% over and above the general rates levied for the 2023/2024 financial year (for those eligible for a State Government concession on their Council rates including those in receipt of the Cost of Living Concession) or;
- (b) 15% over and above the general rates levied for the 2023/2024 financial year (for all other such ratepayers), provided that:
 - (i) the property has been the principal place of residence of the principal ratepayer since at least 1 July 2023, and;
 - (ii) the property has not been subject to improvements with a value of more than \$10,000 since 1 July 2023, and;
- (iii) excluding land related to the principal place of residence for the purposes of single farm enterprise and/or contiguous land.

SECONDED Cr de Vries

CARRIED 2022-26/462

PURPOSE

To adopt the differential general rates-in-the-dollar to apply for the 2024/2025 rating year and the general rates cap on application and the Revaluation Initiative general rates cap.

REPORT

A comparison of the rates-in-the-dollar for 2023/24 and 2024/25 is outlined in the table below:

Local Government Categories	2024/25		2023/24		% Movement Total Valuations	% increase in rate in \$	Average 23/24	Average 24/25
	Rate in the \$	Total Rates	Rate in the \$	Total Rates				
Residential	0.002762	\$ 18,711,175.86	0.00294	\$ 17,585,446.33	13.56%	-6.05%	\$ 1,803.27	\$ 1,893.65
Commercial	0.00434	\$ 877,930.49	0.00454	\$ 835,086.92	10.11%	-4.41%	\$ 3,262.06	\$ 3,429.42
Commercial	0.00434	\$ 193,723.20	0.00454	\$ 176,202.69	15.88%	-4.41%	\$ 2,481.73	\$ 2,690.60
Commercial	0.00434	\$ 1,570,288.55	0.00454	\$ 1,473,577.93	11.77%	-4.41%	\$ 4,139.26	\$ 4,423.35
Industry - Light	0.00445	\$ 135,409.82	0.0045	\$ 113,292.48	21.46%	-1.11%	\$ 2,634.71	\$ 2,821.04
Industry - Other	0.01485	\$ 4,264,271.98	0.01433	\$ 3,977,294.12	3.52%	3.63%	\$ 44,192.16	\$ 46,860.13
Primary Production	0.002649	\$ 5,901,268.31	0.00295	\$ 5,946,611.51	9.51%	-10.20%	\$ 2,735.33	\$ 2,735.87
Vacant Land	0.00559	\$ 894,783.25	0.00559	\$ 807,783.14	14.61%	0.00%	\$ 1,733.44	\$ 2,061.71
Other	0.0044	\$ 448,467.99	0.005	\$ 425,551.90	21.15%	-12.00%	\$ 2,875.35	\$ 3,203.34
		\$ 32,997,319.45		\$ 31,340,847.01	12.19%		\$ 2,346.57	\$ 2,456.25

Local Government Categories	Valuation Change Rateable			Share of Rates Burden		
	24-25	23-24	%	24-25	23-24	Change
Residential	5,212,640,791.00	4,590,015,758.00	13.6%	56.71%	56.11%	0.59%
Commercial	176,553,108.00	160,349,541.00	10.1%	2.66%	2.66%	0.00%
Commercial	37,471,245.00	32,335,395.00	15.9%	0.59%	0.56%	0.02%
Commercial	326,495,057.00	292,105,271.00	11.8%	4.76%	4.70%	0.06%
Industry - Light	25,704,678.00	21,162,773.00	21.5%	0.41%	0.36%	0.05%
Industry - Other	284,826,261.00	275,146,833.00	3.5%	12.92%	12.69%	0.23%
Primary Production	1,938,545,230.00	1,770,207,292.00	9.5%	17.88%	18.97%	-1.09%
Vacant Land	130,058,900.00	113,474,622.00	14.6%	2.71%	2.58%	0.13%
Other	89,680,452.00	74,022,380.00	21.2%	1.36%	1.36%	0.00%
	\$ 8,221,975,722.00	\$ 7,328,819,865.00	12.2%	100.00%	100.00%	0.00%

The rating settings are directly aligned to the Annual Budget and Business Plan, which is now ready for adoption.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

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

Chapter 10 of the Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

There are no changes to the financial, resources or risk management considerations not already known and embedded in the organisation because of this report.

COMMUNITY ENGAGEMENT

Has been undertaken and presented in the Ordinary Council meeting agenda of 18 June 2024 at agenda item 7.2.1.

7.2.7 DECLARATION OF FIXED CHARGE FOR THE 2024-2025 FINANCIAL YEAR **24/40139**

MOVED Cr Hurn

That Council, pursuant to Section 152(1)(c)(ii) of the *Local Government Act 1999*, impose a Fixed Charge of \$438.00 on each separately valued piece of rateable land within the Council area for the year ending 30 June 2025.

SECONDED Cr de Vries

CARRIED 2022-26/463

PURPOSE

To adopt a Fixed Charge on all rateable properties for the 2024-25 rating year.

REPORT

A Fixed Charge of \$438 represents an \$18 increase on the amount applied for the 2023-24 rating year.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

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 152 of the Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

There are no changes to the financial, resources or risk management considerations not already known and embedded in the organisation because of this report.

COMMUNITY ENGAGEMENT

Has been undertaken and presented in the Ordinary Council meeting agenda of 18 June 2024 at agenda item 7.2.1.

7.2.8 DECLARATION OF WASTE COLLECTION SERVICE CHARGES FOR THE 2024-2025 FINANCIAL YEAR
24/40052

MOVED Cr Greatwich

That Council, pursuant to Section 155 of the *Local Government Act 1999*, and in order to provide the service of waste collection in those parts of the Council's area described in (3) below, declares the following service charges by reference to the nature and/or level of usage of the service, for the year ending 30 June 2025:

- (1) Non-recyclable Waste Collection
 - a. An annual service charge of \$133 per 140L General (Landfill) Waste collection receptacle;
 - b. An annual service charge of \$174 per 240L General (Landfill) Waste collection receptacle except in instances where, subject to written

application to and the approval of the Council, residential households with six or more permanent residents or a special medical condition may receive a 240L receptacle at the same service charge for a 140L receptacle.

- (2) Recyclable Waste Collection
 - a. An annual service charge of \$70.50 for 240L Co-mingled Recycling collection receptacle;
 - b. An annual service charge of \$72 for 240L Green Organic Recycling collection receptacle.
- (3) Parts of Council Area
 - a. All Service Entitled Properties in the Designated Waste Collection Areas and along the Approved Waste Collection Route as identified in the Waste Management Services Policy.

SECONDED Cr Evans

CARRIED 2022-26/464

PURPOSE

To adopt the Waste Collection Service Charge for the 2024/2025 rating year.

REPORT

The proposed service charges are based on the estimated cost to Council in providing the service.

Pursuant to Section 155(5) of the Local Government Act 1999, Council cannot recover by way of the service rate an amount exceeding the estimated cost of operating the service.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

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 155 of the Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

There are no changes to the financial, resources or risk management considerations not already known and embedded in the organisation because of this report.

COMMUNITY ENGAGEMENT

Has been undertaken and presented in the Ordinary Council meeting agenda of 18 June at agenda item 7.2.1.

7.2.9 DECLARATION OF COMMUNITY WASTEWATER MANAGEMENT SYSTEMS (CWMS) RATE AND SERVICE CHARGES FOR THE 2024-2025 FINANCIAL YEAR 24/40054

MOVED Cr Greatwich

That Council, pursuant to Section 155 of the *Local Government Act 1999*, declare a service rate and impose a service charge for the year ending 30 June 2025, in the following areas to which Council makes available a Community Wastewater Management System (CWMS):

- (1) Residential & Vacant Land Properties
 - a. An annual service charge of \$396.50 for occupied residential rateable and non-rateable land;
 - b. An annual service charge of \$125 on each assessment of vacant rateable and non-rateable land.
- (2) Non-Residential & Non-Vacant Land Properties a service rate of 0.000932 in the dollar of the capital value of occupied non-residential rateable land.

SECONDED Cr Thompson

CARRIED 2022-26/465

PURPOSE

To adopt the declaration of Community Wastewater Management Systems (CWMS) rates and charges for the 2024/2025 rating year.

REPORT

The proposed service rates and charges are based on the estimated cost to Council in delivering the service.

Pursuant to Section 155(5) of the *Local Government Act 1999*, Council cannot recover by way of the service rate and charges an amount exceeding the estimated cost of operating, maintaining, improving and replacing the service.

The charge for all residential properties connected to a CWMS scheme is solely based on a service charge.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS7 Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims

Legislative Requirements

Section 155 of the Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

There are no changes to the financial, resources or risk management considerations not already known and embedded in the organisation because of this report.

COMMUNITY ENGAGEMENT

Has been undertaken and presented in the Ordinary Council meeting agenda of 18 June 2024 at agenda item 7.2.1.

7.2.10 DECLARATION OF REGIONAL LANDSCAPE LEVY FOR THE 2024-2025 FINANCIAL YEAR
24/40053

MOVED Cr de Vries

That Council, in exercise of the powers contained in section 154 of the *Local Government Act 1999* and section 69 of the *Landscape South Australia Act 2019*, for the year ending 30 June 2025 and in order to reimburse the Council for the amount contributed to the Northern and Yorke Landscape Board, a levy in the nature of a separate rate of 0.0001036 in the dollar of the capital value of land, be declared on all rateable land in the area of that Board.

SECONDED Cr Greatwich

CARRIED 2022-26/466

PURPOSE

To adopt the declaration of the State Government Northern and Yorke Landscape Board Levy for the 2024-2025 rating year.

REPORT

The levy is collected on behalf of the State Government and then forwarded to the Northern and Yorke Landscape Board on a quarterly basis. Council has no control over the expenditure and is simply collecting the State's taxes.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

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 154 of the Local Government Act 1999

Section 69 of the Landscape South Australia Act 2019

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

There are no changes to the financial, resources or risk management considerations not already known and embedded in the organisation because of this report.

COMMUNITY ENGAGEMENT

Has been undertaken and presented in the Ordinary Council meeting agenda of 18 June 2024 at agenda item 7.2.1.

7.2.11 PAYMENT OF RATES FOR THE 2024-2025 FINANCIAL YEAR
24/40050

MOVED Cr Preece

That Council:

- (1) Pursuant to Section 181(1) and (2) of the *Local Government Act 1999*, all rates and charges will be payable in four quarterly instalments due on 3 September 2024, 3 December 2024, 4 March 2025 and 3 June 2025; provided that in cases where the initial account requiring payment of rates is not sent at least 30 days prior to these dates, or an amended account is required to be sent, authority to

fix the date by which rates must be paid in respect of those assessments affected, is hereby delegated to the Chief Executive Officer.

- (2) Pursuant to Section 44 of the Local Government Act 1999 the Chief Executive Officer (or his delegate) be delegated power under Section 181 (4)(b) of the Act to enter into agreements with ratepayers relating to the payment of rates in any case where he considers it necessary or desirable to do so.

SECONDED Cr Angas

CARRIED 2022-26/467

PURPOSE

To adopt the quarterly payment due dates for the 2024-2025 rating year.

REPORT

In accordance with the provisions of the Local Government Act 1999, rate payments must be offered on a quarterly basis in September, December, March and June each year.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

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 181 of the Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

There are no changes to the financial, resources or risk management considerations not already known and embedded in the organisation because of this report.

COMMUNITY ENGAGEMENT

Not required or recommended, applying the legislative standards to payment and the Annual Business Plan and Budget has been through the necessary consultation processes.

7.3 Infrastructure and Environment Services

7.3.1 PROPOSED ROAD CLOSURE - MSS SAFETY RALLY BAROSSA 24/40313

MOVED Cr Angas

That Council:

- (1) Advise the Commissioner of Police that Council endorses the road closures of

1.

Lindsay Park Road, Angaston between Stott Highway and Lamb Tail Corner Road, and Lamb Tail Corner Road, Between Lindsay Park Road and Hutton Vale Road, and Hutton Vale Road between Lamb Tail Corner Road and Stone Jar Road, and Stone Jar Road between Hutton Vale Road and Boundary Road, and Boundary Road between Stone Jar Road and Geisters Road, and Geisters Road between Boundary Road and Gnadenberg Road, and Gnadenberg Road between Geisters Road and Keyneton Road.

On Saturday 19 October 2024 from 6.00pm to 10.30pm, and Sunday 20 October 2024 from 7.30am to 11.45am to host the Lazer Lamps Stone Jar Stage of the 2024 MSS Safety Rally Barossa

2.

McBeans Range Road, Springton between Springton Road and Glen Devon Road, and Glen Devon Road between McBeans Range Road and Mc Bean Road

On Saturday 19 October 2024 from 6.45pm to 10.45pm to host the Lazer Lamps McBeans Stage of the 2024 MSS Safety Rally Barossa.

3.

High Eden Road, Mount Crawford between Springton Road and Corryton Park Road, and Corryton Park Road between High Eden Road and Trial Hill Road, and Trial Hill Road between Corryton Park Road and Barossa Valley Way

On Saturday 19 October 2024 from 7.00pm to 11.55pm to host the Lazer Lamps Corryton Stage of the 2024 MSS Safety Rally Barossa

4.

H Muellers Road, Mount Pleasant between a point approximately 700 metres northeast of Cromer Road and Whites Boundary Road, and Whites Boundary Road between Cricks Mill Road and Cromer Road, and Cromer Road between Whites Boundary Road and Peek Road, and Peek Road between Cromer Road and Blackwood Road, and Blackwood Road between Peek Road and Hissey Road, and Hissey Road between Blackwood Road and a point 400 metres south of the junction with Muster Road

On Sunday 20 October 2024 from 8.15am to 12.15pm to host the Cromer Stage of the 2024 MSS Safety Rally Barossa

5.

High Eden Road, Mount Crawford between Springton Road and Wynns Road, and Wynns Road between High Eden Road and R Seeligers Road, and R Seeligers Road between Wynns Road and Seven Steps Road

On Sunday 20 October 2024 from 8.45am and 3.45pm to host the Eden High Stage of the 2024 MSS Safety Rally Barossa

6.

Heggies Range Road, Flaxman Valley between Seven Steps Road and Brownes Road, and Brownes Road between C Rogers Road and Corryton Park Road, and Corryton Park Road between Brownes Road and Trial Hill Road, and Trial Hill Road between Corryton Park Road and a point 2km east of the junction of Trial Hill Road and Barossa Valley Way

On Sunday 20 October 2024 from 9.00am to 4.15pm to host the Down Hill Stage of the 2024 MSS Safety Rally Barossa

7.

Para Wirra Road, Barossa Goldfields between Humbug Scrub Road and Green Gully Road, and Green Gully Road between Para Wirra Road and Goldfields Road, and Goldfields Road between Green Gully Road and Woodlands Road, and Woodlands Road between Goldfields Road and Allendale Road, and Allendale Road between Goldfields Road and Balmoral Road

On Sunday 20 October 2024 from 10.00am to 5.15pm to host the Goldfields Reversed Stage of the 2024 MSS Safety Rally Barossa

SECONDED Cr Hurn

CARRIED 2022-26/468

PURPOSE

Mr Stanelis, on behalf of Rally One, has written to The Barossa Council requesting road closures for the 2023 MSS Safety Rally Barossa, which will be held on the weekend of Saturday 19 and Sunday 20 October 2024.

REPORT

Background

The MSS Safety Rally Barossa will be held on 19 and 20 October 2024, and is a round of the South Australian Rally Championship (SARC) and the South Australian Regularity Series.

Discussion

This event hopes to continue to deliver direct economic benefit to the region, with over 40 competing cars and crews, along with service crew teams and spectators attending the local area. It takes in Classic, Regularity, Intro and Clubman Categories, and is based at the Pernod Ricard Winery, Rowland Flat. From there cars set out on two loops of the course that takes in iconic Rally SA stages of old, some run in both directions.

Summary and Conclusion

Rally organisers have committed to :

- Fully indemnify the Barossa Council from any potential claims associated with this event (including personal and property)
- Reinststate any or all damage caused because of the event including fences and other property damage
- Participate in pre and post event road inspections with a nominated Council staff member as required
- Personally correspond with all property owners on the proposed closed roads
- Place at their cost the appropriate advertisements regarding pending road closures within the local paper and "Advertiser" newspapers two weeks before the event.
- Erect advance notice warning signs on affected roads three weeks approximately before the event takes place
- Attend debrief sessions on request of Council staff
- Provide an event evaluation and economic impact statement in relation to this year's event as soon as practicable following the conduct of the event.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

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.
- 12.2. Support economic development and destination awareness through events, festivals, creative enterprise and attractions.

Corporate Plan

- CS11 Events - Management of community development projects and events, including enquiries and logistics. Event management supporting a variety of internal service areas and community that support the delivery of successful, community focused events.

Legislative Requirements
Local Government Act 1999
Road Traffic Act 1961

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The cost of the road closures and associated advertising will be met by event organisers.

There are no unforeseen risk management considerations. Council officers, together with MSS Safety Rally Barossa staff, inspect the roads involved prior to the event and if required again after the event to ascertain any dilapidation due to the event.

COMMUNITY ENGAGEMENT

MSS Safety Rally Barossa will be actively promoting the event on their social media platforms.

Organisers will personally correspond with local property owners regarding the event, and advisory advance notice signage will be erected approximately three weeks before the event.

The event and associated road closures will be promoted and advertised by organisers in local newspapers and The Advertiser.

Council will support notification of the closures via placement of the SAPOL Section 33 Notice on Council's website.

7.3.2 PROPOSED ROAD CLOSURE - THUNDA IN TANUNDA **24/40570**

MOVED Cr Greatwich

That Council advise the Commissioner of Police that Council endorses the road closures of Elizabeth Street, Tanunda between Bilyara Road and Langmeil Road, and Langmeil Road, Tanunda between Elizabeth Street and Park Street, and Park Street, Tanunda in its entirety, Bilyara Road, Tanunda between Park Street and Murray Street, on Sunday 1 September 2024 from 8.00am to 7.00pm to host the Thunda in Tanunda Criterium Event.

SECONDED Cr de Vries

CARRIED 2022-26/469

PURPOSE

Port Adelaide Cycling Club has made application to Council requesting road closures in Tanunda to support the staging of the "Thunda in Tanunda" Criterium Event to be held on Sunday 1 September 2024.

REPORTBackground

The Port Adelaide Cycling Club (PACC) is an entirely volunteer driven club that was established in 1885 and has served the community for over 130 years.

The Club caters for cyclists of all ages, skill levels and disciplines and hosts and participates in road racing over winter months and criteriums, time trials, track racing and cyclo cross all year round.

Introduction

The "Thunda in Tanunda" event is proposed to be a full day of racing, the morning will include junior racing and the afternoon will include seniors and elite racing and it is also hoped to run a novelty race with representation from event sponsors and Local, State and Federal Government representatives.

The races will be in a criterium format, where riders race around a closed circuit for a pre-determined period plus two laps. The winner is the first person across the line at the end of the two laps.

The circuit is planned to go completely around the Tanunda Recreation Park requiring the closure of Elizabeth Street, Langmeil Road, Park Street and Bilyara Road, Tanunda between 8.00am and 7.00pm on Sunday 1 September 2024.

It is noted that 1 September 2024 is Father's Day.

Discussion

The following information has been provided by organisers to try and pre-empt any questions the Elected Members or community may raise about the event.

The current draft schedule anticipates that the event fencing will be installed by 8:30am and racing will start at 9.30am with the juniors. Until racing starts, roads will be open, and residents will be able to come and go as required. Traffic controllers will be situated at each intersection once the event fencing is complete, with volunteers on site from 8:30am if assistance and advice is required. A PA system will be operational between 10.00am and 6.30pm.

The racing schedule will conclude at 5:00pm, after which the priority will be the removal of event fencing and the opening of roads and ensuring that unrestricted property access is restored. It is anticipated that there will be no impacts on property access after 5:30pm, the requested 7.00pm finish time is a buffer that allows for any issues should they arise.

During the day, 5 minutes is scheduled between each race event to allow residents supervised vehicle access and egress, facilitated by volunteers situated on every corner with radios. The longest race event will be of 60 minutes duration between 4pm and 5pm for the elite men's race, however, most race events will be between 45-50 minutes long.

Property owners/residents will retain pedestrian access to their properties during the day. Whilst there will be event fencing around the corners, there will be traffic marshals ready to facilitate crossing the course during racing at each corner, and pedestrians can walk across the course away from the corners with no issues.

The exception will be on the finishing straight on Elizabeth Street, where access will be restricted to designated crossing points installed within a fully fenced section between the intersection with Bilyara Road and a point approximately 300m northwest, by the oval, where the finishing line will be located.

Pedestrian access to the Tanunda Recreation Park will be available and facilitated all day, except during the race events when pedestrians will need to either cross at designated crossing points, or cross safely at times when riders are not nearby. There will be significant localised signage erected during the event advising that there is a cycling event in progress. There will be no vehicle access to Tanunda Recreation Park or Playground during the event.

In conjunction with Council Officers a 'Notice to Residents' document, is being prepared for distribution to the 96 immediately impacted properties. The first to be distributed 6 weeks from the date of the event and the second the week before the event.

Organisers are not providing on site catering, specifically to encourage participants and spectators to spend their money and time in the main street of Tanunda, which they hope will have a significant benefit to the traders in the town.

Organisers are expecting between 250 and 300 competitors and a total of 400 people including spectators, across the day. The event will be promoted via PACC's and AusCycling's social media channels, AusCycling being the national and state sanctioning body for cycling.

Summary and Conclusion

Organisers suggest that criterium racing is the most accessible form of bike racing, from a non-cyclist perspective. Criterium racing sees the racers come past spectators every 2 minutes, and it's easy to get a hold on what's happening in a race, even if you're not a cycling fan. Spectators don't need to sit through hours and hours of racing to feel like they've enjoyed the event.

Organisers hope that the success of this initial event will support the expansion of the event in future years to become a multi-day event, where participants and spectators would stay in Tanunda for a weekend.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

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.
- 12.2. Support economic development and destination awareness through events, festivals, creative enterprise and attractions.

Corporate Plan

CS11 Events - Management of community development projects and events, including enquiries and logistics. Event management supporting a variety of internal service areas and community that support the delivery of successful, community focused events.

Legislative Requirements

Local Government Act 1999

Road Traffic Act 1961

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The cost of the road closures and associated advertising is to be met by event organisers.

COMMUNITY ENGAGEMENT

Port Adelaide Cycling Club and AusCycling will be actively promoting the event. Organisers will personally correspond via letter with the immediately adjacent property owners twice prior to the event. Council will support notification of the closures via placement of the SAPOL Section 33 Notice on Council's website.

7.4 Development and Community Services

7.4.1 BUILDING FIRE SAFETY COMMITTEE MEMBERSHIP

24/40929

MOVED Cr Preece

That Council:

- (1) Appoint Mr Damien Roland as the new CFS delegate to the Building Fire Safety Committee in place of previous member (Mr Darren Chapman) for the duration of the current term of the Committee expiring 30 June 2025; and
- (2) Note the vacancy in the membership of the Council Member of the Building Fire Safety Committee, following the resignation of Mr Rick Stephen from The Barossa Council on 5 June 2024.

SECONDED Cr Barrett

CARRIED 2022-26/470

PURPOSE

To appoint a new Country Fire Service (CFS) delegate to the Building Fire Safety Committee as result of internal staffing changes within the CFS and to note the resignation of the Council Member from the Building Fire Safety Committee

REPORT

Discussion

The *Planning, Development and Infrastructure Act 2016* (PDI Act) requires Council to establish and designate a body to act as an appropriate authority under Section 157(17) of the PDI Act. The "appropriate authority" is charged with authority to enter and inspect any building for the purpose of determining whether the fire safety of a building is adequate.

The Committee meets at least two times per year and undertakes scheduled inspections to ensure appropriate fire safety of buildings within The Barossa Council.

Clause 2.1.1 of the Terms of Reference Building Fire Safety Committee provides that:

2.1 Pursuant to Section 157(17) of the PDI Act, the Committee shall consist of:

- 2.1.1 A person who holds prescribed qualifications in building surveying appointed by the Council;
- 2.1.2 An authorised officer under Part 3 Division 5 or Section 86 of the *Fire and Emergency Services Act 2005* who, depending on the location of the council area, has been approved by the Chief Officer of the relevant fire authority to participate as a member of the appropriate authority;
- 2.1.3 A person with expertise in the area of fire safety appointed by the Council; and
- 2.1.4 If so determined by the Council, a person selected by the Council who shall be appointed to the Committee by Council.

The membership of the Building Fire Safety Committee consists of Mr Peter Harmer (Chair), Mr Darren Chapman (CFS Delegate), Mr Jon Pearce (MFS Delegate) and Mr Rick Stephen (Council Member) and the members were appointed by Council for a period until 30 June 2025.

Council received notice on 21 May 2024 that internal staffing changes within the CFS have occurred which have resulted in changes to the CFS membership of the Building Fire Safety Committees across the State. The letter is contained in Attachment 1.

Mr Damien Roland has been assigned as the new CFS delegate to the Building Fire Safety Committee in place of the previous CFS member (Mr Darren Chapman). It is recommended that Council appoint Mr Damien Roland for duration of the current term (30 June 2025).

In addition, the Council Member of the Building Fire Safety Committee, Mr Rick Stephen, concluded his employment at The Barossa Council on 5 June 2024. Accordingly, Council is requested to note the resignation of Mr Rick Stephen from the Committee pursuant to Clause 2.5 of the Terms of Reference.

Council is presently seeking expression of interest to appoint a new Assessment Officer – Building. When an appointment has been made, the new Council Member will be

recommended for appointment to the Building Fire Safety Committee under a future Council report.

Summary and Conclusion

The Council is requested to endorse the appointment of a new CFS Member to the Building Fire Safety Committee and to note the resignation of the Council Member.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Building Fire Safety Committee - SA Country Fire Service Nominated Representative 

Supporting references

Building Fire Safety Policy

Building Fire Safety Committee Terms of Reference

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Legislative Requirements

Section 157 Planning, Development and Infrastructure Act 2016.

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

7.4.2 REVIEW OF DOG AND CAT MANAGEMENT ACT 1995 - DRAFT BILL SUBMISSION 24/42117

MOVED Cr Schilling

That Council endorse the draft submission prepared in response to the *Dog and Cat Management Act 1995* - draft Bill contained within Attachment 1.

SECONDED Cr Evans

CARRIED 2022-26/471

PURPOSE

To seek Council endorsement of the draft Submission prepared in relation to the *Dog and Cat Management Act 1995* draft Bill.

REPORT

Background

The *Dog and Cat Management Act* (The Act) must be reviewed every 5 years.

As part of the recent *Dog and Cat Management Act* review, Local Government, State Government and industry stakeholders highlighted various minor matters within the Act that either caused confusion, were no longer relevant or were a barrier to action.

Introduction

A draft Submission has been prepared in response to the recent *Dog and Cat Management Act 1995* draft Bill. Council, and the community, has been provided the opportunity to comment on the numerous proposed amendments outlined in the Bill and staff have drafted a Submission which includes comments further suggestions ([Attachment 1](#)).

An Explanatory guide has been supplied by the Dog and Cat Management Board which forms [Attachment 2](#).

Discussion

The intent of the review and subsequent draft Bill was to help Councils manage dogs and cats and facilitate better services for owners and the community.

There has been various proposed amendments to the Act, including:

- Interpretation changes; and
- Proposed increase to dog attack penalties and expiations; and
- More robust legislation that will introduce a licensing scheme, where all breeders will be assessed against a set of criteria in order to obtain a Breeder's Licence.

The draft Bill does not propose any amendments in relation to the clarification of registration requirements for cats, the containment of owned cats or the detention and return of owned cats.

It should be Council's position that it is the function of State Government to respond to community expectation for greater cat management and consider the legislative framework that is required for the control of cats.

If reforms are not considered, individual Councils are likely to have to develop by-laws to deal with the matter which will result in a mix of different requirements across the state, which would be a less than desirable outcome.

Summary and Conclusion

The *Dog and Cat Management Act 1995* is a key piece of legislation that contributes to the ongoing management of dogs and cats to ensure the safety and enjoyment of pet ownership in our community.

Council's submission reflects the thoughts on the proposed amendments and offers further suggestions for immediate changes or future amendments.

It is recommended that Council endorse the submission prepared in response to the *Dog and Cat Management Act 1995* - draft Bill contained within [Attachment 1](#).

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Dog and Cat Management Act Draft submission - final 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTSCommunity 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

- 4.3. Embrace place-making principles when developing community infrastructure and regulate planning and development in public spaces and active recreation.

Legislative Requirements

Dog and Cat Management Act 1995

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

Not required – this has been undertaken by the Dog and Cat Management Board.

**7.4.3 DEED OF VARIATION - COMMONWEALTH HOME SUPPORT PROGRAM
24/42457****MOVED** Cr Angas

That Council approve the Mayor and Chief Executive Officer to affix the seal and sign the Commonwealth Government Deed of Variation in relation to Commonwealth Home Support Program funding for 2024/25 in accordance with section 38 of the *Local Government Act 1999*.

SECONDED Cr de Vries**CARRIED 2022-26/472****PURPOSE**

That approval be provided for the Mayor and Chief Executive Officer to sign and seal the Commonwealth Government Deed of Variation relating to extension of the current Commonwealth Home Support Program funding for 2024/25.

REPORT

The current Commonwealth Home Support funding agreement ends on 30 June 2024. These grant monies fund / part fund; Home Assistance; Community Transport; Out and About Social Groups; Barossa Community Men's Shed and Sector Support and Development (Collaborative Project Officer role).

The Commonwealth Government are offering a one-year extension to this contract as detailed in attachments 1, 2 and 3 and require return of a signed and sealed deed of variation if Council wish to accept the offer.

Funding for the extension period is in line with the existing contract with the total funding for 2024-25 being \$663,099.

Expected outputs for services remain consistent with 2023-24 period.

During 2024-25 payments will continue to be delivered to providers monthly, at a twelfth of the total funding.

Scoping the impact of the new funding model beginning 1 July 2027 will be undertaken when more detailed information is made available by the Federal Government and reported to Council in due course.

Exception for sector Support and Development

During 2024-25 Sector Support and Development funding will continue to be delivered quarterly in advance.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1	CHSP - Commonwealth Home Support Programme - contract - 2024-25 - Deed of Variation 
Attachment 2	CHSP - Commonwealth Home Support Programme - contract - 2024-25 - Contract agreement 
Attachment 3	CHSP - Commonwealth Home Support Programme - contract - 2024-25 - Activity Work Plan 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTSCommunity Plan

Infrastructure



Health and Wellbeing

Goal

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

Strategies

- 8.1. Support opportunities to increase community transport and access to services and facilities.
- 9.1. Work towards combating loneliness and social isolation and ensuring that people enjoy a sense of inclusion and feel connected.

Legislative Requirements

Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

It is not anticipated that monthly funding during 2024-25 will impact Council or service delivery.

COMMUNITY ENGAGEMENT

Nil

8. CONFIDENTIAL REPORTS

8.1 Office of the Mayor and CEO

8.1.1 CEO PERFORMANCE REVIEW OUTCOMES AND REMUNERATION REVIEW 24/44577

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

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that it relates to the personal affairs of the Chief Executive Officer being his annual performance and remuneration review

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 Hurn

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, 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);

- (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 the personal affairs of the Chief Executive Officer being his annual performance and remuneration review

SECONDED Cr Schilling**CARRIED 2022-26/473**

Pursuant to Section 120(1) of the *Local Government Act 1999*, Mr Martin McCarthy as Chief Executive Officer, disclosed a Conflict of Interest in the matter 8.1.1 - CEO Performance Review Outcomes and Remuneration Review as it pertains to his employment contract and conditions.

Mr Martin McCarthy advised that he will stay in the room to answer any questions, and then leave the meeting before any debate commences.

Mr Glen Carter, Ms Jo Moen, Mr Jake McVicar and the Minute Secretary left the meeting at 6.29pm.

The meeting moved into confidence at 6.29pm

Mr McCarthy left the meeting at 6.35pm.

MOVED Cr de Vries

That Council, having noted and received the CEO Performance Review Committee findings and reviewed and discussed the performance results and remuneration review:

- (1) Council Resolution
- (2) Council Resolution
- (3) Council Resolution
- (4) Council Resolution
- (5) Council Resolution

- (6) Having considered this matter in confidence under Sections 90(2) and 90(3)(a) 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 18 June 2024 in relation to item 8.1.1 CEO Performance Review Outcomes and Remuneration Review be kept confidential and not available for public inspection until Councils Annual Review of Confidential Orders.

SECONDED Cr Schilling

CARRIED CO 2022-26/474

Resumption of open council meeting at 6.55pm

8.1.2 CREATIVE INDUSTRIES CENTRE TENDER FOR ARCHITECTURAL, ENGINEERING AND OTHER TECHNICAL SERVICES AND CONSTRUCTION GOVERNANCE MODEL
24/44713

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

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that it provides quotation and tender information.

On balance, the above reason which supports the need for confidentiality pursuant to Section 90(2) of the Act outweighs the factors in favour of the public interest of open decision-making.

MOVED Cr de Vries

That Council:

- (1) Under the provisions of Section 90(2) of the *Local Government Act 1999*, make an order that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director Corporate Services and Business Innovation, Director Development and Community Services, Acting Director Infrastructure and Environmental Services 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)(k) of the *Local Government Act 1999*:

tenders for the supply of goods, the provision of services or the carrying out of works;

- (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 provides quotation and tender information.

SECONDED Cr Schilling**CARRIED 2022-26/475**

The meeting moved into confidence at 6.55pm.

MOVED Cr de Vries

That Council, having consider the information and assessments contained within this report, and subject to finalisation of the Funding Agreement with the Commonwealth Government:

- (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)(k) 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 18 June 2024 in relation to item 8.1.2 Creative Industry Centre Tender for Architectural, Engineering and Other Technical Services and Construction Governance Model be kept confidential and not available for public inspection and Council authorise the CEO to review the order as part of the Annual Review of Confidential Orders.

SECONDED Cr Greatwich**CARRIED CO 2022-26/476**

Resumption of open council meeting at 6.59pm.

9. URGENT OTHER BUSINESS

Nil

10. NEXT MEETING

Tuesday 16 July 2024 at 5.30pm

11. CLOSURE

Mayor Lange declared the meeting closed at 7.00pm.

Confirmed at Council Meeting on 16 July 2024

Date:.....

Mayor:.....