TheBarossaCouncil

# MINUTES OF THE MEETING OF THE BAROSSA COUNCIL

held on Tuesday 16 July 2024 commencing at 5.30pm
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa.

# M I N U T E S

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

## 1. ATTENDANCE RECORD

### 1.1 Members Present

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

Apologies

Nil

Not Present

Nil

Leave of Absence

Nil

## 2. CONFIRMATION OF MINUTES

### 2.1 Minutes of previous meetings – for confirmation:

**MOVED** Cr Hurn

That the Minutes of the Council meeting held on Tuesday 18 June 2024 at 5.30pm, as circulated, be confirmed as true and correct records of the proceedings of those meetings.

**SECONDED** Cr de Vries **CARRIED 2022-26/477**

## 2.2 Matters arising from previous minutes

Nil

# 3. PROCEDURAL ITEMS

## 3.1 Petitions

Nil

## 3.2 Deputations/Visitors to the meeting

Nil

## 3.3 Notice of Motion

Nil

## 3.4 Questions with Notice

Nil

# 4. MAYOR

## 4.1 Mayor's Report

**MOVED** Cr de Vries

That the Mayor's report be received.

**SECONDED** Cr Troup **CARRIED 2022-26/478**

# 5. COUNCILLORS' REPORTS

Nil

# 6. MATTERS FOR INFORMATION

6.1 Residential Hard Waste Program - Summary Report for Financial Year 2023 - 2024.

6.2 Household Chemical and Paint Drop-Off Day - Event Summary

6.3 Single-Use and Other Plastic Products (Waste Avoidance) (Prohibited Plastic Products) Amendment Regulations 2024

6.4 Call for Nominations for Local Government Association (LGA) President

6.5 Call for Nominations for The South Australian Regional Organisation of Councils (SAROC)

6.6 Gawler River Floodplain Management Authority Meeting Minutes and Outcomes

6.7 Williamstown and Lyndoch Landcare Group Inc.

6.8 Local Government Finance Authority Annual General Meeting Notice

6.9 Determination of The Renumeration Tribunal of SA - Chief Executive Officer Remuneration

6.10 History Fair Report 2024

6.11 Food Act Annual Report 2023-2024

# 7. DEBATE REPORTS

## 7.1 Office of the Mayor and CEO

### 7.1.1 RAPID DESIGN REVIEW PROCESS AND APPROVAL OF FINAL DESIGN - BAROSSA CREATIVE INDUSTRIES CENTRE
**24/48729**

**MOVED** Cr de Vries

That Council having received, noted and reviewed the rapid design review and full governance model for delivery:

(1) Approve the revised final design as presented at Attachment 2.

(2) Authorise the Chief Executive Officer to proceed with implementation of the Barossa Creative Industries Centre utilising the fully documented governance model now provided at Attachment 3.

(3) Approve the delegation to the Chief Executive Officer, or an officer acting in the position of the Chief Executive Officer, and that the Chief Executive may not sub-delegate this power, the ability to approve procurement of goods and services for the Barossa Creative Industries Centre on the following conditions:

(a) Where the procurement of an individual trade package or other procured item amount exceeds $4,000,000 the Chief Executive Officer shall consult with the Mayor, or in his absence the Deputy Mayor, before approving the engagement.

(b) Where the engagement is within the estimated budget plus available contingency for the relevant trade package or procured item.

(c) Where the Chief Executive Officer agrees with the procurement assessment report of the Project Director.

(d) The Chief Executive Officer shall report to Council at the next available ordinary meeting, as an information report, where the delegation herein has been exercised.

**SECONDED** Cr Angas **CARRIED 2022-26/479**

**PURPOSE**

To review the rapid design review process outcomes and approve the final design for the Barossa Creative Industries Centre.

**REPORT**

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

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

The Barossa Creative Industries Centre (BCIC) development is one of the first phase priorities.

With the securing of $7.461M in funding from the Commonwealth Growing Regions Fund ($6.961M) and State Open Spaces Program ($500K) the funding base is now in place, subject to finalisation of a funding agreement with the Commonwealth.

At Council's Ordinary Meeting on 16 June 2024 Council:

- Approved the budget and business plan for 2024-25 which underpins the necessary approvals for the project.
- Approved the appointment of our lead architect for the project, sub-contractors and received an update report including the process of a rapid design review.
- Approved the high-level governance model for delivery of the project.
- Received an update report and outlined the risks associated with project cost due in the main the timeframe between the costing in February 2023 that was required to be used for the grant application and the likely starting build date of September 2024.

*Introduction*
The project has been progressing at a fast pace with the rapid design review completed and updated plans ready for final approval. Further, the Managing Contractor tender has been issued to market with a closing date of 25 July 2024, and the governance model has been fully documented.

*Discussion*
The works undertaken since the announcement of funding outcomes by the relevant Ministers has now reached an advanced level of maturity based on final design

outcomes, the identification of formal governance arrangements and the design of an appropriate market approach.

**Rapid Design Review Changes**

A rapid design review processes was recommended and supported, with the prior design being checked against current needs, as the design was undertaken 5 years ago. Phillips Pilkington Architects was engaged on a short contract to undertake this work. The process undertaken has been:

- Two community stakeholder engagements.
- One staff member engagement.
- One elected member engagement.
- Revision of the feedback.
- Revision of the design.
- Preparation of this report.

Sixty people engaged in the review process. The feedback is summarised at Attachment 1, which also includes the notes presented to Council at the workshop of 26 June 2024. Whilst the general review was open to all new ideas and reviews, the clear non-negotiable was any changes could not change the footprint or fundamentally change the land use which would require a new planning application. To do so means Council would not be able to meet the funding conditions of the Growing Regions Fund application.

In summary the proposed changes are:

- Creation of more flexible spaces for art, music and practice areas.
- Review the layout of the gallery and modern and new areas as to correct alignment and confirmation the gallery spaces remain in the existing building.
- Review of toilets positioning and general circulation within the facility.
- Need for a kitchen to support events, conferences and the like.
- Better layout of foyer and open space area and staff office facilities.
- Need for more toilets, change areas and feeding, private spaces for patrons.
- Slight alteration to the northern internal (new wall) out towards the valley of song to allow sufficient new space for toilets and circulation space, considered a minor variation and won't require a new planning application.
- Preliminary review of valley of song site lines to outside performance area necessitating the removal of the existing pines.
- Preliminary review of floor levels.
- Review of rear access and interface with Kindergarten and Tanunda Club.

The revised floor plan for the lower floor (as the mezzanine is not recommended for changes) is at Attachment 2 (first page) and the full plans follow from the first page.

**Governance**

Council has approved the high-level governance model as outlined earlier in this report. Since this approval, the governance model has been fully documented and is at Attachment 3 for member's review. The model is fully aligned to the prior Council approval.

**Management of Procurement and Delegations**

The nature of the project sees the Managing Contractor approaching the market for tendering of respective trade packages. The Managing Contractor assesses the submissions along with the Project Director, the Architect and the Cost Consultant, and make a recommendation to the Project Director, if it within his delegation. If it exceeds his delegation, the Chief Executive Officer will approve.

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

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

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

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

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

*Summary and Conclusion*

Significant progress has been made to bring the BCIC to implementation readiness and plans and governance arrangements are presented for final approvals of Council. All arrangements in place now and for the foreseeable future will be contingent on the approval of a funding agreement with the Commonwealth, which at the time of writing has not yet been received. The State Funding Agreement has been completed under delegation.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1 Updated Design Review Feedback and Other Documents
Attachment 2 Updated Design
Attachment 3 Full Governance Model

*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

2. The history of our region including aboriginal sites is reflected in our streetscapes and our historic buildings are maintained for future generations.
4. The Barossa fosters community resilience, connection and wellbeing through its social planning, recreation, safety, education, preventative health and social strategies especially for our youth and vulnerable people.
6. The Barossa maintains and develops infrastructure that meets the needs of the region and is efficient.
7. Community infrastructure planning is aligned to both current and the future needs of the community
9. Our community has fair and equitable access to the resources and services they need to lead a safe, healthy, inclusive and connected lifestyle
10. Our region enjoys the benefits of sustainable community groups, networks and facilities that encourage everybody to participate in the community.
11. The Barossa has a strong local economy that adapts, innovates and thrives on change and strives for a diverse industry base that provides a sustainable range of business and job opportunities for people.
12. We are a visitor destination of choice
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

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.
4.1. Build on a strong sense of community pride with active community groups and individuals participating in local decision making and community building activities.
4.2. Continue creating strong and sustainable community networks, and support young people to actively participate in the community and develop the leaders of the future.
4.3. Embrace place-making principles when developing community infrastructure and regulate planning and development in public spaces and active recreation.

6.1. 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.

7.2. Ensure both current and future infrastructure needs are met in a proactive rather than reactive way.

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

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

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.

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.

13.2. 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

## FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Current works are already budgeted and resourced.

Further risk assessment will be undertaken through the Managing Contractor engagement processes including project budget, which was set in February 2023 at $13.922M.

Plan for ongoing service levels is well advanced and will be reported to Council in the very near future and additional funding has already been allocated to support these costs.

## COMMUNITY ENGAGEMENT

Extensive community engagement was undertaken when the project was first developed and deigned. Planning application processes also included public consultation. The recent rapid design review work also included community engagement processes.

**7.1.2 HOUSING SUPPORT PROGRAM SUCCESSFUL FUNDING APPLICATION - CONCORDIA GROWTH AREA DEVELOPMENT**
**24/50617**

**MOVED** Cr Barrett

That Council:

(1) Request the Mayor to formally write to Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government for this and recent additional funding support to Council, including the Creative Industries Centre Funding and ongoing commitment to Roads to Recovery.

(2) Approve the inclusion of the grant funds of $399,746 and expenditure costs of the same amount into the 2024-25 budget as outlined in Attachment 1.

**SECONDED** Cr Troup **CARRIED 2022-26/480**

**PURPOSE**

To approve the necessary budget variations to support the planning and early implementation works for the Concordia Growth Area Development and recognise the grant funding awarded.

**REPORT**

*Background and Introduction*
The Commonwealth Government released funding under the Housing Support Program to assist with planning for and delivering housing supply. Although the time frame for the submission was short, an application was developed by our Senior Strategy Advisory and 100% of the costs were sought to support the costs to be incurred to support the Concordia Growth Area Development as the major development in the Council.

The driver for this application was multifaceted:

1. To mitigate cost pressure on Councils budget with the demands significantly growing as the project now enters its critical investigation, policy development, structure planning, infrastructure and community planning, infrastructure scheme development within the next 15 months.
2. To ensure business as usual is not impacted but the significant workload in the next 15 months.
3. To ensure necessary expertise is available to Council, the Executive Team, community, and State to support the project.
4. Be ready to commence land division assessments in later 2025 which will be well beyond current resourcing capacity.
5. To ensure we are as well planned with necessary resources to support the development and advocate for sound policy and infrastructure needs and funding arrangements and as the development planning accelerates over the next 12 months to align to the State's.

*Discussion*
The strategy has been fruitful, and The Barossa Council has been successful in securing federal funding from the Australian Government's $1.5 billion Housing Support Program under Stream 1.

The Barossa Council secured $399,746 from the Housing Growth Resourcing Project, the full amount applied for, to support the anticipated resourcing costs for the next 12-18 months. This will continue to increase capacity and capability pertaining to the development of planning policy, assessment, engineering and infrastructure needs attributed to the rezoning of Concordia Growth Area. Concordia is one of South Australia's most significant greenfield development and sits within the Barossa Local Government Area.

The Barossa Council will experience unprecedented growth in population and development due to the rezoning of Concordia, current population growth and a pipeline of significant long term community infrastructure projects. Bridging funding will enable Council to deliver early resource uplift, pre-rate revenue, in anticipation of long-term workforce changes funded through future revenue generation from the Concordia growth area development.

The project will indirectly support the delivery of housing outcomes by increasing the workforce capable of completing planning and related work. This is critical to efficient delivery of South Australia's most significant greenfield development under planning processes in a tightly held and competitive labour market, as well as supporting housing development in existing townships in response to the Draft Barossa Growth and Infrastructure Investment Strategy 2024, which has recently gone out for community consultation.

The Australian Government's Housing Support Program is one of a range of programs designed to help achieve the National Housing Accord target of building 1.2 million new, well-located homes over 5 years from 1 July 2024. The Housing Support Program will support the delivery of increased housing supply by funding projects that seek to deliver enabling infrastructure, provide amenities to support new housing development or improve building planning capability.

There will be long term resource, infrastructure and financing needs well beyond this initial requirement and work is underway to document a workforce plan and financial model parallel to the States investigations and policy work. As this work proceeds Council can expect a ramp up in workshop and report activity over the next 12+ months.

*Summary and Conclusion*
With the successful funding bid resourcing can now be funded from this grant instead of general budget allocation to support the project.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1 Concordia Grant Calcs

*Supporting references*
[Housing Support Program – Stream 1 List of Successful Projects | Department of Infrastructure, Transport, Regional Development, Communications and the Arts]

## 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.
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
11. The Barossa has a strong local economy that adapts, innovates and thrives on change and strives for a diverse industry base that provides a sustainable range of business and job opportunities for people.

Strategies

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.

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.

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

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.
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.
7.2. Ensure both current and future infrastructure needs are met in a proactive rather than reactive way.
8.2. Ensure a high quality road, shared paths and footpath network throughout the Barossa in partnership with all levels of government.
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.
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.

Corporate Plan
CS10 Economic Development - Facilitating the economic well-being and quality of life of the local businesses and the community.
CS3 Assets - Planning, construction, maintenance, and operation of Council's assets (Transport, Bridges, Community Wastewater Management System, Community, Cultural, Recreation and Stormwater)

Legislative Requirements
Section 123 of the Local Government Act

## FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The project to support the resourcing needs is now cost neutral due to the grant received being 100% of the estimated costs.

The estimated costs and budget amendments are reflected in Attachment 1.

The budget amendments result in the following outcomes to the financial indicators of Council as follows:

1. Net operating surplus – no change the budget amendment is cost neutral.
2. Improvement in the net financial liabilities from 93.6 to 92.9%.
3. Assets renewal funding ratio – does not change and remains at 129.4%.

**COMMUNITY ENGAGEMENT**

Nil required or recommended for the resourcing needs. Concordia development engagement processes will be managed by the State.

## 7.2 Corporate Services and Business Innovation

### 7.2.1 MONTHLY FINANCE REPORT AS AT 30 JUNE 2024
**24/48961**

**MOVED** Cr de Vries

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

**SECONDED** Cr Hurn **CARRIED 2022-26/481**

**PURPOSE**

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

**REPORT**

The Monthly Finance Report (as at 30 June 2024) is Attached. The report has been prepared comparing actuals to the original adopted budget 2023/24.

Please note that work is continuing on the finalisation of the actual figures as at 30 June 2024. Audited 30 June 2024 figures, including an analysis of material variances, will be presented to Council in November 2024 once the external audit process has been finalised by Galpins.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1 Monthly Finance Report Council June 2024

*Supporting references*
Nil

**COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS**

Corporate Plan
BS6 Finance - Transparency and accountability regarding Council activity and expenditure. Provision of organisational performance report (outcomes), activity report (outputs), a range of statutory reporting (e.g. public health, tax, superannuation), financial reporting

Legislative Requirements
*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.

## 7.3 Infrastructure and Environmental Services

### 7.3.1 NURIOOTPA BOWLING CLUB - PROPOSED STREET TREE REMOVAL
**24/48510**

**MOVED** Cr Hurn

That Council:

(1) Approves the removal of trees as identified in Attachment 1 due to their potential high-risk impact on the Nuriootpa Bowls Club new synthetic playing surface.

(2) Amend the 2024/25 budget and allocate $60,000 for the purpose of Buna Terrace tree removals, renewal of the carpark area, footpath repairs, tree planting and associated landscaping.

**SECONDED** Cr Preece **CARRIED 2022-26/482**

**PURPOSE**

To seek approval and budget allocation for the removal of trees along Buna Terrace carpark to prevent potential damage to the new synthetic surface at the Nuriootpa Bowling Club. This project will also include the renewal of the Buna Terrace carpark surface, footpath repairs, new tree plantings, and associated landscaping.

**REPORT**

*Background*
At the Ordinary Council Meeting on 19 September 2023, Council endorsed the Nuriootpa Bowling Club's application to access a Local Government Finance Authority Community Loan of up to $70,000 to support the installation of an artificial turf playing surface.

At the Ordinary Council Meeting on 18 June 2024, the following Notice of Motion was received and endorsed:

> *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*

*Introduction*
After securing funding for the total project cost estimate of $326,000.00 for the installation of an artificial turf playing surface at the Nuriootpa Bowling Club, the club requested that the trees along the Buna Terrace carpark be removed to prevent potential damage to their new synthetic surface by the tree roots.

Council officers have conducted a thorough investigation of this request and engaged an independent arborist to inspect and submit a report on the current condition, health and safety of the trees.

Upon inspection of the site, it was determined that the carpark surface has also deteriorated and should be considered for renewal as part of this project.

*Discussion*
There are six trees situated along the Buna Terrace carpark requiring removal as part of this project. Of the six trees present, four are deemed at end of life and would normally be removed as part of Council's ongoing operational programs. However, two trees (tree 2 and tree 3) are assessed as being in good condition with an expected life of 10 – 20 years remaining. Tree 1 and Tree 2 interface with the new synthetic bowling green, with significant root encroachment observed during construction works which have begun.

After carrying out a thorough investigation of the site and discussing the issue with key members of the Nuriootpa Bowling Club, Council Officers propose the following scope of works:

1. **Tree Removal:**
    - Removal of all six trees situated along the Buna Terrace carpark which have been identified as high-risk to the new synthetic surface.
    - Stump grinding to prevent regrowth and ensure a smooth surface for carpark reinstatement and further tree planting and landscaping.

2. **Carpark Reinstatement:**
    - Excavate and dispose of existing carpark wearing course and base layer.
    - Reinstatement of carpark base layer and new asphalt wearing course.
    - Line marking to formalise car parking spaces.
    - Reinstatement of a section of footpath which has been lifted by tree roots.

3. **Tree Planting and Landscaping**
    - Planting of five new suitable trees evenly spaced along the carpark.

- Landscape plantings around new trees and verges to enhance the amenity and environmental benefits.

Although the initial request did not consider the renewal of the carpark surface, it has been determined that due to the current condition of the existing asphalt and proposed planting locations for new trees to maximise car parking spaces, the entire renewal of civil infrastructure and landscaping of this area should be completed to achieve the required asset protection, safety, amenity, and environmental outcomes.

Synthetic sports playing surfaces typically have an expected 10 – 15 year lifespan. Reduction in this expected lifespan is regularly caused by poor construction techniques, inadequate maintenance, and interference from trees such as roots encroachment and shading.

*Summary and Conclusion*
Endorsement of the report recommendations is sought to achieve the required scope of works which will ensure the Nuriootpa Bowls Club's new synthetic green remains in a safe and functional condition for its members and achieves the desired asset life. The completion of these works will also enhance the overall amenity of this high-profile area which directly interfaces with the Nuriootpa Primary School, Nuriootpa Swimming Pool and a number of private residences.

## ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Nuriootpa Bowling Club - Buna Terrace - Car Park Layout
Attachment 2 Nuriootpa Bowling Club - Buna Terrace - Tree Report

*Supporting references*
Nil

## COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Infrastructure

Health and Wellbeing

Goal
7. Community infrastructure planning is aligned to both current and the future needs of the community
10. Our region enjoys the benefits of sustainable community groups, networks and facilities that encourage everybody to participate in the community.

Strategies
7.2. Ensure both current and future infrastructure needs are met in a proactive rather than reactive way.
10.3. Build on the capacity of community members to participate in cultural, creative, recreational, sporting and learning opportunities.

<u>Corporate Plan</u>
CS3 Assets - Planning, construction, maintenance and operation of Council's assets (Transport, Bridges, Community Wastewater Management System, Community, Cultural, Recreation and Stormwater)

<u>Legislative Requirements</u>
Nil

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

Council Officers have reviewed the scope of works and costed the project against known schedules of rates. They are confident the projected can be accommodated within the requested $60,000 budget.

**COMMUNITY ENGAGEMENT**

No formal community engagement has been conducted for these works. The Nuriootpa Primary School and immediate neighbouring properties will be advised of expected works once approved.

### 7.4 Development and Community Services

Nil

## 8. CONFIDENTIAL REPORTS

### 8.1 Office of the Mayor and CEO

**8.1.1 <u>SUPREME COURT CASE MATTER UPDATE</u>**
**24/47409**

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 information is related to the Supreme Court Case between Councils and TTEG.

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

**MOVED** Cr de Vries

That Council:

(1) Under the provisions of Section 90(2) of the *Local Government Act 1999*, make an order that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director Corporate Services and Business Innovation, Director Development and Community Services, Director Infrastructure and Environmental Service and the Minute Secretary, in order to consider in confidence a report relating to being information that must be considered in confidence pursuant to:

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

information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council;

(2) Accordingly, on this basis, Council is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential in order that information is related to the Supreme Court Case between Councils and TTEG.

**SECONDED** Cr Greatwich **CARRIED 2022-26/483**

*The meeting moved into confidence at 5.40pm*

**MOVED** Cr de Vries

That Council:

(1) Council Resolution

(2) Council Resolution

(3) Having considered this matter in confidence under Sections 90(2) and 90(3)(i) of the *Local Government Act 1999,* makes an order pursuant to Section 91(7), that the minutes, agenda report and attachments other than the minutes relating to this confidentiality order of the Confidential Council Meeting held on 16 July 2024 in relation to item 8.1.1 Supreme Court Case Matter Update be kept confidential and not available for public inspection and authorise the Chief Executive Officer to review and revoke the order.

**SECONDED** Cr Greatwich **CARRIED CO 2022-26/483**

*Resumption of open council meeting at 5.41pm*

# 9. URGENT OTHER BUSINESS

Nil

# 10. NEXT MEETING

Tuesday 20 August 2024 at 5.30pm

# 11. CLOSURE

Mayor Lange declared the meeting closed at 5.41pm.

Confirmed at Council Meeting on 20 August 2024

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