



MINUTES OF THE MEETING OF THE BAROSSA COUNCIL

held on Tuesday 15 October 2024 commencing at 5.31pm
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.

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 Preece

That the Minutes of the Council meeting held on Tuesday 17 September 2024 at 5.30pm, as circulated, be confirmed as true and correct records of the proceedings of those meetings.

SECONDED Cr Hurn

CARRIED 2022-26/532

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

3.3.1 CR HURN - REMOVAL OF TREES 24/89751

MOVED Cr Hurn

That Council instruct the Chief Executive Officer to remove trees at both 44 Angas Street, Tanunda and 13 Jonathan Ave, Nuriootpa forthwith.

SECONDED Cr Preece

LOST

PURPOSE

To debate the Notice of Motion (NoM) put forward by Cr Hurn to remove two mature trees in Angas Street Tanunda and Jonathon Avenue Nuriootpa.

REPORT

A NoM motion was received on Monday 7 October 2024 within the prescribed timeframe for the prestaton of the notice at the October meeting of Council.

The NoM and rationale is at the Attachment.

Please note due to the timing of the notice and release of the agenda officers will provide a report on actions to date and tree health and safety prior to the Council meeting and table it as part of the meeting processes.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Notice of Motion - Cr Hurn - Tree Removal 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTSCorporate Plan

BS5 Enterprise Risk - Strategic and operational risk assessment, control and monitoring; internal control and audit; business continuity and disaster recovery planning; organisational emergency management; insurance portfolio management; and Work Health Safety system coordination

Legislative Requirements

Section 12 of the Local Government Act (Procedures at Meetings) Regulations 2013

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

To be advised.

COMMUNITY ENGAGEMENT

None has been undertaken or requested by the Notice of Motion.

Elected Member Briefing Note

Agenda Item 3.3.1- Cr Hurn Notice of Motion – Removal of Trees

Re: Proposed Tree Removals at 44 Angas Street, Tanunda, and 13 Johnathon Avenue, Nuriootpa

Author: Manager Infrastructure & Environmental Services

Background

Council's Current Tree Management Policy and Draft New Tree Management Policy

There is an ongoing tension around the retention, removal, and management of trees which necessitates the consistent approach to these decisions. Council has consistently handled such requests by relying on internal and external expert advice and conducting relevant assessments. These include evaluations of tree health and safety, Native Vegetation approvals, engineering reports, and development application requirements. While the community may not always agree with the outcomes, this approach ensures decisions are balanced, equitable, and based on sound evidence.

Council Officers are currently drafting a new Tree Management Policy, which will require an engineer's report clearly articulating property damage before the removal of any healthy public trees. This is entirely consistent with years of practice and the Council's current Legacy Policy. The policy emphasises tree removal as a last resort, and in cases where trees are found to be causing significant damage, the Council will consider reimbursing the cost of the engineering reports to residents.

The Barossa Council's Legacy Policy states:

15.28.4.1 *If a tree is to be removed due to structural damage, an Engineer's Report must be provided by the applicant, along with relevant details and quotations for repairs. The Council will then verify that the quoted repairs correspond to the claimed damage.*

This approach ensures that any decision to remove a tree is made based on clear evidence and supports a balanced consideration of the tree's value to the community and environment.

Tree at 44 Angas Street, Tanunda

Council staff have engaged with the property owners since prior to 2018 and undertaken multiple assessments. In 2018, an independent arborist was engaged to inspect the tree's health and condition and to assess the alleged property damage, which also included reports for trees at 42 and 46 Angas Street (attached). The report found the tree to be structurally sound, healthy, and posing an acceptable risk, with no clear evidence of damage to the property. In 2023, canopy reduction pruning was carried out in accordance with Australian Standard AS 4373 - 2007 to mitigate risks.

The Barossa Councils tree management data base, Forestree, captures the following attributes for this tree:

Fraxinus angustifolia 'Claret Ash'

Risk- Low

Age – Mature

Health – Good

Useful Life - >20 years

Structure – Good

Recent inspections of the cracked pavement bordering the property revealed no obvious tree root intrusions. The pavement cracking could also be due to other factors, such as climate, soil type, and construction specifications, rather than tree-related issues. The Council has consistently communicated to the property owners that a structural engineer's report is required to confirm any tree-related damage before removal can be considered. Despite several requests, this report has not been provided.

The tree forms part of a significant avenue of claret ash trees on Angas Street, which contribute greatly to the street's amenity and environmental value, including reducing the heat island effect. Removing the tree without an engineering assessment risks setting a challenging precedent for future cases.

Tree at 13 Johnathon Avenue, Nuriootpa

In August 2023, the resident of 13 Johnathon Avenue contacted the Council regarding potential property damage caused by street trees. Investigations revealed evidence of tree roots near the damaged concrete path; however, the root growth appears to be linked to a leaking tap, rather than the tree.

The resident was advised that they could prune tree roots on their property, provided they avoided the structural root zone. The Council also communicated that any consideration for tree removal would need to be supported by an engineer's structural report. At this point no engineers report has not been provided.

The Barossa Councils tree management data base, Forestree, captures the following attributes for this tree:

Gleditsia triacanthos

Risk- Low

Age – Mature

Health – Good

Useful Life - >20 years

Structure – Fair

Conclusion

Council staff recommend no further action regarding the trees at 44 Angas Street, Tanunda, and 13 Johnathon Avenue, Nuriootpa until structural engineer's reports are provided by the property owners, confirming that the trees are responsible for property damage. This procedure aligns with the Council's current processes and draft Tree Management Policy, which seeks to protect healthy trees while addressing legitimate property damage concerns.

Approving the motion to remove the trees without an engineering and risk assessment is a considerable precedent and at odds with Council's own policy position. Additionally, the environmental and community value of these trees should be carefully weighed before any removal decision is made.

Once the structural engineer's reports are submitted and demonstrate damage, Council Officers will continue to proactively work with the residents to make an informed decision about the tree removals or alternative options (root barriers, root pruning). With alternative options being the first preference and removal if all other avenues are exhausted.

Attachments

- Forestry Report – 44 Angas Street, Tanunda
- Forestry Report – 13 Johnathon Avenue, Nuriootpa
- Tree Report – 44 Angas Street, Tanunda
- Tree Report – 46 Angas Street, Tanunda
- Tree Report – 42 Angas Street, Tanunda
- The Barossa Council Legacy Policy
- Response Ashton Hurn MP – 44 Angas Street, Tanunda

TREE REPORT

Caucasian ash

Fraxinus angustifolia ssp. Oxycarpa Claret Ash

Active

Approximate Address

44 Angas St, Tanunda SA 5352, Australia

Tree ID

3706134

Asset ID

Planted Date

03/06/1980, 12:00am

Current Risk

Low

Age

Mature

ULE

> 20 years

Health

Good

Structure

Good

Height (m)

0

Height Range

10-20m

Canopy Size (m)

0

Canopy Size

> 15m

Circumference

> 600mm

Verge Size

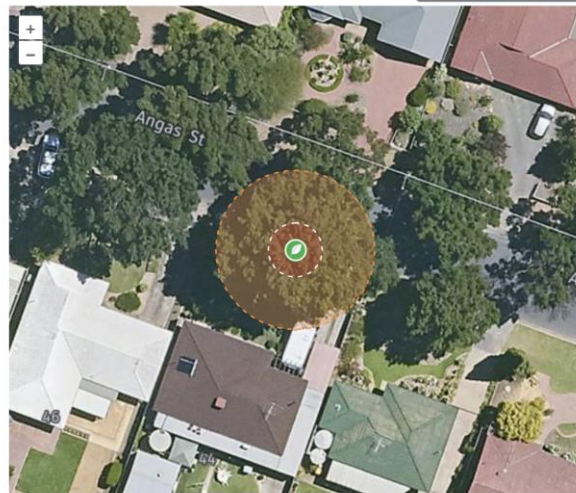
-

DBH (cm)

-

DBH Range

> 60cm



-34.51554404, 138.96379146

[Open in Google Street View](#)

TPZ (Estimate)

9.00m

SRZ (Estimate)

3.05m

Inspection/Observation History

A history of Inspections/Observations against this tree.

[Next Inspection Due 03/06/2027](#)

Date	User	Risk	Notes	Work Req.	Work Priority	Work Tasks	Work Notes
03/06/2024, 2:53pm	Treevolution	Low	Large, mature, co dominant stemmed tree displaying a history of branch failure events.	No			
03/06/2024, 2:25pm	Treevolution	Low	Initial Data Capture	No			

Attribute History

A history of Tree Attribute changes to this tree.



heritage, lifestyle, opportunity, prosperity

43-51 Tanunda Road (PO Box 867)
Nuriootpa SA 5355

Phone (08) 8563 8444

Email: barossa@barossa.sa.gov.au

ABN: 47 749 871 215

www.barossa.sa.gov.au

Date	User	Age	Height	Height (m)	Health	Structure	Canopy	Canopy (m)	Circumference	ULE	DBH (cm)	DBH Range
03/06/2024, 2:53pm	Treevolution	Mature	10-20m		Good	Good	> 15m		> 600mm	> 20 years		> 60cm
03/06/2024, 2:25pm	Treevolution	Mature	5-10m		Good	Good	5-10m		> 600mm	> 20 years		45-60cm

Works History

A history of Works against this tree.

Date	Completed By	Status	Source	Work Identified	Work Completed	Notes
No Works History						

Watering History

A history of Watering against this tree.

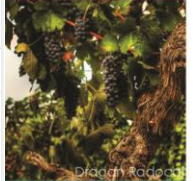
Date	Watered By	Status
No Watering History		

Files

Photos



03/06/2024, 2:53pm



TREE REPORT

Honeylocust
Gleditsia triacanthos



Active Park Tree

Approximate Address
11 Jonathan Ave, Nuriootpa SA 5355, Australia

Tree ID
2965841

Asset ID

Planted Date
08/02/1998, 12:00am

Current Risk
Low

Age
Mature

ULE
> 20 years

Health
Good

Structure
Fair

Height (m)
0

Height Range
10-20m

Canopy Size (m)
0

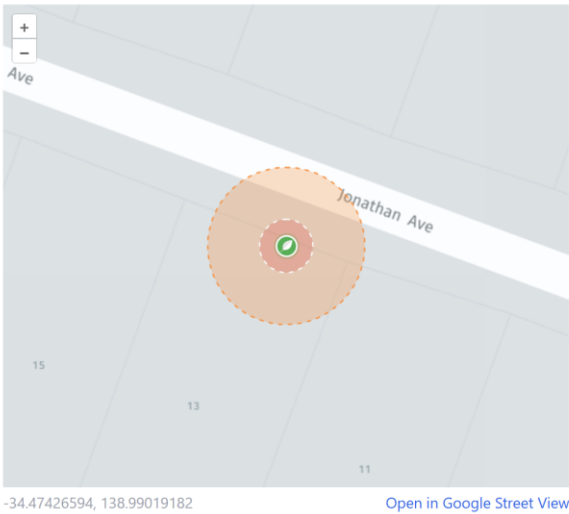
Canopy Size
> 15m

Circumference
2-3m

Verge Size
-

DBH (cm)
-

DBH Range
> 60cm



TPZ (Estimate)
9.00m

SRZ (Estimate)
3.05m

Inspection/Observation History

A history of Inspections/Observations against this tree.

Next Inspection Due 08/02/2027

Date	User	Risk	Notes	Work Req.	Work Priority	Work Tasks	Work Notes
08/02/2024, 1:04pm	Treevolution	Low	Large mature tree showing evidence of included bark in the main stem union.	No			

Attribute History

A history of Tree Attribute changes to this tree.

Date	User	Age	Height	Height (m)	Health	Structure	Canopy	Canopy (m)	Circumference	ULE	DBH (cm)	DBH Range
08/02/2024, 1:04pm	Treevolution	Mature	10-20m		Good	Fair	> 15m		2-3m	> 20 years		> 60cm



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Works History

A history of Works against this tree.

Date	Completed By	Status	Source	Work Identified	Work Completed	Notes
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No Works History

Watering History

A history of Watering against this tree.

Date	Watered By	Status
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No Watering History

Files

Photos



08/02/2024, 1:04pm



Site Inspection Record

Investigation of Council tree and alleged damage to private property

Location: 44 Angus Street, Tanunda

Job Number: 52418

Inspector/Staff: Colin Thornton

Date: 06/06/2018

Customers Provided Information: The resident claims that the roots from the tree located in front of the above mentioned property are affecting the road kerb, front lawn and cement paths.

TREE OBSERVATIONS *(with respect to infrastructure damage)*

Species: Fraxinus oxycarpa Raywoodii .

Appropriate (species): Yes.

Size: 16 metres in height and 14 metre crown spread average.

Legislative Control: None.

Health: Good.

Structure: Good.

Form: Good.

Age: Mature.

Lower Trunk Circumference: 2.85 metres

Basal Flare/Buttress Roots: The tree exhibits typical basal flare.

Arboricultural Recommendation: This is a relatively large tree with a wide spreading crown form. The tree was displaying no form of defect at the time of inspection and currently requires no form of arboricultural intervention.

Comments: The tree is typical within the streetscape being part of a large avenue of trees, that contributes significantly to the amenity of the local area.

COUNCIL INFRASTRUCTURE *(obvious visual damage noted and attributed to street tree/roots)*

Road Pavement: Sound.

Kerb & Water Table: Minor displacement of the kerb.

Road Reserve/Nature Strip: Minor undulations within the lawn area of verge.

Footpath: Not applicable.

Recent/Future Infrastructure Works: Not applicable.

Storm Water Pipes: Not applicable.

Maintenance Recommendations: No works required.

Comments: The council owned infrastructure is displaying minor displacement to the kerb line and water table, which are currently within tolerable levels. Due to the proximity of the tree to council owned infrastructure, damage and displacement will increase over time. However, the benefits provided by the tree far outweighs the potential future repairs that may be required to the adjacent infrastructure.

PRIVATE PROPERTY/INFRASTRUCTURE *(obvious visual damage noted and attributed to street tree/roots)*

Fencing: The tree is located approximately 3 metres north of the front boundary of the property. There is no formal boundary of the property.

Driveway: Sound.

Surfaces: Access to the property was restricted but the footpath around the front of the property is exhibiting a generally level appearance and is currently showing no form of displacement or damage.

Leaking Pipes: None noted.

Dwelling Exterior: The residential dwelling is approximately 12 metres to the south of the tree and is currently showing no form of cracking or damage to the exterior wall surfaces.

Irrigation: Not applicable.

Trees/Vegetation: The property has a garden area that is devoid of large vegetation.

Tree Roots: There were no tree roots apparent adjacent to the boundary of the property at the time of inspection

Comments: There is insufficient justification to support the removal of the identified street tree. No evidence has been provided to support the claim that tree roots are causing damage. The footpath around the property is not considered to be a structure of value, and damage to such structures should not be considered as sufficient justification to remove healthy trees. Further evidence in the form of a structural engineer's report should be provided to substantiate any claims of property damage, which clearly demonstrate that a full investigation of the soil type, foundation construction and damage assessment undertaken. Root sample analysis should also be performed should tree roots be apparent within the area of alleged damage. The recent climatic conditions also need to be taken into consideration in any assessment as this in itself could be causative in any damage being sustained



Photograph showing the tree when viewed from the east demonstrating its good shape and form.



Photograph showing the minor kerb displacement adjacent to the stem of the tree.



Photograph showing the cross over and driveway to the north of the tree showing no form of damage that could be related to tree root action.



Photograph showing the exterior wall of the property, having no form of damage that could be related to tree root action.

Site Inspection Record

Investigation of Council tree and alleged damage to private property

Location: 46 Angas Street, Tanunda

Job Number: 57500

Inspector/Staff: Colin Thornton

Date: 06/06/2018

Customers Provided Information: The resident claims that the tree located in front of the above mentioned property is dropping leaves and branches on their property and tree roots are lifting the cement paving around their dwelling.

TREE OBSERVATIONS *(with respect to infrastructure damage)*

Species: Fraxinus oxycarpa Raywoodii

Appropriate (species): Yes.

Size: 12 metres in height and 12 metre crown spread average.

Legislative Control: None.

Health: Good.

Structure: Good.

Form: Good.

Age: Mature.

Lower Trunk Circumference: 2.1 metres

Basal Flare/Buttress Roots: The tree exhibits typical basal flare.

Arboricultural Recommendation: The tree is a relatively large specimen with a wide spreading crown form. The tree was displaying no form of defect at the time of inspection, and currently requires no form of arboricultural intervention.

Comments: The tree is typical within the streetscape being part of a large avenue of trees, that contributes significantly to the amenity of the local area.

COUNCIL INFRASTRUCTURE *(obvious visual damage noted and attributed to street tree/roots)*

Road Pavement: Sound.

Kerb & Water Table: Major displacement of the kerb and water table.

Road Reserve/Nature Strip: Sound.

Footpath: Not applicable.

Recent/Future Infrastructure Works: Not applicable.

Storm Water Pipes: Not applicable.

Maintenance Recommendations: No works required.

Comments: The council owned infrastructure is experiencing displacement of the kerb line and water table, which are currently within tolerable levels. Due to the proximity of the tree to council owned infrastructure, damage and displacement will increase over time. However, the benefits provided by the tree far outweighs the potential future repairs that may be required to the adjacent infrastructure.

PRIVATE PROPERTY/INFRASTRUCTURE *(obvious visual damage noted and attributed to street tree/roots)*

Fencing: The tree is located approximately 3 metres north of the front boundary of the property. The property is constructed at a level that is lower than the verge area, and the boundary is delineated and supported by a small retaining wall that is showing no form of damage.

Driveway: Sound.

Surfaces: Access to the property was restricted but the footpath around the front of the dwelling is exhibiting a generally level appearance and is currently showing no form of displacement or damage.

Leaking Pipes: None noted.

Dwelling Exterior: The residential dwelling is approximately 11 metres to the south of the tree and is currently showing no form of cracking or damage to the exterior wall surfaces.

Irrigation: Not applicable.

Trees/Vegetation: The property has a garden area that is devoid of large vegetation.

Tree Roots: There were no tree roots apparent adjacent to the boundary of the property at the time of inspection

Comments: There is insufficient justification to support the removal of the identified street tree. No evidence has been provided to support the claim that tree roots are causing damage. The footpath around the property is not considered to be a structure of value, and damage to such structures should not be considered as sufficient justification to remove healthy trees. Further evidence in the form of a structural engineer's report should be provided to substantiate any claims of property damage, which clearly demonstrate that a full investigation of the soil type, foundation construction and damage assessment undertaken. Root sample analysis should also be performed should tree roots be apparent within the area of alleged damage. The recent climatic conditions also need to be taken into consideration in any assessment as this in itself could be causative in any damage being sustained



Photograph showing the tree when viewed from the east demonstrating its good shape and form.



Photograph showing the major kerb and water table displacement adjacent to the stem of the tree.



Photograph showing the cross over and driveway to the north of the tree showing no form of damage that could be related to tree root action.



Photograph showing the dolomite verge area that is relatively level in form. Photograph also shows the small retaining wall located on the property boundary.



Photograph showing the exterior wall of the property, having no form of damage that could be related to tree root action.

Site Inspection Record

Investigation of Council tree and alleged damage to private property

Location: 42 Angas Street, Tanunda

Job Number: 52555

Inspector/Staff: Colin Thornton

Date: 06/06/2018

Customers Provided Information: The resident claims that the tree located in front of the above mentioned property has caused damage to the footpaths at the front of their dwelling.

TREE OBSERVATIONS *(with respect to infrastructure damage)*

Species: Fraxinus oxycarpa Raywoodii .

Appropriate (species): Yes.

Size: 9 metres in height and 8 metre crown spread average.

Legislative Control: None.

Health: Good.

Structure: Good.

Form: Good.

Age: Semi mature.

Lower Trunk Circumference: 1.07 metres

Basal Flare/Buttress Roots: The tree exhibits typical basal flare.

Arboricultural Recommendation: The tree is a relatively small tree with a small compact crown form that requires no form of arboricultural intervention.

Comments: The tree is typical within the streetscape being part of a large avenue of trees, that contributes significantly to the amenity of the local area.

COUNCIL INFRASTRUCTURE *(obvious visual damage noted and attributed to street tree/roots)*

Road Pavement: Sound.

Kerb & Water Table: Minor displacement of the kerb.

Road Reserve/Nature Strip: Sound.

Footpath: Not applicable.

Recent/Future Infrastructure Works: Not applicable.

Storm Water Pipes: Not applicable.

Maintenance Recommendations: No works required.

Comments: The council owned infrastructure is displaying minor undulations in the kerb line and water table, which are currently within tolerable levels. Due to the proximity of the trees to council owned infrastructure, damage and displacement will increase over time. However, the benefits provided by the tree far outweighs the potential future repairs that may be required to the adjacent infrastructure.

PRIVATE PROPERTY/INFRASTRUCTURE *(obvious visual damage noted and attributed to street tree/roots)*

Fencing: The tree is located approximately 3.1 metres north of the front boundary of the property. There is no formal boundary of the property.

Driveway: Sound.

Surfaces: Access to the property was restricted but the footpath around the front of the property is generally level and showing no form of displacement or damage.

Leaking Pipes: None noted.

Dwelling Exterior: The residential dwelling is approximately 9 metres to the south of the tree and is currently showing no form of cracking or damage to the exterior wall surfaces.

Irrigation: Not applicable.

Trees/Vegetation: The property has a garden area that is devoid of large vegetation.

Tree Roots: There were no tree roots apparent adjacent to the boundary of the property at the time of inspection

Comments: There is insufficient justification to support the removal of the identified street tree. No evidence has been provided to support the claim that tree roots are causing damage. The footpath around the property is not considered to be a structure of value, and damage to such structures should not be considered as sufficient justification to remove healthy trees. Further evidence in the form of a structural engineer's report should be provided to substantiate any claims of property damage, which clearly demonstrate that a full investigation of the soil type, foundation construction and damage assessment undertaken. Root sample analysis should also be performed should tree roots be apparent within the area of alleged damage. The recent climatic conditions also need to be taken into consideration in any assessment as this in itself could be causative in any damage being sustained



Photograph showing the tree when viewed from the north demonstrating its good shape and form.



Photograph showing the minor kerb displacement adjacent to the stem of the tree.



Photograph showing the cross over and driveway to the north of the tree showing no form of damage that could be related to tree root action.



Photograph showing the verge area adjacent to the trees stem that is level and showing no form of undulations that could be attributed to tree roots.



Photograph showing the exterior wall of the property, having no form of damage that could be related to tree root action.

THE BAROSSA COUNCIL LEGACY POLICY STATEMENTS



Corporate Plan Link:	6.2 Ensure that Council's policy and process frameworks are based on principles of sound governance and meet legislative requirements.		
Policy Owner:	Chief Executive Officer	Previous Approval Date(s):	Compiled from Policy Manual which had multiple approval dates
Document Control Officer:	Governance Advisor	Current Approval Date:	19/09/2017
HPE Content Manager Ref:	17/55374	Next Review Date:	01/08/2018

A	Purpose
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- A1 The Barossa Council's Policy Manual, which was first adopted on 6th October 1998 and last updated as far back as 24th April 2008, was subject to a 2017 cross-team audit to ascertain its ongoing relevance. All content from the Manual that was not superseded by new legislation or policy has been compiled for convenience in this Legacy Policy Statements document.
- A2 All remaining Policy Manual content was formally revoked by Council on 19 September 2017.
- A3 It is the intent that all subject matter within this Legacy Policy Statements document will be reviewed and updated within Council's new Policy Framework by authorised officers in due course, after which time the Policy Manual will be revoked in its entirety.

B	Index	(note: same numbering as Policy Manual)
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Section 1: Council Meetings (page 2)

- Agendas
- Use of Cameras

Section 2 – General Management (pages 3 -5)

- Citizenship Ceremonies
- Council Offices – hours open
- Letters – official response
- Reply to letters from ratepayers/residents
- Retirement of Elected Members / gifts
- Elected Members requests for information from staff
- Wreaths

Section 3 – Finance (page 5)

- Insurance Cover
- Reserve Funds

Section 11 – Community Services - Australia Day Awards (page 6)

Section 15 – Works (pages 6 -29)

- Access to private property (pg 6)
- Council Plant – use of for private works (pg 6)
- Electoral Advertisements, display (pg 6)
- Entrances and Crossovers - location, construction and maintenance (pg 7)
- Entranceways – additional (on request) (pg 8)
- Roadside Timber Collection (pg 8)
- Road Closure (pg 9)
- Roads – construction and associated works on sub-divisional roads (pg 10)
- Roads – footpath construction (pg 13)
- Roads – forming and construction of unmade (pg 15)
- Roads and streets – slashing and clearing road of verges (pg 16)
- Signs – Stock Control – use on district roads (pg 18)
- Road Signage Policy (pg 19)
- Streetlights (pg 22)
- Tree planting and removal (pg 23)
- Trees – white ant infestation on road reserves or council reserves (pg 28)
- Trees fallen across Transport SA Roads – afterhours call out (pg 29)
- Trees overhanging from private property (pg 29)
- Council landscaping of road verge policy guidelines for established urban areas (pg 29)

Section 16 – Health

- Winery Wastewater collection, treatment, storage and disposal (pg 29)
- Designated Rural Domestic Waste Collection Route (pg 30)
- Township Domestic Kerbside Recycling Service (pg 30)

Section 17 – Development (Planning)

- Caravans (p32)
- General Policy Statement (p33)
- Land Development Roadworks Guarantees, Binding Arrangements and Delegated Authority (p33)
- Heritage (p33)

POLICY MANUAL SECTION 1:	COUNCIL MEETINGS
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1.1 AGENDA – CLOSE

The closing time for items for inclusion in the Agenda shall be two (2) weeks prior to the scheduled meeting date.

1.2 AGENDA - ELECTED MEMBER QUERIES

Elected Members are encouraged to contact officers with Agenda enquiries prior to the meeting wherever possible to assist in the smooth operation of the systems. The Chief Executive Officer and Directors are to be available from 8.30am on Council meeting days.

1.3 AGENDA – DELIVERY

The Agenda for consideration by Council is to be delivered electronically to Elected Members to ensure at least five (5) full days reading time for Elected Members prior to the scheduled meeting date and two (2) full days reading time for Late Items.

Any late written reports received by Elected Members will only be considered in the light of Policy 1.4.

1.4 AGENDA - MATTERS OF URGENCY

Only late items of matters of urgency may be added to the Council Agenda and this shall be at the discretion of the Mayor and Chief Executive Officer. Unless considered urgent the item shall be listed for the next Agenda.

Late Agenda Items should only be allowed to be introduced if they are approved by the Mayor and the Chief Executive Officer prior to the commencement of the meeting.

“Other Business” should not be used as a forum or opportunity to discuss matters not on the Agenda, to provide information, or for Elected Members to make statements of any nature.

Any urgent item an Elected Member wishes to raise in “Other Business” should be discussed with, and approved by the Mayor prior to the meeting.

1.5 AGENDA - SET OUT

The Chief Executive Officer is authorised to define items which fit the concept of a Consensus/Debate Agenda.

1.6 MEETING PROCEDURE: ACKNOWLEDGEMENT OF COUNTRY

On appropriate occasions, The Barossa Council will acknowledge the Peramangk and Ngadjuri People with the following words (or similar):

“The Barossa Council acknowledges the traditional owners of the land on which we meet, the Peramangk and Ngadjuri People. We respect their cultural heritage, beliefs and relationship with the land and acknowledge that they are of continuing importance to the Peramangk and Ngadjuri People living today.”

1.7 USE OF CAMERAS IN COUNCIL CHAMBERS

Council will not permit the use (by members of the public) of any audio or visual equipment during Council meetings without the express permission of Council.

POLICY MANUAL SECTION 2:	GENERAL MANAGEMENT
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2.4 CITIZENSHIP CEREMONIES

Citizenship Ceremonies will be held in public and invitations to such ceremonies will be extended to Elected Members and the local member of State and Federal Government. A private ceremony may be held if an individual is seeking citizenship urgently.

2.11 COUNCIL OFFICES - HOURS OPEN

The Council Offices shall be open to the public on weekdays (excluding declared holidays and the period between Christmas Day and New Year's Day) from 9.00am to 5.00pm.

2.16 LETTERS - OFFICIAL RESPONSE

Notwithstanding the right of an Elected Member of Council to personally reply on matters personally directed to him/her, letters received by Elected Members of Council from an organisation are to be officially replied under the hand of the Chief Executive Officer.

2.21 REPLY TO LETTERS FROM RATEPAYERS/ RESIDENTS

If a ratepayer wishes a matter to be referred to full Council a copy of the letter should also be forwarded to their local Elected Member.

The letter (addressed to the Chief Executive Officer and received at the office) is immediately acknowledged in writing and then referred to the appropriate Manager for report to Council.

A detailed response is given within fourteen (14) days of the Council meeting.

All the correspondence to be dealt with in the following way:

- The letter (addressed to the Chief Executive Officer and received at the office) is immediately acknowledged in writing and then referred to the appropriate Manager for response.
- A detailed response is given within fourteen (14) days.
- If the letter has been received via an Elected Member, the response would normally begin "Cr has required me to reply".
- The majority of correspondence is routine and can be simply replied to without reference.
- Other correspondence is replied to with reference to information which has already received Council endorsement and authority in the Policy Manual, Minutes, Budget, etc.
- If the letter is received via an Elected Member a copy of the reply is sent to that Member.
- All controversial or contentious issues and matters outside Council policy are referred to Council for direction.

2.22 RETIREMENT OF ELECTED MEMBERS - GIFTS

Council shall allocate an amount up to \$200.00 for the purchase and presentation of a suitably engraved gift to retiring Elected Members who have served a minimum term of nine years. In addition, the retiring Elected Member shall be presented with a Council plaque.

2.24 ELECTED MEMBERS REQUESTS FOR INFORMATION FROM STAFF

It is acknowledged that from time to time elected members will request information from staff and will require this information to properly enact their role as an elected member.

Staff are required to give such assistance where the information required can be given immediately or with little research.

If the information required will take substantial research then the elected member will be required to take the matter to Council as a Question on Notice.

2.28 WREATHS

On the death of any Elected Member of the Council, ex member, Council employee, or ex-employee, Local Member of Federal or State Parliament (or at her/his discretion on other deaths) a wreath or flowers are to be purchased for the family.

POLICY MANUAL SECTION 6	FINANCE
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6.7 INSURANCE COVER

Council shall insure its Assets and provide for its Liabilities through Council's Insurance Broker, Local Government Risk Services, under the following general headings:

- (a) Local Government Special Risks Policy
- (b) Worker's Compensation Policy
- (c) Public Liability Policy
- (d) Personal Accident Policy
- (e) Motor Vehicle Policy
- (f) Fidelity Guarantee Policy
- (g) Personal Accident - Journey Policy
- (h) Machinery Breakdown
- (i) Computer Policy
- (j) Occasional Hirers Liability

6.10 RESERVE FUNDS

Cash Reserve funds will be established and maintained by Council as part of prudent financial management.

Expenditure funded from Cash Reserves to be in accordance and consistent with the reason for establishing the Reserve fund, unless directed by Council.

Use of internal reserve funds to be considered prior to consideration of external loan borrowings.

11.1 AUSTRALIA DAY AWARDS

Council supports the granting of the Annual Australia Day Awards for the Citizen of the Year, Young Citizen of the Year and Community Event of the Year.

Nominations be invited from the Community through the media, Council Newsletter and letter to Community Groups.

Selection of the Awards be undertaken by Council.

The Awards be undertaken in conjunction with the Australia Day Council each year.

The Citizen of the Year be for persons 27 years and over, while the Young Citizen of the Year must be under 27 years of age on Australia Day in each year, ie 26th January. They must be resident in the Council area.

Such Awards be made in recognition of outstanding service to the Community of The Barossa Council.

15.1 ACCESS - PRIVATE PROPERTY

Applications for access to private property by way of a public reserve other than a road reserve be a prohibited use.

15.3 COUNCIL PLANT - USE OF FOR PRIVATE WORKS

15.3.1 The Director - Works & Engineering is authorised at his/her discretion to deploy Council plant and labour to assist in any works that would be of community benefit involving Council land or public parklands (except for those organisations supported by Council funded budgets).

15.3.2 Any private work (ie work for the benefit of an individual) is generally not to be performed (excepting Works Policy 15.5 [Entrances and Crossovers - Location, Construction and Maintenance]) either during or out of hours. No item of plant/equipment with or without a Council employee driver/operator is to be engaged in any private work; with the exception however in cases of emergency (at the discretion of the Director – Works & Engineering), and for community projects (at the discretion of the Director – Works & Engineering).

15.4 ELECTORAL ADVERTISEMENTS - DISPLAY OF

15.4.1 ELECTION SIGNS IN PUBLIC PLACES

Important Note: The policy position is to be applied consistently to all political parties and candidates for Federal, State and Council elections.

In accordance with this Policy Council does not consent to the erecting of Election signs on Council property.

15.4.2 ETSA PROPERTY

In addition to the above, ETSA, as owner of infrastructure items often used to support signs, carries the following requirements.

ETSA has a policy which permits election campaign signs to be displayed on ETSA infrastructure without requiring approval from ETSA, providing the following criteria are met:

15.4.2.1 No signs to be erected until an election is called.

15.5 ENTRANCES AND CROSSOVERS - LOCATION, CONSTRUCTION & MAINTENANCE

15.5.1 CONSTRUCTION

15.5.1.1 Unless otherwise arranged, all entrances and crossovers shall be constructed by Council employees at cost to the property owners.

15.5.1.2 By arrangement with the authorised Council Officer, entrances may be constructed to Council specifications by a person experienced in roadworks and drainage.

15.5.1.3 Where other than Council employees are employed to construct entrances, Council shall be indemnified against any claim for negligence that may arise during the course of preparation, construction and clearing away of plant and surplus materials.

15.5.1.4 The specification for all entrances and crossovers of all such crossings and sizing of culverts to be approved by the appropriate Council officer.

15.5.1.5 Appropriate warning signs shall be placed in accordance with Australian Standard as 1742.3 Part 3 - Traffic Control Devices for Works Roads, on the road approaches on either side of the entrance during the course of construction.

15.5.1.6 No work is to be carried out on any land under the care, control or management of Council without prior approval of the Director – Works & Engineering.

15.5.2 CONSTRUCTION OF ENTRANCEWAY - SPECIAL CIRCUMSTANCES

Where a culvert is required in the interim, but not required following the scheduled road construction, ie due to kerbing being laid, Council will construct the entranceway at the full cost of the landowner concerned, but will credit the landowner with the salvage value of the culvert when accounts are sent out for the road moiety following the road construction.

15.5.3 LOCATION

- 15.5.3.1** Generally, entrances may be positioned at the location preferred by the property owner provided that due regard has been given to safety factors and future maintenance.
- 15.5.3.2** Pursuant to the provisions of the Local Government Act, Council may require a change in position if it is satisfied that the location would be detrimental to public safety, impact on native vegetation or to the future development of the area.
- 15.5.3.3** Applications for entrances are to be referred to the Director - Works & Engineering who shall, on behalf of Council, approve or by agreement with the owner, change the location. If agreement to change the location cannot be reached, the application shall be referred to Council for determination.
- 15.5.3.4** Should Council vary the horizontal or vertical alignment of any road, Council will be responsible for reinstating accesses to a standard equal to that which was in existence prior to such work being carried out.

15.5.4 MAINTENANCE

- 15.5.4.1** Minor maintenance of entrances, as determined by Council's authorised officer, may be carried out by Council at the request of the property owner at no charge to the property owner.
- 15.5.4.2** Any replacement of a pipe or drain or bridge which is part of an entrance or crossover shall be carried out by Council at the request of the property owner at cost to the property owner (Section 15.5.1 above applies).

15.6 ENTRANCEWAYS - ADDITIONAL (ON REQUEST)

In respect of kerbing work for new construction projects, one entranceway will be provided, and any additional entranceway requested is to be at the full cost of the landholder.

15.16 ROADSIDE TIMBER COLLECTION

- 15.16.1** Council does not issue permits for the collection of fallen timber from roadsides and reserves.
- 15.16.2** Authorisation for the removal of dangerous fallen timber will be subject to delegated authority at the discretion of the Director – Works & Engineering.

- 15.16.3** The Director – Works & Engineering, at the appropriate time may call tenders for the sale of timber collected from tree trimming operations (estimated 50 tonne lots).

15.17 ROAD CLOSURE

Council acknowledges that some road reserves upon which no carriage-way is constructed may not serve a road need in the district and may be considered to be closed as road reserves and the land be disposed of or be dedicated for any one or more of the following purposes:

- 15.17.1** To the preservation of trees and other plant life.
- 15.17.2** To the use, by properly licensed persons, of the land for recreational purposes such as horse riding, walking and cycling.
- 15.17.3** No such piece of land shall be disposed of until Council is satisfied that the land is either not required or is unsuitable for the above purposes, the following conditions to apply:
- 15.17.3.1** Seek comment from the Department of Recreation and Sport prior to proceeding with the following process.
- 15.17.3.2** The applicant(s) to obtain written advice from other adjoining landowners indicating that there are no objections to the proposed road closure.
- 15.17.3.3** The applicant(s) at their cost, to engage a licensed surveyor to prepare all plans and documentation as required under the Roads (Opening and Closing) Act.
- 15.17.3.4** The applicant(s) to pay all fees required under the Roads (Opening and Closing) Act.
- 15.17.3.5** The road when closed to be merged with the applicant's property.
- 15.17.3.6** The applicant(s) to pay Council for the land at a price determined by valuation.

15.19 ROADS - CONSTRUCTION AND ASSOCIATED WORKS ON SUBDIVISIONAL ROADS

The following information should be regarded as a general guideline to Council's requirements, with the knowledge that every application will be treated individually and subject to any or all of these requirements being amended.

All work shall generally be constructed in accordance with Council's Standard Specification for Road Construction and Associated Works on Subdivisional Roads; and plans shall be prepared by the developer's prescribed Engineer for Council approval.

15.19.1 ROAD STANDARDS

Urban Cul-de-sac or no Through Road minimum pavement width to be (7) seven metres of hotmix.

Urban Through Roads to have a minimum pavement width of (8) eight metres.

Rural Living where roads that adjoin a similar standard road of a lower standard road to be a two coat seal of minimum pavement width of (7) metre seal with 2 x 1.8 metre unsealed shoulders.

Rural Roads which service properties only to be a minimum all weather pavement width of (5) five metres.

15.19.2 EARTHWORKS STANDARD

Batters are to be no steeper than:

- 5 horizontal to 1 vertical for urban roadworks
- 3 horizontal to 1 vertical for rural living roadworks
- 2 horizontal to 1 vertical for rural roadworks.

15.19.3 DRIVEWAY CROSSOVER STANDARDS

Driveway crossovers shall be surfaced as a minimum requirement with approved rubble (minimum depth of 100mm) to the width indicated from the carriageway to the property boundary subject to the following conditions:

15.19.3.1 where kerbing exists, inverts shall have a minimum width of (4.0) metres for a single and a maximum width of (6.0) metres for a double;

15.19.3.2 where a culvert is required shall have a minimum length of (4.0) metres and a maximum width of (6.0) metres with headwalls to be constructed of 100mm thick concrete or stone with mortar;

15.19.3.3 where no culvert is required shall be minimum of (4.0) metres and maximum of (6.0) metres.

15.19.3.4 crossover gradient to be not greater than 6 horizontal to 1 vertical.

***NOTE:** Council policy numbers 15.19.3.1 to 15.19.3.4 inclusive can be considered for variation to the standard policy by the Director – Works & Engineering upon receiving a written request.

15.19.4 PAVEMENTS

15.19.4.1 The general standard pavement shall consist of a 175mm thickness of quarry rubble as sub-base, a 125mm thickness of crushed rock as base and a prime and 14/7mm two coat bituminous seal for spray seal pavements and a 175mm thickness of quarry rubble as sub-base, a 100mm thickness of crushed rock as base and a 25mm thickness of hotmix for asphalt concrete pavements.

- 15.19.4.2** The pavement's thickness may be reduced where a developer arranges for soil tests to be carried out and an appropriate pavement design is prepared. The pavement design shall be based on the results of soil tests carried out at intervals not exceeding 150 metres along the centreline of each road. During construction, supervising engineer and/or Director – Works & Engineering may direct that an increased pavement depth be constructed along any section of road where the sub-grade is inferior.

15.19.5 STORMWATER DRAINAGE STANDARD

The stormwater drainage system shall be designed in accordance with the 1987 edition of "Australian Rainfall and Runoff".

- 15.19.5.1** Side entry pit locations shall be determined by limiting the gutter flow width to a maximum of 2.5 metres, gutter flow lengths shall not exceed 200 metres in length and a using a 1 in 5 year recurrence interval critical storm event.
- 15.19.5.2** Watercourse crossings shall be designed to pass the 1 in 20 year recurrence interval critical storm event without being overtopped.
- 15.19.5.3** In all cases the effects of the 1 in 100 year average recurrence interval critical flood shall be used in the design to ensure that the residential, commercial and industrial areas do not become inundated during such an event.
- 15.19.5.4** If easements are required, these are to be obtained in the name of the Council at the full cost of the developer. Adequate attention shall be given to downstream drainage, and if upgrading work is required outside the subject land, the developer shall enter into negotiations with the Council. Council may consider to contribute to the cost of this work providing the upgrading also benefits other areas than the subject land. Alternately Council may require that the outflow from the subject land in its fully developed state shall not exceed the outflow from the land in its pre-developed state both in quantity and intensity.
- 15.19.5.5** Gross Pollutant Traps (GPT), trash racks and other litter separators may be required to be installed at the Developers cost at the discretion of the Director – Works & Engineering.

15.19.6 TREE PLANTING

In urban land divisions where Council requires tree planting to be carried out, the developer may enter into an agreement with the Council whereby the developer or Council will plant and maintain the required trees

(generally two per allotment frontage) for a standard fee per tree including a 12 month maintenance fee.

15.19.7 RESERVE DEVELOPMENT

15.19.7.1 Establishment of buffers between industrial and residential areas must be provided.

15.19.7.2 The developer must provide a detailed landscape plan including planting layout for reserve land included in the subdivision, for approval by Council. The developer must implement the approved landscape plan and maintain the reserve for a period of 12 months following a "Practical Completion" certificate being issued for the subdivision.

15.19.8.1 The Developer shall be responsible for submitting plans of the proposed CWMS for approval prior to commencing works.

15.19.8.2 All allotments are to be connected to a Community Waste Water Management System if available. The Developer is required to pay a 'Community Waste Water Management System (CWMS – Developer Contribution' (GST exempt) for every additional unit/allotment (based on the applicable charge at the time of lodgement of the application) and all associated costs to Council for any upgrade required to existing infrastructure to cater for new development. This is additional to the Community Waste Water Management System connection fee for each allotment.

15.19.9 OTHER SERVICES

The developer shall consult with SA Water, Telstra, Optus, the Gas Company and the ETSA Corporation, to make the necessary arrangements for services supplied by those authorities.

15.19.10 SUPERVISION OF PRIVATE SUBDIVISION CONSTRUCTION

The Developer shall engage a Consulting Engineer to supervise all construction and ensure that performance standards in accordance with the specification have been met prior to the commencement of the next stage of work. Council's Director – Works & Engineering shall be notified of the completion of various stages of work. (These stages are to be determined at the point of approving the detailed construction plans and specifications.)

15.19.11 PRAM RAMPS

15.19.11.1 Pedestrian access will be provided in accordance with Australian Standard AS1428.1-1993, AS1428.2, AS1428.3, AS1428.4. Standard specifications may be amended subject to approval by Council.

15.19.11.2 Tactile ground surface indicators are to be supplied and installed in all pram ramps as per AS 1428.4 by the Developer. Standard specifications may be amended subject to approval from Council.

15.19.12 FENCING

The Developer will be required to provide and install perimeter fencing to boundaries of the subject land (include reserve land) in accordance with Council's requirements. Fencing material will be determined in consideration of adjoining land use (ie urban/residential, industrial or rural).

15.19.13 FOOTPATH CONSTRUCTION

All land division applications creating residential streets shall be subject to the following criteria:

Residential through streets Collector, Arterial Road

15.19.13.1 Construction of a paved footpath on both sides of the road - 1.5 metres minimum width.

***NOTE:** For footpaths deemed to be in a high pedestrian usage area, Council may require the paved footpath to be full width.

15.19.13.2 Concrete pavers 80mm thick laid on 20mm of sand and 100mm of compacted quarry rubble.

15.19.14 ROAD VERGE

At the discretion of the Director – Works & Engineering the developer may be required to contribute to the cost of 100mm thickness of rubble to be placed between the paved footpath/kerb and the property boundary when required.

15.19.15 MISCELLANEOUS REQUIREMENTS

15.19.15.1 Street signs, warning signs, posts, to be provided and installed to Council's specifications. Clearance of roadside vegetation requires authority, in writing, from Council.

15.19.15.2 "As" constructed drawings are to be supplied to Council in hardcopy format and electronically in .dwg or .dxf format.

15.20 ROADS - FOOTPATH CONSTRUCTION

The Director – Works & Engineering will establish a priority footpath development program each financial year.

Property owners requesting the area of land between the property boundary to road edge which is not listed for priority footpath development, Council will provide the quantity of fine crushed rock.

All other work to be arranged by and at the cost of the adjacent property owner.

15.20.1 CONSTRUCTION, RESIDENTIAL STREETS

All land division applications creating residential streets shall be subject to the following criteria:

Collector, Arterial Roads

15.20.1.1 Construction of a formal footpath on both sides of the road reserve 1.5 metres minimum width.

15.20.1.2 Concrete pavers 80mm thick laid on 20mm of sand and 100mm of compacted quarry rubble.

Residential through streets and cul-de-sacs

15.20.1.3 Construction of a formal footpath on one side of the road reserve 1.5 metres minimum width.

15.20.1.4 Concrete pavers 80mm thick laid on 20mm of sand and 100mm of compacted quarry rubble.

15.20.2 PRIORITIES

Council will determine the order in which footpaths will be laid and will generally take into consideration frequency of public use, business area requirements, special pedestrian needs and funding available.

15.20.3 PROPERTY OWNER CHARGE

The maximum moiety permitted under the Local Government Act will be charged to those properties fronting the footpath.

15.20.4 STANDARD CONSTRUCTION

The complete area between the boundary line and kerbing will be surfaced with a 100mm thick layer of fine crushed rock. Paving bricks or a bitumen seal (consisting of emulsion and fine screenings) may be laid at a nominal width of 1.2m except for commercial areas where the paving brick or bitumen seal may be extended to cover the entire area. Entranceways will be paved or sealed from the boundary line to the kerb line.

15.20.5 VARIATION TO STANDARD

Variations to standard construction specifications will be considered by the Director – Works & Engineering, and approval or otherwise will be determined on the merits of each application. As a general rule Council would agree to contribute an amount equal to the construction cost for a standard specification at the time of application less the maximum moiety charge applicable at that time for new construction work (reconstruction

projects exempt).

15.21 ROADS - FORMING AND CONSTRUCTION OF UNMADE

15.21.1 Council will not form, construct or maintain carriageways on unmade roads unless such work is included in Council's Works Programme for the current financial year.

15.21.2 If a carriageway is formed or constructed to Council's specifications by others, the Council will take over the responsibility for maintaining the road as a normal Council road.

15.21.3 Council will not issue approval for any planning application that is likely to generate traffic if the land lies along an unmade road. The landowner or developer must agree to construct the road to the specified standard prior to gaining development approval. The developer or landowner may request Council to enter into a financial arrangement to conform with this requirement, however, each case will be considered by Council on its merits. Council's main consideration in this matter is whether further planning applications along the road in question are likely to be received within the next few years. If further applications are likely, Council will most likely accept a financial agreement whereby each applicant agrees to pay their share of the cost of constructing the road to the required standard. If no further applications are likely, Council will most likely not accept a contribution to the road costs, but rather, require the work to be completed at the sole cost of the developer or landowner.

15.21.4 Minimum Standard of Road Construction

Applicable to all cases except roads servicing urban sized allotments within township areas.

15.21.4.1 Minimum Pavement Width

(5.0) five metres for roads servicing properties in the rural area.

Note: These widths may be reduced by Council if the removal of significant vegetation is required, or increased if considered necessary for safety.

15.21.4.2 Minimum Pavement Depth

150mm compacted depth.

15.21.4.3 Road is to be properly shaped to shed water and levelled for safe vehicular travel.

- 15.21.4.4 Maximum longitudinal gradient of any section of road to be no greater than 1 (horizontal) in 4 (vertical).
- 15.21.4.5 Stormwater drainage to be adequately catered for with appropriate side drains and culverts.
- 15.21.4.6 For roads servicing urban sized allotments within township areas, the required standard of road shall be in accordance with the standards specified in Council's policy for subdivisional roads.
- 15.21.4.7 **Note:** For the purpose of this policy, any existing carriageway that does not meet these standards is considered to be an unmade road.

15.22 ROADS AND STREETS - SLASHING AND CLEARING ROAD OF VERGES

15.22.1 WORK OBJECTIVES

- 15.22.1.1 Paved road shoulders, free of regrowth for a distance generally be up to 1.8m (depending on the shoulder width) from the edge of the road seal, are preferred along bitumen roads to allow for safe passing and driver error. On unsealed roads the clearances and distances generally can be reduced due to the nature of these roads, as speeds and traffic volumes are generally lower.
- 15.22.1.2 Consideration will be given with regard to clearance relative to Grader operations.
- 15.22.1.3 Sufficient trimming of roadside vegetation should be undertaken to avoid accidents and damage resulting to vehicles.
- 15.22.1.4 Reduction of fire risk and fire hazards.
- 15.22.1.5 Controlled removal of pest plants.
- 15.22.1.6 Elimination of invasive non-indigenous vegetation, including pinus radiata in native vegetation zones.
- 15.22.1.7 To facilitate maintenance, road shoulders should be free of excessive growth in order to allow adequate drainage of water from the road pavement, and for the provision and the maintenance of roadside drains.

15.22.2 SEALED ROADWAYS

- 15.22.2.1 Road shoulders should be generally slashed, mown or sprayed for a distance of 1.8 metres from the edge of the road seal, and in such a manner that guide posts are clearly visible.

15.22.2.2 Selected areas (for example, bends and intersections) may be cleared at the discretion of the Director – Works & Engineering when appropriate, with such clearing being performed having regard to safety of road users, sight distance requirements and the nature of the vegetation.

15.22.2.3 Vegetation encroaching on to roadways which causes a hazard to road users, shall be removed at the discretion of the Director – Works & Engineering with regard to emergency situations.

15.22.3 UNSEALED ROADWAYS

Unsealed roads shall be graded and maintained to the original constructed width, and other clearing shall be performed in accordance with policies for sealed carriageways at the discretion of the Director – Works & Engineering.

15.22.4 ROADSIDES GENERALLY

15.22.4.1 Attention shall be given to areas of pest plant infestation and fire hazard situations to conform with Council's control programme where practicable.

15.22.4.2 Attention should be given to areas of invasive non-indigenous vegetation, and proposals to remove this type of vegetation shall be made by Council.

15.22.4.3 Areas of high fuel loading shall be inspected by the Fire Prevention Officer and a programme for the reduction of this fuel loading shall be implemented. For environmentally sensitive areas the proposed method of reduction is to be presented to Council.

15.22.5 INDIGENOUS ROADSIDE VEGETATION

Works to be undertaken will be directed where possible towards:

15.22.5.1 Preservation and maintenance of vegetation indigenous to the local area.

15.22.5.2 Encouragement of the natural re-establishment of such vegetation.

15.22.5.3 Planting of indigenous vegetation and, where appropriate, planting of vegetation foreign to the local area.

15.22.5.4 Removal of *Pinus radiata* seedlings and semi-mature pines to be undertaken in consultation with Primary Industries.

15.22.6 SIGNIFICANT ROADSIDE VEGETATION

This policy has been produced to establish acceptable procedures and guidelines to allow the clearance of road shoulders and verges (where required) to be undertaken to a designated standard to ensure safe passage of road users. It is essential to have a consistent approach to clearance distances and methodology across the district with set criteria.

15.22.6.1 Significant roadside vegetation should be preserved where possible and where removal is contemplated this should be reported to Council.

15.22.7 ROADS, STREETS AND PUBLIC PLACES - TREE PRUNING/TREE REMOVAL - INTERFERENCE WITH OVERHEAD ELECTRICITY

Where a tree growing on Council property is interfering with overhead powerlines, and pruning or removal is required, then application is to be made to the Director – Works & Engineering for approval (refer to Tree Risk Management Document Policy).

15.25 SIGNS - STOCK CONTROL (PORTABLE) - USE ON DISTRICT ROADS

Stockowners moving stock on roads must comply with the following:

15.25.1 PERIOD OF USE

Use of signs during movement of stock on roads must comply with Australian Road Rules and Road Traffic Act 1961. The signs are not to be left on the road on a permanent basis. These signs are not permitted for use at night as it is undesirable to have stock movements on the road during darkness.

15.25.2 SUPPLY AND MANUFACTURE

Signs and stands are to be supplied by the stockowner who will erect and remove signs at the appropriate times. Signs must be manufactured in accordance with the AS1742.2 - Uniform Traffic Control Devices.

15.25.3 INSTALLATION

Generally, these signs should be mounted on the formed shoulder of a road, adjacent to and temporarily fixed by means of a strap to a sighter post or fixed object. They should generally be visible to the approaching motorists for a minimum distance of 120 metres in advance of the crossing area. If stock are being moved along a road, the signs should never be more than 3km from the stock. This requires the signs to be moved along the road shoulder at regular intervals to maintain their effectiveness.

15.25.4 LEGAL PROTECTION

These signs are used to warn a motorist of a potential hazard ahead to enable him/her to take the appropriate action in relation to that hazard. They offer no legal protection to the stockowner and the stockowner may be legally responsible for any damage incurred by their use.

Stockowner must take all precautions to ensure that reasonable care is taken in moving stock within a road reserve.

15.25.5 ADVICE ON USE

15.25.5.1 Ensure that motorists have a clear view of the signs.

15.25.5.2 Do not erect signs around bends or below crests.

15.25.5.3 Ensure that signs are firmly fixed to prevent them being dislodged by wind gusts from passing vehicles. However, any appearance of "permanence" should be avoided; and obviously temporary sign will give a better indication that some unusual activity is actually in progress.

15.25.5.4 Use only signs which have been manufactured to Australian Standard specifications.

15.25.5.5 Signs are more effective when regularly maintained and cleaned.

15.25.5.6 Use signs only when stock movements are actually taking place. Frequent encounters with signs when there is no activity will lead road users to expect that there will be none and to take no special care.

15.25.6 AMBER FLASHING LIGHT

The Minister of Transport has given blanket approval for the fitting and use of a rotating amber flashing light on vehicles actually involved in stock driving, providing the light is a temporary fixture which is fitted only when the vehicle is being used for moving stock along the road.

15.26 ROAD SIGNAGE POLICY

Road signs indicate street names and geographical names. Road signs connect the tourism business and the visitor; give advance notice of attractions and services, reinforce locations, reassure visitors that they are travelling in the right direction and direct visitors to information services.

Consistent signage nationally enhances the usefulness and understanding of road signs and benefits business and visitors alike.

In our region, main arterial road signage is regulated and administered by the Department for Transport Energy and Infrastructure (DTEI). Under the authority of the Minister for Transport, The Barossa Council ("The Council") supervises road signage on council roads within its area of operation. With these two authorities regulating road signage in our locality, consistency is important.

South Australian Tourism Commission and the Road Transport division of the DTEI have jointly produced Road Sign Guidelines ("the Guidelines") to visitor and services road signs. The Guidelines may be accessed at www.dtei.sa.gov.au or at the Council.

The Council adopts the Guidelines as a general guide to visitor and service signage in the Barossa. Where necessary to make sense of the Guidelines, references to DTEI shall be read as references to the Council.

This Policy sets out the general principles of the Guidelines and the process to be followed to apply for relevant signage in relation to a particular service or destination.

15.26.1 Overview of Road Sign Guidelines

- 15.26.1.1** The primary *function* of signs is to inform road users as to location and direction; the primary considerations in sign *design* are road use safety and visual amenity;
- 15.26.1.2** Street name signs must be clearly visible and are the primary means of directing road users;
- 15.26.1.3** For directional signs on the arterial network generally signing from the nearest arterial road shall suffice;
- 15.26.1.4** Signing to a tourist attraction or service will usually be provided only on the most direct access route to the business;
- 15.26.1.5** Where rural destinations are accessed from more than one main arterial road, consideration will be given to signage from more than one arterial.
- 15.26.1.6** Signage must not interfere with the safety of road users;
- 15.26.1.7** The numbers of signs must be limited; where possible signs should be rationalised including aggregation of signs and, where appropriate, the creation of an information bay;
- 15.26.1.8** Where appropriate, references to individual attractions and destinations shall be replaced with a generic descriptor using internationally recognised symbols;
- 15.26.1.9** Only the Council may install, maintain, replace or alter signs on roads under Council control.

15.26.2 Criteria for signage approval

- 15.26.2.1** The Council will, where appropriate, adhere to the criteria set out in the Guidelines;
- 15.26.2.2** In adopting the Guidelines, and in considering applications for signage, the Council shall bear in mind the more limited maps available to road users in regional towns and rural areas and the fact that some facilities, eg educational institutions, may not be marked on most available maps and may need to be signed.

15.26.2.3 In section 3 of the Guidelines signage is categorised into 8 major types: Direction Signs, Tourist Attraction Signs, Gateway Signs, Township/Council Area Welcome Signs, Road User Services Signs, Community Facility Signs, Commercial Facility Signs and Advertising Signs.

15.26.2.4 Commercial Facility signage is not specifically dealt with by the Guidelines and may be dealt with as a special case application.

15.26.3 Special Case

15.26.3.1 Where Council is satisfied that a special case exists for permitting directional signs not otherwise provided for or permitted by the Guidelines, it may authorise such signage but will only do so where it is necessary for user or visitor access and will not authorise signage when a map and road name signage is deemed satisfactory;

15.26.3.2 Special case applications are to be considered in accordance with paragraph 5 below.

15.26.4 Commercial Signage

15.26.4.1 Commercial signage is directional signage indicating a commercial facility which can not be considered tourist or servicing oriented in accordance with the Guidelines;

15.26.4.2 In general, commercial signage which is essentially advertising signage does not qualify for road signage approval.

15.26.4.3 Where there are special circumstances justifying a special case for directional commercial signage, application may be made in accordance with paragraph 5 below.

15.26.4.4 Commercial signage which is not directional but is essentially advertising is to be dealt with as a development under the Planning Act.

15.26.5 The Approval Process

15.26.5.1 The application and approval process adopted by the Council will follow the process set out in Section 4 of the Guidelines;

15.26.5.2 From time to time Council will publish a schedule to this policy which sets out the indicative fees associated with the application and approval.

15.26.5.3 Applications shall in the first place be assessed by a nominee of the Council's Works and Engineering Department;

15.26.5.4 Where a special case for signage outside the Guidelines is pleaded, the special case shall be by set out in a letter attached to the application form and shall be assessed.

15.26.5.5 Where a special case is pleaded Council will obtain comment from the BLD & BWTa and a report will be prepared for Council to consider the request. The Council shall take into account a range of relevant matters including whether the location is rural or within a township, general road conditions, availability of space for signage without impeding the vision or path or road users, the need for road users to find the destination and the facility for doing so without signage, the limited information generally available maps of the regions, the significance of the destination to the region and the general benefit to the region of such signage. Comments from BLD and BWTa will be included in the report to Council.

15.26.5.6 In assessing applications, the Council's overall aim is to make relevant destinations in the region accessible to visitors and residents subject to the overriding concern for the safety of road users and the general amenity of the region.

15.26.6 Street signage

15.26.6.1 Street signage is the primary means of directing road users;

15.26.6.2 The Council will ensure that all streets and roads under its authority are clearly identified with street name signs. The standard street signs are 200mm wide with 150 mm lettering.

15.26.7 General

15.26.7.1 To the extent that there is any inconsistency between the express terms of this Policy and the Guidelines, the express terms of this policy shall prevail

15.27 STREETLIGHTS

15.27.1 STREETLIGHTS - INSTALLATION OF

Council will consider any written request for one or more streetlights to be erected at specific locations within any township.

If Council is in agreement with the request, ETSA Corporation will be requested to install a streetlight in accordance with its recommendations as to type and spacing of lights, subject to the cost of the lights being within budget.

Council will not provide floodlights to private buildings/premises.

15.27.2 STREETLIGHTS - ACTIVATION IN NEW LAND DIVISIONS

Council will activate all streetlights in a subdivision once 50% of the land division has been developed.

15.28 TREE PLANTING AND REMOVAL

15.28.1 COUNCIL'S POLICY

In general, Council's policy is to retain all trees which are growing on road reserves and other reserves.

15.28.1.1 A tree, for the purpose of this Policy, shall be a "tree" within the definition contained in Section 880a of the Local Government Act, whether the "tree" is living or dead (ie a tree of over 4.5m in height).

15.28.1.2 Trimming of limbs of trees is not regarded by the Council to come within the meaning of Section 880a of the Local Government Act.

15.28.1.3 Where a tree is reported to be in a dangerous condition, the Council may decide that the tree be removed following an assessment of the trees/tree by the Director – Works & Engineering. This inspection may include relevant Works Advisory Committee Elected Members from the area, or the Chairperson from the Vegetation Advisory Committee.

15.28.1.4 In cases where a request for removal of a tree/trees is made by a resident for purposes of access, environmental or other than safety reasons and Council agrees with the request, an estimate of the cost of removal, as determined by the Director – Works & Engineering shall be lodged by the applicant with the Council prior to the removal of the tree (which shall, in appropriate cases, include the stump removal).

15.28.1.5 Permission will not be given for ratepayers to remove trees on Council property.

15.28.1.6 Council may agree to removal of a tree/trees from road reserves on receipt of a written request from an adjoining landholder, where it can be shown to the satisfaction of Council that the said tree/trees:

15.28.1.6.1 Constitute a nuisance to the adjoining landholder.

15.28.1.6.2 Impair the amenity of the area.

15.28.1.6.3 Exclude or appear likely to exclude the growth of other more desirable flora over an area.

15.28.1.6.4 Is/are, by reason of its health, age, poor shape, aesthetic or historic value to the community.

15.28.1.6.5 Has been established as a result of regeneration from nearby pine plantations.

15.28.1.7 Where roads are widened or re-constructed (or will be in the foreseeable future) and it is not possible to avoid the trees.

15.28.1.8 Where the tree/trees are on a surveyed fenceline.

15.28.1.9 Where the tree/trees affect in any way public utilities such as powerlines, water mains, Telstra cables or overhead wires.

15.28.1.10 Where the tree/trees are obstructing the view of traffic.

15.28.1.11 Where considered that a tree/trees shall be removed due to some special circumstance not mentioned above.

15.28.1.12 Where Council agrees to remove a tree/trees for any of the above mentioned reasons, such agreement may be given subject to the adjoining landowners agreeing to pay all or such part of the cost as Council may determine.

15.28.1.13 Where road widening or other works are undertaken and removal of trees and/or other roadside vegetation is necessary as part of the work, the Council shall undertake rehabilitative works where practicable.

15.28.2 OTHER ASSOCIATED COSTS

15.28.2.1 Council reserves the right to charge for the cost of tree removal that is not within the general terms of the policy.

Examples:

15.28.2.1.1 A request for tree removal when making an application for a driveway.

15.28.2.1.2 Removing a tree that has been incorrectly planted beneath electrical wires by the resident and without Council permission.

15.28.2.1.3 Removing a tree that has been incorrectly located without Council permission which may block vision, eg near a street corner.

- 15.28.2.1.4** Any other request as a result of a resident's action that Council may consider inappropriate to the general terms of the policy.

15.28.3 TREE PLANTING AND REPLACEMENT

Plantings on Council land is subject to Council approval in accordance with the following conditions:

15.28.3.1 Non-Township Roadsides and Non Recreational Reserves

Endemic plants should be used on non-town roadsides and non-residential reserves where:

- 15.28.3.1.1** The roadside of adjoining land already has native vegetation.

- 15.28.3.1.2** The roadside is cleared but links other areas of native vegetation.

- 15.28.3.1.3** The roadside has significance in terms of regional corridor developments.

- 15.28.3.1.4** Roadside and adjoining areas are cleared of native vegetation and there is no "district character" attributable to non-native plantings.

15.28.3.2 Non-Local Plants

Non local plants may be considered where:

- 15.28.3.2.1** None of the above apply (paragraphs 15.28.3.1.1 to 15.28.3.1.4).

- 15.28.3.2.2** The area is part of the district that has developed an historical "district character" through non-local plantings and where such plantings would maintain the character provided that no plantings of invasive non-local plants shall occur.

- 15.28.3.2.3** A limited and controlled representative planting is proposed, eg.

Township Streetscape

A distinct treescape shall be developed for the towns and townships in The Barossa Council area.

The number of species of trees or shrubs which will be planted along any particular street or road shall be no more than two.

15.28.3.2.4 Plantings currently exist and these plantings contain more than two species, the planting will be left untouched until such time as the need for a major rehabilitation arrives.

15.28.3.2.5 A street turns so sharply that from the point of view of vision it has become a new section, a change in the nature of the planting may occur.

15.28.3.2.6 Major changes in soil or natural water availability occur, a change in the species used may occur.

15.28.3.3 Trees and Shrubs

Trees and shrubs shall be chosen with the following criteria in mind:

15.28.3.3.1 Adherence to ETSA requirements.

15.28.3.3.2 Likelihood to cause problems with various services - waterCWMS, telephone, gas, etc.

15.28.3.3.3 Obstruction to view of traffic along road.

15.28.3.3.4 Soil type.

15.28.3.3.5 Amount of natural water supply and natural drainage.

15.28.3.3.6 Maintenance of trees themselves and of road drainage.

15.28.3.4 Council shall develop, or require to be developed, a list of street and roadside plantings in conjunction with the overall plan for all new developments - residential or industrial.

15.28.3.5 In these new developments, consideration shall be given to the preservation of endemic vegetation.

15.28.3.6 Where endemic species are unsuitable, consideration shall be given to opportunity to use and preserve other suitable Native Australian vegetation or exotics.

15.28.3.7 Main Street Projects shall be exempt from this policy. Main Street Committees shall develop streetscape themes with the

appropriate planting being considered by the relevant "Main Street" committee with one representative from the Vegetation Advisory Committee.

15.28.4 TREE ROOT ENCROACHMENT

15.28.4.1 In the event a request regarding tree root encroachment from Council property the following action is to be invoked:

15.28.4.1.1 An inspection to be carried out to determine the appropriate action or whether the tree is to be removed or tree root encroachment treatment is to be undertaken.

15.28.4.1.2 The applicant shall expose, on their property, the roots alleged to be causing the problem.

15.28.4.1.3 A comprehensive report shall be submitted to Council by the applicant, with photographs including horticulture advice as to how the problem may be rectified.

15.28.4.2 If a tree is to be removed as a result, for reasons of causing structural damage, an Engineer's Report must be provided by the applicant with the relevant details. The applicant, if claiming damages, must provide quotations to quantify their claim for the cost of repairs. The authorised officer of Council shall then confirm that the repairs as quoted are in accordance with the damage claimed.

15.28.4.3 If a tree's roots entered third party property and damage is only minor (eg to gardens, paths, or fences, etc.) and the decision is to implement trenching to prevent further root encroachment, then the trench must be lined with a suitable suppression barricade and recorded on the property file.

15.28.4.4 Advise applicant in writing of intended action.

15.28.4.5 If it is decided to remove the tree a suitable replacement is to be replanted as soon as possible.

15.28.4.6 All costs for removal, disposal, trenching and replacement of trees in accordance with the terms of this policy will be met by Council, with due consideration of Council's funding capacity.

15.28.4.7 The Council reserves the right to make the final decision in all cases of tree removal and in the selection of suitable replacement species.

15.28.5 TREES - PLANTING OF BY LANDOWNERS ON NATURE STRIP

Trees or shrubs may be planted in nature strips by adjoining landowners provided:

15.28.5.1 The species and position is first approved by the Director – Works & Engineering in accordance with Policy 15.28.3.

15.28.5.2 The cost is met by the landowner (unless planted under a tree planting programme approved by Council).

15.28.5.3 All future care and maintenance of the trees is provided by landowner.

15.28.6 TREES - SUPPLY OF BY COUNCIL FOR STREET PLANTING

15.28.6.1 Residents may be supplied with trees in April/May each year for the purpose of planting along roadsides for which a tree planting programme has been approved and funded by Council.

15.28.6.2 Streets and roads as required and determined by Council each year will scheduled for plantings within budget allocation.

15.28.7 TREE TRIMMING - ORNAMENTAL

The pruning of street trees shall be carried out by experienced personnel or contractors.

15.28.8 TREES - FALLEN

If a tree falls from Council property to private property, the whole tree becomes the responsibility of the landowner involved.

15.28.9 PLANTINGS

All plantings on Council Road Reserves, Reserves and Land are subject to Council approval and in accordance with Policy.

15.28.10 OTHER LEGISLATION

All plantings, tree trimming and tree removal is subject to the Local Government Act, Native Vegetation Act, ETSA Act and any other relevant Acts.

15.29 TREES - WHITE ANT INFESTATIONS ON ROAD RESERVES OR COUNCIL RESERVES

15.29.1 Where a tree is of particular ornamental value, or is one that has been planted by Council under a tree planting scheme, the arrangements and cost for eradicating the white ants will be undertaken by Council.

15.29.2 Where a tree is not as described above, the adjoining land owner is responsible for controlling the white ants if he/she so desires.

15.30 TREES FALLEN ACROSS TRANSPORT SA ROADS - AFTER HOURS CALL OUTS

On receipt of advice that timber has fallen across a Transport SA road, the Council officer receiving the call is to obtain all relevant information and notify Transport SA on its 24 hour contact number.

If no response is received, the Council Officer to arrange for the timber to be removed by Council Staff in accordance with the usual procedure. All associated costs will be invoiced to Transport SA.

15.31 TREES OVERHANGING FROM PRIVATE PROPERTY

Owners of trees overhanging from within their property and causing a nuisance to pedestrians or vehicles will be requested to trim their trees back to the common boundary.

If the owner fails to act on this advice, Council may issue an order in accordance with the Local Government Act 1999 Section 254.

15.33 COUNCIL LANDSCAPING OF ROAD VERGE POLICY GUIDELINES FOR ESTABLISHED URBAN AREAS

See Policy at 11/36303

POLICY MANUAL SECTION 16	HEALTH POLICIES
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16.3 WINERY WASTEWATER COLLECTION, TREATMENT, STORAGE AND DISPOSAL/REUSE SYSTEMS

16.3.1 OBJECTIVE

To ensure that operating wineries within The Barossa Council make proper provision for the collection, treatment, storage and disposal/reuse of wastewaters.

The following definition applies for the purpose of this policy:

“approved” means authorisation given by the relevant approving authority including The Barossa Council, Environmental Protection Authority and/or South Australian Health Commission.

STATEMENTS

The Barossa Council requires that operating wineries observe the following requirements:

16.3.2 Wastewater Collection

All wastewater generated by a winery's operation shall be collected via a system of impervious graded surfaces and drains for conveyance to an *approved* wastewater collection, treatment, storage and disposal/reuse system.

Operating wineries are encouraged to make provision for the removal of contaminants (i.e. organic matter and chemicals) from the wastewater stream at the point of contamination by employing efficient filtration and chemical neutralisation processes.

Non-polluted stormwater run-off from winery buildings and associated surfaces (i.e, roofs, sealed plinths and paving areas) should be separated from the wastewater stream unless incorporated as part of the *approved* wastewater collection, treatment, storage and disposal/reuse system for the winery.

Wastewater collected shall be held within an *approved* collection system pending treatment. The capacity of the collection system should be designed to receive the maximum volume of wastewater generated by the winery within a 72 hour period.

The wastewater collection system shall be designed in a manner to ensure that there is no potential for untreated wastewater to escape to the environment.

16.3.3 Wastewater Treatment

Wastewater collected shall be treated in an *approved* manner as soon as possible, and in every case, within 72 hours of generation to reduce potential for anaerobic activity and associated odour emanation.

The wastewater should be treated to ensure that its quality meets *approved* criteria acceptable for the intended method of disposal/reuse.

16.3.4 Treated Wastewater Storage

Treated wastewater shall be held within an *approved* storage vessel unless released for direct disposal/reuse.

The wastewater storage vessel shall be of 'turkey nest' construction and be designed in a manner to ensure there is no potential for the treated wastewater to escape to the environment.

The wastewater vessel shall be constructed in a manner that will ensure there is no potential for the wastewater to be grossly contaminated by other sources following treatment by the *approved* means.

16.3.5 Treated Wastewater Disposal/Reuse

The disposal/reuse of treated wastewater shall only be undertaken by the *approved* means.

Operating wineries are encouraged to ensure that the treated wastewater is disposed/reused in a manner that supports sustainable land use practices.

Disposal of treated wastewater by total evaporation shall only be permitted after all alternatives for application to land have been determined as unsustainable.

16.3.6 Monitoring Plans

Operating wineries must implement an *approved* Monitoring Plan as a minimum requirement to monitor the efficiency and environmental impact of the wastewater collection, treatment, storage and disposal/reuse system.

The Monitoring Plan shall be certified by an *approved* independent auditor and be reviewed every 24 months.

16.3.7 Contingency Plan

Operating wineries must implement an *approved* Contingency Plan to ensure that sufficient resource is available to avoid detrimental environmental impact due to the malfunction of the wastewater collection, treatment, storage and disposal/reuse system.

Wineries shall review their Contingency Plans after each alteration made to the wastewater collection, treatment, storage and disposal/reuse system and when changes are made in operating staff or every 12 months, whichever is the lesser period.

16.3.8 Operation and Maintenance

Operating wineries must ensure that their premises and plant is operated and maintained in accordance with approvals issued by The Barossa Council and relevant authorities at all times.

16.3.9 References

The Barossa Council requires that the following references be used to determine the design and operation of a winery wastewater collection, treatment, storage and disposal/reuse system:

- Australian and New Zealand Environmental Conservation Council "Draft Effluent Management Guidelines for Wineries".
- National Health and Medical Research Council "Australian Water and Wastewater Guidelines".
- Department of Environment, Heritage and Aboriginal Affairs Water Quality, Environmental Protection Authority/Wine and Brandy Industry Association "Draft Environmental Management Code of Practice for Wineries and Distilleries".

16.4 DESIGNATED RURAL DOMESTIC WASTE COLLECTION ROUTE

16.4.1 PROPERTIES WITH OCCUPIED DWELLINGS

It is mandatory for all properties having an occupied dwelling with a boundary adjoining the Designated Rural Domestic Waste Collection Route to be included within Council's Domestic Waste Management Service and that the declared service rates be charged accordingly.

16.4.2 SERVICE EXEMPTIONS

Permit exemption from the Domestic Waste Management Service in the following instances:

- where a property having an occupied dwelling with a boundary adjoining the Designated Rural Domestic Waste Collection Route has its main access off a road which is not included as a Designated Rural Domestic Waste Collection Route;
- the owners/occupiers of dwellings on properties with boundaries adjoining the Designated Rural Domestic Waste Collection Route who demonstrate difficulty in positioning bins for service due to disability or infirmity.

16.5 TOWNSHIP DOMESTIC KERBSIDE RECYCLING SERVICE

16.5.1 PROPERTIES WITH OCCUPIED DWELLINGS

It be mandatory for all properties which have an occupied dwelling within the prescribed townships of Angaston, Lyndoch (including Altona), Mt Pleasant, Nuriootpa, Tanunda and Williamstown to be included within the Township Kerbside Recycling Service and that the declared service rates be charged accordingly.

16.5.2 SERVICE EXEMPTIONS

Exemption from the Township Kerbside Recycling Service only be granted by Council where the owner/occupier of a dwelling demonstrates difficulty in positioning crates for service due to disability or infirmity.

POLICY MANUAL SECTION 17	DEVELOPMENT (PLANNING)
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17.2.1 CARAVANS

17.2.1.1 Definitions

In this Policy a caravan means a campervan, van, vehicle, house on wheels, covered cart, carriage or trailer.

17.2.1.2 Objective

The objective of the Policy is to ensure that the use of caravans for accommodation or retail use does not result in overcrowding, risk to health, unsightliness, a decline in living standards, or unfair trade.

17.2.1.3 Policy Statement

No person shall within the area, with the exception of a public caravan park or Council approved place, use or occupy a caravan or any other vehicle as a place of habitation.

A caravan will be considered for approval by Council as a place of human habitation under the following circumstances:

- (1) For emergency accommodation;
- (2) Used on private premises and occupied for periods of not more than 14 days by persons visiting the owner of the private premises;

and providing also that the caravan is:
 - (3) Screened from public view by vegetation, landform, or other means to the satisfaction of Council;
 - (4) Provided with sanitary and bathing facilities which are adequate and comply with the Public and Environmental Health Act 1987, as amended.
 - (5) Provided with a water supply suitable for drinking, food preparation, showers and laundry;

- (6) Provided with refuse facilities adequate for the intended use of the caravan.
- (7) Connected to electricity in accordance with ETSA regulations or an adequate alternative power supply.

No person shall within the area use a caravan for retail use except under the following circumstances:

- (1) Special community functions, activities or festivals.
- (2) A Council approved retail use not usually available in the area.
- (3) Health, Dental or Educational Services
- (4) Sale of products of the land on which the caravan is located.
- (5) Any other purpose considered by Council to be inconsistent with the Objective of this policy.

17.2.3 GENERAL POLICIES

- (1) Council, having serviced all allotments containing a dwelling, or all vacant land not having a practical relation with another serviced allotment, requires that any developer of land or owner, construct, at a developer's or owner's cost, all-weather access from the nearest constructed road to the allotment to be serviced, and also all services likely to be required by the user of the land.
- (2) Any road and services constructed must be to Council specification and having regard to the intended use of the road or services.
- (3) After construction of roads and installation of services, Council assumes ownership and maintenance of the roads or services, providing however, a road is on public land, or in the case of services, an easement is granted to Council.
- (4) Private Roads will not be constructed or maintained by Council unless they are constructed to Council's specifications at the cost of the user, and are vested in Council, without cost, as public roads.
- (5) Subject to the above, vacant allotments must be serviced with an all-weather road and services likely to be required by the user of the land prior to the Council granting approval for the construction of a dwelling or any other building.

17.2.5 LAND DEVELOPMENT ROADWORKS - GUARANTEES, BINDING ARRANGEMENTS AND DELEGATED AUTHORITY

When binding arrangements are requested from a land developer, Council requires that 80% of the bank guarantee be released upon practical completion of works and the remaining 20% of the guarantee be held for a twelve month maintenance period.

17.2.15 HERITAGE

Council will as a matter of policy:

- Waive the lodgement and development plan consent fees payable under the Development Act 1993 (as amended) for applications submitted for conservation work in relation to places identified as State and Local Heritage lists and “contributory” places listed under Council’s authorised Development Plans for the area; and
- negotiate with Heritage South Australia to waive referral fees on Development Applications for State heritage places.

8.	Review
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- 8.1 This Policy will be reviewed by Document Control Officer annually to ensure that when updated policy positions are adopted, the relevant section within this document is removed.

9.	Further Information
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- 9.1 This document can be viewed electronically at Council’s principal office at 43-51 Tanunda Road, Nuriootpa and all Council branches, during ordinary business hours. A copy of this Policy can be obtained at those venues upon payment of a fixed fee.
- 9.2 Complaints regarding this Policy or its application can be made to the Customer Service team on 8563 8444 or barossa@barossa.sa.gov.au at first instance, who will refer you to the most appropriate officer according to Council’s *Complaints Handling Policy* (see clause 9.1 above for availability).



Ashton Hurn MP

MEMBER FOR SCHUBERT

129A Murray Street, Tanunda, SA

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f AshtonHurnSchubert

ig ashton_hurn

Mr Martin McCarthy
CEO
The Barossa Council
Via email: mmccarthy@barossa.sa.gov.au

Dear Mr McCarthy, *Martin*

I have been contacted by constituents Mr George Badrice and Mrs Christine Frentsch regarding concerns they have about a tree at the front of their property at 44 Angas Street, Tanunda.

The concerns my constituents have put to my team relate to damage caused to their property by the roots of the tree, the resulting uneven nature of the footpath as well as the fact that several limbs protrude towards their home and the nearby powerline.

The photos I have enclosed also highlight the condition of their driveway, and Mr Badrice and Mrs Frentsch are concerned about what this means for the foundation of their home.

Any update you can provide regarding the maintenance of these trees, or what action can be taken to address these concerns would be appreciated.

Thank you for your consideration of this matter and I look forward to your response.

Kind regards,

ASHTON HURN MP
Member for Schubert
Shadow Minister for Health

14/05/2024

Enc: Images of tree and damage caused
Cc: Mr Ben Clark, Director - Works and Engineering Services

Putting Schubert first.



10 October 2024

Ashton Hurn MP
Member for Schubert
129A Murray Street
Tanunda SA 5352

schubert@parliament.sa.gov.au

Dear Ms Hurn,

We refer to your letter regarding a Council owned tree at 44 Angas Street Tanunda on behalf of property owners George Badrice and Christine Frentsch, dated 14 May 2024.

Council staff have previously met with the property owners and have assessed the tree to be structurally sound, healthy and an acceptable risk on balance with the value of the tree and surrounding assets. Reduction pruning was done in 2023 to reduce the canopy towards the dwelling and caravan in accordance with Australian Standard AS 4373 - 2007.

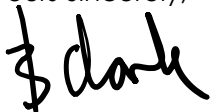
Powerline clearance is managed by SAPN and their contractors in accordance with the technical regulator's specification and is not a service that Council manages; this information has been conveyed to the property owners.

The cracked pavement that borders the dwelling has been previously inspected with no evidence of tree root intrusion. At this point there is no evidence that the movement is tree root related, or if it's reactive soil.

At the last two site meetings it was explained to the property owners, that Council will require a structural engineers report prior to consideration of any tree removal, information which has been requested several times in recent years. At this point there's no further action required until the property owners provide this additional information for Council's consideration.

As always, we would be pleased to address any concerns directly with your constituents if they desire.

Yours Sincerely,



Ben Clark
Director Infrastructure & Environmental Services



The Barossa Council

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 2022-26/533

5. COUNCILLORS' REPORTS

5.1 COUNCILLOR'S REPORT TO COUNCIL - CR KATHRYN SCHILLING

MOVED Cr Schilling

That the Deputy Mayor, Kathryn Schilling's report be received.

SECONDED Cr Evans

CARRIED 2022-26/534

6. MATTERS FOR INFORMATION

- 6.1 Northern and Yorke Local Government Association - Annual Report Incorporating the Annual Financial Statements for 2023-2024 Financial Year
- 6.2 Proposed Character Preservation Overlay Code Amendment
- 6.3 Annual Financial Assistance Grant Outcomes
- 6.4 LGA SA Net Zero Accelerate Program
- 6.5 Recycling of Soft Plastics and Other Recyclable Material - Parliament of South Australia Report of the Select Committee.
- 6.6 The Father's Farm
- 6.7 Citizen of The Year Awards 2025 Now Open
- 6.8 Williamstown and Lyndoch Landcare Group - Minutes of Meeting
- 6.9 Sister Cities Advisory Committee Meeting Minutes - 26 September 2024
- 6.10 Local Government Finance Authority Annual Report
- 6.11 Public Library Services - Onecard 2.0 Collection Reform Update

6.12 Williamstown Queen Victoria Jubilee Park - Tabling of Report and alerting to future consideration needs relating to safety

6.13 State Development Coordination and Facilitation Bill

7. DEBATE REPORTS

7.1 Office of the Mayor and CEO

7.1.1 REPRESENTATION REVIEW 2024/25 - OPTIONS PAPER 24/88916

MOVED Cr Angas

That Council endorse the draft Representation Report, as set out in Attachment 1 to go out to public consultation as per Council's Public Consultation Policy.

SECONDED Cr de Vries

CARRIED 2022-26/535

PURPOSE

This report provides the opportunity for Council to consider the Draft Representation Report. The report also seeks Council's approval for the Draft Representation Report to go out for public consultation as required under section 12 of the Local Government Act 1999 (the Act).

REPORT

Introduction

Councils in South Australia are required to undertake regular reviews of their elector representation arrangements (Representation Review).

A representation review is held to determine whether a Council would benefit from a change to its composition or ward structure. The Act sets out the requirements for a representation review and each Council must manage the representation review in the context of the prescribed process.

A prescribed review must comprehensively examine:

- all aspects of the composition of the council, and
- the potential division of the council area into wards, or the abolishment of existing wards, and
- a notice under this section may also change the name of a council.

The process includes:

- initiating the preparation of a representation options paper
- detailed public consultation processes
- preparing a report on the public consultation and council's response to the issues arising from the written submissions
- providing a final representation review report to the Electoral Commissioner.

A Council must undertake a reviewed once in every eight years in accordance with the published schedule.

The Barossa Council (Council) undertook its last Representation Review during the period April 2016 to April 2017.

On 1 August 2019, the Minister for Local Government gazetted a schedule of dates by which Councils are to commence and complete their next Elector Representation Review. The Barossa Council is required to undertake their review from April 2024 – April 2025.

Discussion

On the 19 March 2024 Council meeting, Council engaged Kelliedy Jones Lawyers to undertake the Representation Review and prepare an 'Options Paper'.

The Options Paper provided the following options for consideration as to the Council's composition and structure:

This Review Report has been prepared to:

- provide information on the process undertaken by the Council in conducting its Representation Review;
- set out the rationale for selecting the proposed composition and structure;
- seek feedback from interested persons as part of the public consultation process.

Preferred Composition Structure

The Council proposes as follows with respect to composition and structure on this Review:

- the name of the Council remains unchanged;
- the Council area remains undivided, that is, no Wards are to be created;
- the elected body of the Council to continue to comprise a total of 11 Area Councillors, elected from the Council area as a whole; and
- a Mayor elected from the Council area as a whole.

Summary and Conclusion

Council is now asked to endorse the Draft Representation Review – Options Paper for public consultation.

Following which, the Council will receive and take into account the outcomes of the consultation, in determining its proposed representation and composition, for submission to the ECSA, requesting an exemption certificate.

Submissions can be made via:

- completing the feedback form online at <https://yoursay.barossa.sa.gov.au/>
- or collecting a copy from a Customer Service office located at 43-51 Tanunda Road, Nuriootpa.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1	Representation Review Report - Oct 2024 - Kelledy Jones 
Attachment 2	Representation Review Report - Appendix 1 - Oct 2024 - Kelledy Jones 
Attachment 3	Representation Review Report - Appendix 2 - Oct 2024 - Kelledy Jones 

Supporting references

[Public-Consultation-Policy.pdf \(barossa.sa.gov.au\)](#)

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

Local Government Act 1999 - Division 2—Powers of councils and representation reviews

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Costs associated with advertising in the local newspaper and the costs for the required independent support both these items have been budgeted.

COMMUNITY ENGAGEMENT

A period of public consultation will be conducted in accordance with Council's Public Consultation Policy.

Engagement methods are to include Council's yoursay.barossa.sa.gov.au consultation platform, Council website, a Public Notice in a local newspaper, hard copy documents at Council offices and social media posts inviting responses from the community. Interested residents, community groups and industry bodies will be invited to submit their feedback during the consultation period.

7.1.2 ANNUAL CLOSURE OF COUNCIL OFFICES, LIBRARIES, BAROSSA VISITOR CENTRE AND DEPOT OVER THE CHRISTMAS AND NEW YEAR PERIOD
24/89014

MOVED Cr de Vries

That Council:

- (1) Endorses the operations of Council in accordance with the table provided at Attachment 1 over the 2024/25 Christmas/New Year period noting that the relevant services will be closed during the outlined periods but that arrangements for urgent, emergency and other after-hours support will be in place and that all services shall reopen with normal operating hours on Tuesday 2 January 2025, and;
- (2) Instructs the Chief Executive Officer to publish the amended operating hours in the local papers, relevant Council Facebook sites and on the website.

SECONDED Cr Lane

CARRIED 2022-26/536

PURPOSE

Each year Council endorses a limited closure period and skeleton service provision for the Nuriootpa Office, Nuriootpa Library and Branch Office/Libraries, Barossa Visitor Centre and Council Depots over the Christmas/New year period.

REPORT

In accordance with Council's historical policy position, Council operates basic services between Christmas and New Year, with staff taking accrued leave during this period. The table at Attachment 1 outlines the management of services during the holiday period.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Office Opening Hours over the proposed shut down period 2024-2025 

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
- CS16 Library - Provision of public library services across multiple physical branches, online and via outreach programs. This includes providing access to a physical and online collection

- CS9 Customers - Provision of customer services walk in (front counter and Library, Barossa Visitor Centre, Branches, Barossa Regional Gallery) . Customers of Council have a positive experience, where contact is convenient, they are attended to promptly, staff are courteous and requests are correctly recorded and actioned

Legislative Requirements

Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial and Resource

Resources will be maintained to ensure continuity of services for Council's Barossa Visitor Centre, Libraries and Council Depot services. The resources required for the existing service levels during the Christmas to New Year period are within the adopted budget. Any significant events that Council needs to respond to and provide support, resources and rectify any assets, will be reported to Council as per previous incidents/events.

Risk Management

Council provides services on standby as required for essential services, ensuring any risk issues are considered as appropriate for each service provided.

COMMUNITY ENGAGEMENT

Appropriate notices will be published in the local papers advising of the closures together with notices on Council's website, d'Vine advertisement, eNewsletter, social media platforms, messages on hold and Council noticeboards and offices.

7.2 Corporate Services, Strategy and Innovation

7.2.1 MONTHLY FINANCE REPORT AS AT 30 SEPTEMBER 2024 **24/89093**

MOVED Cr de Vries

That Council receives and notes the Monthly Finance Report as at 30 September 2024 as provided at Attachment 1.

SECONDED Cr Hurn

CARRIED 2022-26/537

PURPOSE

The monthly finance report provides information on the financial performance and position of Council, including information on material financial transactions.

REPORT

The Monthly Finance Report as at 30 September 2024 is attached. The report has been prepared comparing actuals to the original adopted budget for 2024-25.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Monthly Finance Report Council September 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 monthly high level financial report is provided.

COMMUNITY ENGAGEMENT

Community consultation was part of the original budget adoption process in June 2024, as per legislation. This report is advising Council of the monthly finance position compared to that budget.

7.2.2 EVENT MANAGEMENT POLICY - POST CONSULTATION - DRAFT FOR ADOPTION 24/89373

MOVED Cr Angas

That Council:

- (1) Note the receipt of six written submissions during the formal public consultation period from 28 August to 18 September 2024; and
- (2) Endorse the proposed amendments and adopt the Event Management Policy as per Attachment 3 with the following amendment on page 350, clause 3.5.3 – to reflect that events will only be cancelled in unforeseen or extenuating circumstances.

SECONDED Cr de Vries

CARRIED 2022-26/538

PURPOSE

To seek endorsement from Council on the post consultation version of the Event Management Policy.

REPORT

Background

Council's current Event Management Policy was first adopted in 2014 and minor amendments were further adopted in 2019.

Introduction

At its meeting of 20 August 2024, Council endorsed a phase of public consultation in relation to the draft Event Management Policy, in accordance with Council's Public Consultation Policy. Council also required Officers to bring the draft policy back to Council following the conclusion of public consultation for consideration and adoption subject to any written submissions being received.

Discussion

To facilitate formal consultation in accordance with requirements under the *Local Government Act 1999*, a period of formal public consultation was held from 28 August to 18 September. A raft of opportunities was made available for the provision of feedback including the Policy being made available at Council's Principal Office and on Council's website, and advertisements being placed in local papers inviting community feedback during the 21-day period.

During the formal consultation period, six written submissions were received with the key themes of the submission and Officer's responses summarised at Attachment 1. The full submissions provided are provided at Attachment 2.

Based on the formal submissions received, along with further feedback from staff the following changes have been made to the draft policy:

Policy Reference	Change
Paragraph 3.5.1	Inclusion of the terms roads and footpaths
Paragraph 3.5.2	Amendment of clause to include the orange font clarifications: For open spaces and oval events, following consultation with Event Organisers and the conduct of pre and post event inspections (see also section 3.10), Council Officers will require event organisers to fund proactive pre-event measures and post event remediation (e.g. re-turfing and top dressing) if the anticipated use cannot be reasonably accommodated within existing approved levels of service or based on latent conditions at the time of the event, or damage is expected to affect the required ongoing level of service for other approved uses.
Paragraph 3.5.3	Inclusion of additional clause to split content from original paragraph 3.5.2 and inclusion of orange font clarifications: The Chief Executive Officer or Deputy Chief Executive Officer, at their sole discretion, based on advice received regarding ground conditions, inclement

	weather and/or the safety of patrons, may cancel or vary an event approval if it is assessed that the grounds may be damaged or rendered unsafe during or following an event. Event cancellation or varying of an event approval will not occur without prior consultation with the Event Organiser.
Paragraph 3.10.1	Inclusion of proactive pre-event measures to be agreed via pre-event inspection process.
Section 9	Inclusion of additional definition of Council Officer as follows: Any Officer employed by the Council pursuant to Chapter 7 of the Local Government Act with a designated responsibility for the management of events or associated services and functions, and who is authorised to act and make decisions in accordance with delegations approved by Council.

The Policy will be supported by a suite of documents including detailed event classification guidelines, event application and approval forms and formal terms and conditions agreements, providing granular detail on specific conditions of use, roles and responsibilities, financial obligations, event planning requirements, and marketing and promotion parameters.

The final proposed policy is provided for Council consideration at [Attachment 3](#).

Summary and Conclusion

Following a period of formal public consultation, in which six formal submissions were received, the *Event Management Policy* has been amended and is presented for Council adoption.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

- Attachment 1 Consultation Summary of Submissions - Draft Event Management Policy 
- Attachment 2 Draft Event Management Policy - Full Submissions 
- Attachment 3 Event Management Policy - Post Consultation Revised Draft for Council Adoption 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Community and Culture

Legislative Requirements

Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The proposed policy seeks to manage both organisational and stakeholder risks associated with the planning and delivery of events in public places, along with the use of Council infrastructure and assets, whilst providing a framework for fairness, equity and transparency.

COMMUNITY ENGAGEMENT

A summary of community engagement undertaken in relation to the Event Management Policy is provided in the body of this report.

Cr Preece left the meeting at 6:20 pm

Cr Preece returned to the meeting at 6:23 pm

7.3 Infrastructure and Environmental Services**7.3.1 TANUNDA CALLITRIS WOODLAND MANAGEMENT PLAN 2023**
24/47653**MOVED** Cr Greatwich

That Council:

- (1) Adopt, resource, and implement the recommended Management Actions detailed in the Tanunda Callitris Woodland Management Plan 2023:
 - a. Increase specialist bushcare at the site to the value of \$2500 annually in addition to the current Trees for Life Bush for Life programme
 - b. Utilise Council Depot staff to mow/brushcut eastern side of the track to limit seed set of introduced grassy weeds
 - c. Set up two additional photo points
 - d. Monitor, protect and manage any natural regeneration (as a result of interventions)
 - e. Develop interpretation signage
 - f. Rename the site to recognise the cultural and remnant significance of the vegetation
 - g. Re-engage locals schools to reconnect through outdoor educational opportunities
 - h. To investigate the purchase on the adjacent land and bring a report back to Council for next financial year's budget considerations.

SECONDED Cr Schilling**CARRIED 2022-26/539**

PURPOSE

At its meeting held 20 June 2023, the Tanunda Callitris Woodland Management Plan 2023 was presented to Council seeking endorsement to undertake public consultation (refer Report 7.6.1). This resulted in five community members writing to express their support for Council to fully adopt, resource and implement the recommended Management Actions.

REPORT

Background

The Tanunda Callitris Woodland Management Plan 2023 was written (as recommended by the Native Vegetation Council) as a tool to identify, define and prioritise management actions to further enhance and protect the native vegetation within the site.

Discussion

All five submissions were grateful to Council for recognising the vital importance of this site as one of the last surviving remnant pieces of Native pine woodland on the Valley floor and the commitment of Council to further protect and enhance the site.

Three of the five submissions strongly advocated for Council to purchase the adjacent block at the back of the Barossa Bowland and Mini Golf to further enhance the protection of the remnant vegetation present at this site, identifying there were several species present on this parcel that were not recorded at the Tanunda Callitris Woodland site.

A submission made by Adrian Shackley wanted historical records included by early explorers from as early as 1844 through to the early 1960's, to demonstrate the loss of native species from the area and to provide the basis for potential reintroduction of those species previously recorded on the site or nearby.

Summary and Conclusion

All of the submissions made by the community have been considered and the appropriate edits made to the Tanunda Callitris Woodland Management Plan 2023.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Draft Tanunda Callitris Woodland Management Plan December 2022 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Natural Environment and Built Heritage

Legislative Requirements

Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Action plan outcomes will be funded from current budgets.

COMMUNITY ENGAGEMENT

Public consultation occurred from 5 – 26 July 2023, resulting in the provision of feedback from five community members.

Pursuant to Section 73 of the Local Government Act 1999, Cr Greatwich disclosed an general Conflict of Interest in the matter Item number 7.3.2 - Proposed Road Closures - 2025 Santos Tour Down Under as she is a Board member of South Australian Tourism Commission (SATC) and advised the Chamber that she will leave the meeting.

Cr Greatwich left the meeting at 6.22pm

Cr Greatwich returned to the meeting at 6.23pm

7.3.2 PROPOSED ROAD CLOSURES - 2025 SANTOS TOUR DOWN UNDER 24/85377

MOVED Cr Hurn

That Council advise the Commissioner of Police that The Barossa Council endorses the closure of:

- Murray Street, Tanunda from Fiedler Street to Bridge Street, and
- Elizabeth Street, Tanunda from Bilyara Road to William Street, and
- Bilyara Road, Tanunda between Murray Street and Park Street, and
- Basedow Road, Tanunda between Murray Street and MacDonnell Street, and
- John Street, Tanunda between Murray Street and William Street, and
- Julius Street, Tanunda between Murray Street and William Street, and
- Bushman Street, Tanunda between Murray Street and Edward Street, and
- Mill Street, Tanunda between Murray Street and Edward Street

on Wednesday 22 January 2025 from 5.00am to 7.00pm to stage to 2025 SANTOS Tour Down Under Health Partners Men's Stage 2 event.

SECONDED Cr Evans

CARRIED 2022-26/540

PURPOSE

The Health Partners Men's Stage 2 of the 2025 SANTOS Tour Down Under is being held on Wednesday 22 January 2025, and will start and finish in Tanunda. Road closures and parking restrictions are required for the safety of all participants and the public.

REPORTBackground

The SANTOS Tour Down Under (TDU) was first staged in South Australia in 1999 and has grown to become the biggest cycling race in the Southern Hemisphere.

The TDU is held in January every year, making it the first event on the international cycling calendar and attracts many interstate and international visitors to the Barossa region.

Introduction

The SANTOS TDU provides a significant contribution to the state's tourism industry and showcases the attractions of South Australia to the world through global television coverage.

Discussion

A request has been received from the organisers seeking The Barossa Council's authorisation to close roads and implement parking and speed restrictions on the Health Partners Men's Stage 2 race day on Wednesday 22 January 2025 and on the Men's Stage 1 Prospect to Gumeracha route when it passes thorough Williamstown on Tuesday 21 January 2025. Road Closures are required for the 22 January event, but not the 21 January event.

The Barossa Council has supported this event for many years by organising and implementing the required traffic management.

Organisers will also make application to SAPOL for 25km/h speed restrictions at several locations and for the removal of traffic infrastructure.

Summary and Conclusion

Council continues to support the community and work together to host a successful event in the Barossa.

The requested closure and restrictions are deemed necessary as a risk mitigation strategy to maintain the safety of participants and the public.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTSLegislative Requirements

Local Government Act 1999
Road Traffic Act 1961

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**Financial and Resources -**

The in-kind cost and implementation of the road closure is to be funded via Council's Road Closure Support/Tour Down Under budget.

Risk management –

Council officers deem the closure necessary as a risk mitigation strategy to maintain the safety of participants and the public.

COMMUNITY ENGAGEMENT

The wider Barossa community will be advised of the proposal by public advertisements to be placed in The Advertiser by Events SA and via placement of the SAPOL Section 33 Notice on Council's website.

7.3.3 BAROSSA PARK - LYNDOKH RECREATION PARK - SEPTEMBER 2024 UPDATE
24/89491**MOVED** Cr de Vries

That Council receive and note the update report and having reviewed the information and updated long term financial plan, lift the project budget to that identified as the upper estimate (\$45,757,940 noting the increase is funded from additional third party sources and Council allocation) outlined in the report conditional on achieving confirmation of third party sources totalling at least \$1M and that the specifications are not altered to increase the scope without Council approval and adopt the updated October 2024 Long Term Financial Plan.

SECONDED Cr Barrett**CARRIED 2022-26/541****PURPOSE**

To update Council on further material changes to the development of Barossa Park.

REPORT**Background**

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

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

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

Introduction

As the project has been progressing at an extremely fast pace with detailed design being developed with input from our Managing Contractor (Built) and our design team consisting of iEDM, Dash, Walbridge & Gilbert, Lucid and Landskap there have been a number of updates and reviews made to the original approved design and associated budgets. We have finalised 95% of the tenders and have soft landscaping as the remaining tender to be completed.

Discussion

Scope and Design Changes

As the project is being delivered under a fast-tracked methodology with the engagement of a Managing Contractor, trade package detailed design is occurring in parallel at a fast pace. There has been no scope or design changes to report however this month as contract variations are slowing due to the maturity of the project (approximately 60% build and 95% contracts issued), the trajectory of the current forecasts is higher and therefore some additional value management processes have taken place in the past month. The value management undertaken is summarised below:

Additional VM Opportunities		OUTCOME
	Delete all plants (retain all trees) and do further planting in future and or work with community and groups on programs for further plantings	-\$77,266.00
	Delete stone entry wall along south-east footpath	-\$10,000.00
	Delete 2 of 2 BBQs	-\$34,100.00
	Delete 2 of 3 drink fountains	-\$14,054.04
	Delete moveable planter boxes and integrated seating	-\$57,329.00
	Delete \$100k irrigation due to removal of plants	-\$50,000.00
	Delete stone finish to wing walls and entry gates	-\$15,000.00
	Basic statutory building signage in lieu of bespoke design	-\$10,000.00
	Retain existing pavers at Tennis Club	-\$25,000.00
	Retain existing asphalt surrounding tennis court	-\$12,000.00
	Delete stone entry wall footing	-\$5,000.00
	Retain asphalt and existing 'undesigned' surface along western boundary	-\$23,700.00
	Defer asphalt pavement removal and turf install adjacent bowls club until post gather round	-\$10,000.00
	Minor items identified but requiring further investigation	-\$50,000.00
	Reduction in associated MC OH&P with above VM items	-\$45,246.64
	Reduction in associated MC OH&P with initial \$350k soft landscaping VM items	-\$40,250.00
		-\$478,945.68

Budget Status

All trade packages are now complete, and the following table identifies the best-case scenario and best based risk scenario outcomes. Ultimately officers continue to work to the approved budget however to complete the work properly, including appropriate landscaping, it is estimated the range of cost will be from \$41.503M to \$45.758M. The upper limit assumes all remaining trade reserve and contingencies will be required, whereas the lower limit assumes none of these reserve and contingencies will be required. Additional revenues and contributions have been achieved to offset \$150,000 of this expenditure with discussions underway from a third party for a significant level of funding, which is the subject of a further report in this agenda. An additional grant application opportunity has also been identified for a further \$500,000 and that submission is underway. Council's application for Commonwealth funding is still pending and is currently under assessment.

Lyndoch Estimates September 2024				
	Remaining Contingencies / Trade Reserves Used			
	Lower Estimate			Upper Estimate
	25%	50%	75%	100%
Budget*	43,517,000	43,517,000	43,517,000	43,517,000
Additional Contributions				
- Other Possible Contributions	1,604,000	1,604,000	1,604,000	1,604,000
Total Budget With Additional Contributions	45,121,000	45,121,000	45,121,000	45,121,000
Forecast	41,981,835	45,020,264	45,544,247	46,236,395
Less Identified Value Management	478,455	478,455	478,455	478,455
Current Position (Deficit) / Surplus	(3,617,620)	(579,191)	(55,208)	636,940
Further Value Management Target	0	0	0	0
Revised Position (Deficit) / Surplus	(3,617,620)	(579,191)	(55,208)	636,940
Budget Funding Sources To Date				
State Contribution - DPC	20,000,000	20,000,000	20,000,000	20,000,000
State Grant - Office for Rec and Sport	500,000	500,000	500,000	500,000
Third Party Contributions	450,000	450,000	450,000	450,000
Released funding from LRCIP R4	891,075	891,075	891,075	891,075
Total Funding Sources	21,841,075	21,841,075	21,841,075	21,841,075
Net Council Contribution - With Additional Contributions from Third Parties	18,536,760	21,575,189	22,099,172	22,791,320
Revised Budget Range - September 2024	41,503,380	44,541,809	45,065,792	45,757,940
*As approved at the August 2024 meeting of Council				

Summary and Conclusion

The Lyndoch Recreation Park project continues to move at significant pace and has reached a level of reasonable final certainty as to cost and delivery timeframes. Design is practically complete, and all trade packages are issued. At this time, based on the full utilisation of reserves and contingencies, an increased cost of 5.15% is expected and should be provisioned for to ensure the completion of the facility to the target standard pending the realisation of possible additional third-party funding of at least \$1M.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Long Term Financial Plan Update October 2024 for 2024-25 to 2033-34 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Legislative Requirements

Section 123 of the Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Outlined in the report, the effective increase in funding based on the assumptions enclosed in the report is \$636,940.

The long-term financial plan has again been revised to reflect this position and is tabled at Attachment 1. All indicators continue to meet or exceed set performance standards. The two updates on the plan from that tabled and adopted in September 2024 are the estimates provided for Barossa Park and some deferral of costs of the Barossa Creative Industries Centre due to ongoing delays in the Commonwealth funding agreement. The budget for the BCIC over the two years remains unchanged. Borrowings marginally decrease over the two years but additional funds of \$1.35M are likely to be required in the 2024-25 year, however borrowings for 2025-2026 will be \$1.45M less than the latest September 2024-25 long term financial plan update. Ultimately the financial model continues to predict lower debt levels in 2024-25 than the original budget does. See the following table for the updated 2024-25 forecast.

2024-25 Budget	Original Approved LTFP and Original Budget \$'000	Revised LTFP \$'000	Change – Positive / (Negative) \$'000	Indicator
Operating Surplus / (Deficit)	(437)	(254)	183	
Borrowings at 30 June 2025	40,605	39,949	656	
Net Cash at 30 June 2025	39	44	5	
Operating Surplus Ratio 3 Year rolling	0.0%	0.1%	0.1%	
Net Financial Liabilities	93.6%	91.1%	2.5%	
Asset Renewal Funding Ratio	129.4%	125.5%	(3.9%)	

COMMUNITY ENGAGEMENT

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

7.4 Development and Community Services

7.4.1 GREATER ADELAIDE REGIONAL PLAN CONSULTATION

24/87993

MOVED Cr de Vries

That Council endorse the draft Greater Adelaide Regional Plan submission, contained within Attachment 1.

SECONDED Cr Hurn

CARRIED 2022-26/542

PURPOSE

To seek Council endorsement of the draft submission prepared in relation to the Greater Adelaide Regional Plan consultation.

REPORT

Background

The State Planning Commission released the Greater Adelaide Regional Plan (GARP) for consultation on 23 September 2024 for a six week period, closing on 4 November 2024.

The GARP incorporates 27 Local Government areas and extends from Cape Jervis in the south, to Murray Bridge in the east and the Barossa in the north.

The GARP will replace the current plan, known as the 30-Year Plan for Greater Adelaide. The GARP is a 30 year vision for Greater Adelaide and will identify growth over a 15 to 30 year period by investigating and guiding:

- Where houses and employment land will go;
- How housing and population will be serviced;
- Which areas need conservation and protection; and
- What major infrastructure is needed and how it will be provided.

Prior to release of the GARP, a discussion paper was prepared and released for consultation in August 2023. Council prepared a submission, which was endorsed at the 21 November 2023 Council meeting and is contained in Attachment 2.

The State Planning Commission released a "What We Heard" summary of the feedback received during consultation which was presented to Council as an Information Report at the 20 February 2024 Council meeting.

The State Planning Commission has provided various materials to assist with the GARP consultation. The Summary of the GARP is contained in Attachment 3 and Frequently Asked Questions are contained in Attachment 4.

Discussion

Council's draft submission to the GARP is contained within Attachment 1.

The draft submission reinforces the six key recommendations made in Council's earlier submission from 21 November 2023 and makes four additional recommendations.

The 10 recommendations reflect the key priorities identified within Council's Growth and Character Planning agenda and identifies key issues and opportunities for The Barossa Council.

The draft submission provides explanatory detail in relation to each of the 10 recommendations, as follows:

- **Recommendation 1** – Retain the Barossa Character Preservation District Addendum within the GARP.
- **Recommendation 2** – Request the Ministerial Code Amendment to the Barossa Character Area Overlay be scheduled within the future SPC Planning Program.
- **Recommendation 3** – Seek to support Council in implementing the final recommendations under the Growth and Infrastructure Investment Strategy, acknowledging that Council is yet to endorse the final Strategy.
- **Recommendation 4** – Infrastructure investment for Concordia is identified and is delivered through an equitable funding arrangement and Council is engaged in all facets of structure planning and delivery and as the relevant authority land division and on land development assessment.
- **Recommendation 5** – Establish a peri-urban sub-region within the GARP.
- **Recommendation 6** – Significant State investment in trunk infrastructure is necessary to support the future growth planned for within the greater Gawler region inclusive of roads and rail, water, sewer, power, schools and hospitals. Investment planning for services are also required for essential and emergency services and transacting with the government.
- **Recommendation 7** – Review the housing targets set for The Barossa Council to ensure they are aligned with future planned growth and programming of land rezoning and land development (ie. Concordia).
- **Recommendation 8** – Request further engagement with staff at Planning & Land Use Services regarding expansion of regulated and significant tree protections to townships to support Council implementation.
- **Recommendation 9** - Consider future network for freight task through Adelaide Hills, noting the objective to promote bypass of freight via the Greater Adelaide Freight Bypass to minimise impact to townships, the Barossa and Concordia.
- **Recommendation 10** – Support for Sub-zone policy in Concordia to deliver housing diversity and new performance outcomes as outlined within the GARP.

Summary and Conclusion

The GARP is the key document guiding planning outcomes for Greater Adelaide for the next 30 years. Council's submission reflects the key priorities identified within Council's Growth and Character Planning agenda and identifies key issues and opportunities for The Barossa Council.

It is recommended that Council endorse the Greater Adelaide Regional Plan submission, contained within [Attachment 1](#).

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1	Draft Submission to the Greater Adelaide Regional Plan 
Attachment 2	Greater Adelaide Regional Plan Submission - The Barossa Council - 6 November 2023 - pdf 
Attachment 3	Greater Adelaide Regional Plan -Summary 
Attachment 4	Frequently Asked Questions - Greater Adelaide Regional Plan 

Supporting references

The Greater Adelaide Regional Plan, Summary and Fact Sheets can be viewed via the following link:

[Have your say on the Greater Adelaide Regional Plan | YourSAy](#)

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Natural Environment and Built Heritage



Infrastructure

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.
- 7 Community infrastructure planning is aligned to both current and the future needs of the community

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

Legislative Requirements

Planning, Development and Infrastructure Act 2016

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

There are no financial or resource implications.

COMMUNITY ENGAGEMENT

The GARP is a state-led consultation and is open to everyone in the community. Therefore, the consultation did not trigger Council's Public Consultation Policy. Council however promoted the GARP Discussion Paper consultation through its facebook channels.

7.4.2 REGIONAL PUBLIC HEALTH PLAN PROGRESS UPDATE**24/88670****MOVED** Cr Troup

That Council endorse the biannual Public Health and Wellbeing Report as per Attachment 1 and in association with the regional partners, submits the final report to the Chief Public Health Officer as required.

SECONDED Cr Lane**CARRIED 2022-26/543****PURPOSE**

To endorse the Report prepared on the implementation of the Regional Public Health and Wellbeing Plan and subsequent submission to SA Health, as required by Section 52 of the *South Australian Public Health Act 2011*, on behalf of Council.

REPORTBackground

The Barossa Council adopted its first Regional Public Health and Wellbeing Plan (the Plan) in 2016 in collaboration with Light Regional Council, Adelaide Plains Council and the Town of Gawler.

Introduction

Section 52 of the Act requires councils to report on Regional Public Health Plans. The report must contain a comprehensive assessment of the extent to which, during the reporting period, a council has progressed implementing its Plan. The reporting cycle is on a two yearly basis ending on 30 June this year. The report is for the period 1 July 2022 - 30 June 2024.

Discussion

The Report must be submitted to the Chief Public Health Officer (CPHO) prior to 30 September.

The report (Attachment 1) is created from the template supplied and was forwarded to the SA Health for initial consideration prior to 30 September 2024 to comply with the requested deadline.

Summary and Conclusion

The Constituent Councils are each submitting the Plan to their respective Councils for endorsement, after which time confirmation will be forwarded to the Chief Public Health Officer.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Report for the Regional Public Health Plan 2022-2024 - S52 - Barossa Light and Lower Northern Region 

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

Section 52, South Australian Public Health Act 2011.

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

Internal communication has occurred with relevant Council officers representing all the Directorates.

8. CONFIDENTIAL REPORTS

8.1 Office of the Mayor and CEO

8.1.1 SUPREME COURT LEGAL CASE - QUARTER 2 OF 2024 UPDATE **24/86429**

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

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that it is receiving legally privileged information on the matter of TTEG vs Council and is ongoing.

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, Strategy and Innovation, Director Development and Community Services, Director Infrastructure and Environmental Service and the Minute Secretary, in order to consider in confidence a report relating to being information that must be considered in confidence pursuant to:

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

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

- (2) Accordingly, on this basis, Council is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential in order that it is receiving legally privileged information on the matter of TTEG vs Council and is ongoing.

SECONDED Cr Preece

CARRIED 2022-26/544

The meeting moved into confidence at 6.33pm

MOVED Cr de Vries

That Council:

- (1) Council resolution
- (2) Having considered this matter in confidence under Sections 90(2) and 90(3)(i) of the *Local Government Act 1999*, makes an order pursuant to Section 91(7), that the minutes, agenda report and attachments other than the minutes relating to this confidentiality order of the Confidential Council Meeting held on 15 October 2024 in relation to item 8.1.1 Supreme Court Legal Case - Quarter 2 of 2024 Update be kept confidential and not available for public inspection and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr Preece

CARRIED CO 2022-26/545

Resumption of open council meeting at 6.35pm

8.1.2 CONCORDIA - VISION AND POLICIES REVIEW**24/88770**

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 Inclusion of information that has been provided in confidence by State Government and for which Council and its officers are subject to a Non-Disclosure Deed with the State.

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 Preece

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, Strategy and Innovation, Director Development and Community Services, Director Infrastructure and Environmental Service, Senior Strategy Advisor, Manager Development 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)(j) of the *Local Government Act 1999*:

information the disclosure of which-

- (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
 - (ii) would, on balance, be contrary to the public interest;
- (2) Accordingly, on this basis, Council is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential in order that Inclusion of information that has been provided in confidence by State Government and for which Council and its officers are subject to a Non-Disclosure Deed with the State.

SECONDED Cr Lane**CARRIED 2022-26/546**

The meeting moved into confidence at 6.36pm

MOVED Cr de Vries

That Council having reviewed the vision and policy directions:

- (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)(j) of the *Local Government Act 1999*, makes an order pursuant to Section 91(7), that the minutes, agenda report and attachments other than the minutes relating to this confidentiality order of the Confidential Council Meeting held on 15 October 2024 in relation to item 8.1.2 Concordia - Vision and Policies Review be kept confidential and not available for public inspection and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr Troup**CARRIED CO 2022-26/547**

Resumption of open council meeting at 6.36pm

8.1.3 THIRD PARTY FUNDING OPPORTUNITY - BAROSSA PARK LYNDCH 24/89597

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

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that it is related to disclosures of State confidential 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 Preece

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, Strategy and

Innovation, Director Development and Community Services, Director Infrastructure and Environmental Service and the Minute Secretary, in order to consider in confidence a report relating to being information that must be considered in confidence pursuant to:

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

information the disclosure of which-

- (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
- (ii) would, on balance, be contrary to the public interest;

- (2) Accordingly, on this basis, Council is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential in order that related to disclosures of State confidential information.

SECONDED Cr Greatwich

CARRIED CO 2022-26/548

The meeting moved into confidence at 6.37pm

MOVED Cr de Vries

That Council:

- (1) Council resolution
- (2) Having considered this matter in confidence under Sections 90(2) and 90(3)(j) of the *Local Government Act 1999*, makes an order pursuant to Section 91(7), that the minutes, agenda report and attachments other than the minutes relating to this confidentiality order of the Confidential Council Meeting held on 15 October 2024 in relation to item 8.1.3 Third Party Funding Opportunity - Barossa Park Lyndoch be kept confidential and not available for public inspection and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr Preece

CARRIED CO 2022-26/549

Resumption of open council meeting at 6.40pm

8.1.4 BAROSSA ASSESSMENT PANEL - FOLLOW UP MATTER FROM COUNCIL MEETING OF SEPTEMBER 2024 **24/90343**

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 personal information of Panel Member.

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 Preece

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, Strategy and Innovation, Director Development and Community Services, Director Infrastructure and Environmental Service, Manager Development, and the Minute Secretary, in order to consider in confidence a report relating to being information that must be considered in confidence pursuant to:

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

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

- (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 personal information of Panel Member.

SECONDED Cr Lane

CARRIED CO 2022-26/550

The meeting moved into confidence at 6.41pm

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)(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 17 September 2024 in relation to item 8.1.4 Barossa Assessment Panel - Follow Up Matter from Council Meeting of September 2024 be kept confidential and not available for public inspection and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr Troup

CARRIED CO 2022-26/551

RESUMPTION OF OPEN COUNCIL MEETING AT 6.44PM

9. URGENT OTHER BUSINESS

Nil

10. NEXT MEETING

Tuesday 19 November 2024 at 5.30pm

11. CLOSURE

Mayor Lange declared the meeting closed at 6.44pm.

Confirmed at Council Meeting on 19 November 2024

Date:.....

Mayor:.....