NOTICE OF ORDINARY COUNCIL MEETING
Tuesday 17 December 2024
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa,
commencing at 5.30pm.

A recording of the meeting will be available to view on the Council's website.

Martin McCarthy
CHIEF EXECUTIVE OFFICER
THE BAROSSA COUNCIL

A G E N D A

Welcome by Mayor

1. ATTENDANCE RECORD

1.1 Members Present

Apologies

Nil

Not Present

Nil

Leave of Absence

Nil

2 CONFIRMATION OF PREVIOUS MINUTES

2.1 Minutes of previous meetings – for confirmation:

2.1.1 Council meeting held on Tuesday 19 November 2024 at 5.30pm
2.1.2 Special Council meeting held on Tuesday 19 November 2024 at 5.00pm
2.1.3 Special Council meeting held on Wednesday 27 November 2024 at 5.30pm

2.2 Matters arising from previous minutes

Nil

3 PROCEDURAL ITEMS

3.1 Petitions

Nil

3.2 Deputations/Visitors to the meeting

Nil

3.3 Notice of Motion

Nil

3.4 Questions with Notice

Nil

4. MAYOR

4.1 Mayor's Report 5

5. COUNCILLORS' REPORTS

Nil

6. MATTERS FOR INFORMATION

6.1 Proposal to Initiate an Amendment to the Planning and Design Code - Tourism Development Code Amendment 10
6.2 Mount Pleasant Library refurbishment - outcomes update 70
6.3 Minor Variations Practice Directions - Targeted Engagement 73
6.4 Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment 80
6.5 Special Audit and Risk Committee - Minutes of 25 November 2024 98

6.6 State Government Housing Roadmap - Initiatives 244
6.7 Initiation of the Affordable Housing Code Amendment 248
6.8 Northern and Yorke Local Government Association Minutes of Meetings 269
6.9 Williamstown and Lyndoch Landcare Group Inc. - Minutes of Meeting 278
6.10 Nuriooota Centennial Park Authority - Board and Audit Committee Minutes 287
6.11 Correspondence from Boundaries Commission - Update on Town of Gawler Proposal 297

7. DEBATE REPORTS

7.1 Office of the Mayor and CEO

7.1.1 Council Behaviour Support Policy 299
7.1.2 Nurioopta Centennial Park Authority - Board Membership 308

7.2 Corporate Services, Strategy and Innovation

7.2.1 Variation to Delegations Register - Updates to Legislation 329
7.2.2 SANTOS Tour Down Under Ziptrak Men's Satge 1 - Request to land Helicopter on Queen Victoria Jubilee Park Oval 333
7.2.3 Review and update of the Internal Review of Council Decision Policy and Process 339
7.2.4 Monthly Finance Report as at 30 November 2024 359
7.2.5 Enterprise Risk Management Policy and the Enterprise Risk Management Framework 362
7.2.6 2025/26 Annual Business Plan and Long-Term Financial Plan Timetable and Assumptions 395

7.3 Infrastructure and Environmental Services

7.3.1 Road Naming - Lot 752 Menge Road Tanunda 401
7.3.2 Department for Infrastructure and Transport - Transport Strategy - Your Vision Our Future - Draft Submission 407

7.4 Development and Community Services

7.4.1 Proposal - Public Place 10c Container Deposit Recycling Trial 412
7.4.2 Building and Construction Industry Review 415
7.4.3 Proposed Change to Nuriootpa Library Opening Hours 425
7.4.4 Request for Funding - Luhr's Cottage Preservation Society Inc. - Digitize the Barossa News Project 428

7.4.5 Request for Revocation of Community Land - Lot 8 George Street Williamstown 453
7.4.6 Department of Human Services Community Transport SA Tender 464
7.4.7 Barossa Assessment Panel - Expressions of Interest - Independent Panel Members 574

8. CONFIDENTIAL REPORTS

8.1 Office of the Mayor and CEO

8.1.1 Supreme Court Case Matter - Quarterly Update 586

9. URGENT OTHER BUSINESS

10. NEXT MEETING

Tuesday 28 January 2025 at 5.30pm

11. CLOSURE

Mayor's Report - December Meeting 2024

24/108535

NOVEMBER/DECEMBER

13/11/2024 Visit to Barossa Park with Greg Edwards, CEO, Central Districts Football Club, Michael O'Brien, President, Barossa Light and Gawler Football Club, Grant and Helen Burge.



13/11/2024 Attended the Nuriootpa High School Nurihannam Winery Launch

14/11/2024 Attended the Gather Round Information Session at Peter Lehmann Wines, held by the South Australian Tourism Commission.



15/11/2024 Attended the Vailo ADL500 State Government Invitation to Local Government Mayors

19/11/2024 Visited Faith Lutheran College – Junior School Year 5/6 classes, speaking Local Government roles and responsibilities, including a very interesting question and answer time from the students.



20/11/2024 Invited to present at Auswan Creek Wines for a cellar door and winemaking tour, alongside renowned filmstars from Mainland China and other Chinese dignitaries.



21/11/2024 Attended the Local Government Association – Mayor's Forum, National Wine Centre of Australia

22/11/2024 Attended the Local Government Association – AGM & Conference, National Wine Centre of Australia. Refer to the (draft) AGM Minutes Draft Local Government Association AGM Minutes

22/11/2024 Attended the Rudall & Rudall 170 Celebration at Krondorf Cellar Door & Wine Bar

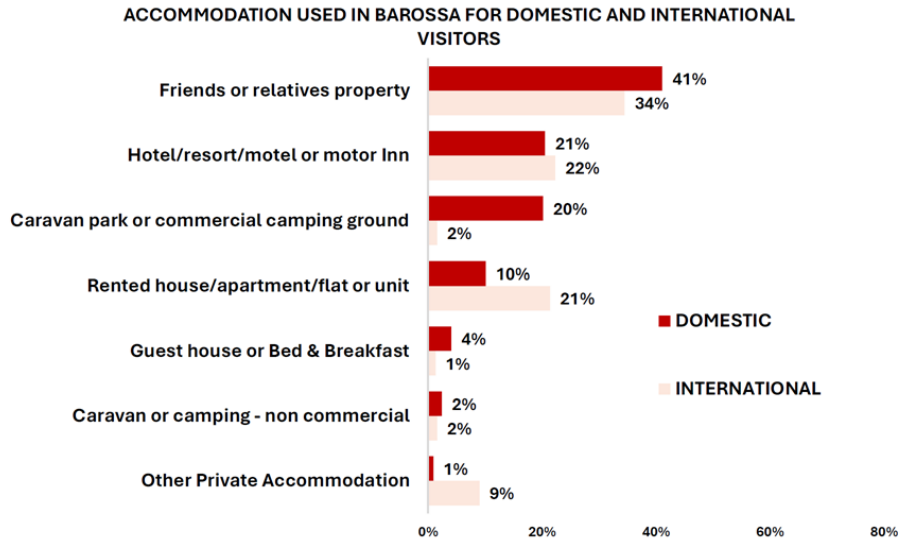
24/11/2024 Attended the St Peter's Anglican Church, Williamstown for a church service, tree planting and commemoration of Gallipoli – Albert 'Bert' Clemow.



25/11/24 Promotional photo with Mid Murray Mayor Simone Bailey - Keyneton Road construction.

26/11/24 Concordia and Lyndoch site visit – Department of Infrastructure and Transport – Chief Executive, Jon Whelan and Deputy Chief Executive and Executive Director, Andy Excell and Director Russell Troup.

27/11/24 Attended SA Tourism Commission – Regional Roadshow with some interesting accommodation data which was provided and stated was the gap in Barossa hotel/motel accommodation.



29/11/24 Attended Northern & Yorke Local Government Association – Board Meeting, Copper Coast – Northern & Yorke Local Government Association Board Meeting - Draft Minutes

4/12/24 BBBFm Podcast with Michael Feast

6/12/24 Over 60s Veterans International Cricket Tournament - Australian v England Grey Ashes Series - Coin Toss and Welcome to Country at Tanunda. The Grey Ashes Urn was handed over to the Australian captain after it being with the English team for a number of years.





6/12/24 Attended the Rose Brooks Wildlife Sanctuary Grand Opening, facility tour and BBQ lunch.



10/12/24 Attended the Bushgardens Volunteer Christmas Lunch as a thank you for their valued contribution. A mosaic table was unveiled.





10/12/24 Attended the Barossa Vintage Festival Program Launch at the Barossa Visitors Centre



MATTERS FOR INFORMATION

6.1 PROPOSAL TO INITIATE AN AMENDMENT TO THE PLANNING AND DESIGN CODE - TOURISM DEVELOPMENT CODE AMENDMENT

Author: Manager Development Services
24/108324

The Chair of the State Planning Commission, Mr Craig Holden, has written to Council to advise the State Planning Commission has initiated the Tourism Development Code Amendment. A copy of the letter is contained in Attachment 1.

A copy of the Proposal to Initiate is contained in Attachment 2.

Planning and Land Use Services (PLUS) undertook initial engagement with Councils from primary wine regions to inform the initial scope of the Code Amendment. Staff actively engaged in this process and provided feedback of experiences working with the Planning & Design Code in respect to tourist accommodation.

There was also an opportunity to flag with PLUS the character work completed to date by Council, and particularly the recommendations within the paper prepared by Paul Mickan, that Council endorsed in December 2023, that relate to tourist accommodation. This Code Amendment has potential to address some of the matters raised within this paper.

The Code Amendment will review policies within the Planning and Design Code that relate to tourism development, particularly within the key wine regions of the State, to ensure they enable and guide high quality tourism accommodation and other facilities to meet market demand while complementing the valued character attributes of our diverse productive landscapes.

The Commission will be preparing an engagement plan in accordance with the Community Engagement Character, which will include public consultation on the proposed changes. Staff will be engaging further with the commission in relation to the Code Amendment and will propose to bring forward a draft submission for Council's consideration prior to the consultation close.

ATTACHMENTS

Attachment 1 Advice from State Planning Commission - Initiation of the Tourism Code Amendment ⇩

Attachment 2 Proposal to Initiate and amendment to the Planning and Design Code - Tourism Development Code Amendment ⇩

SUPPORTING REFERENCES

Planning, Development and Infrastructure Act 2016

OFFICIAL

STATE PLANNING COMMISSION

22251310

11 November 2024

83 Pirie Street
Adelaide SA 5000

GPO Box 1815
Adelaide SA 5001

08 7109 7466
saplanningcommission@sa.gov.au

Mayor Michael Lange
The Barossa Council

By email: mayor.lange@barossa.sa.gov.au

Dear Mayor Lange

Initiation of the Tourism Development Code Amendment

I write to advise you that the State Planning Commission (the Commission) has initiated the Tourism Development Code Amendment (the Code Amendment) under section 73(2)(a) of the *Planning, Development and Infrastructure Act 2016* (the Act).

The Code Amendment will review policies within the Planning and Design Code that relate to tourism development, particularly within the key wine regions of the state (including your council), to ensure they enable and guide high quality tourism accommodation and other facilities to meet market demand while complementing the valued character attributes of our diverse productive landscapes.

I wish to thank staff from Alexandrina Council, Adelaide Hills Council, the Barossa Council, Light Regional Council, District Council of Mount Barker and the City of Onkaparinga for providing initial input which has assisted the Commission in determining the scope of the Code Amendment. These and other councils located in key wine regions of the state will be consulted further during the preparation of the Code Amendment.

A copy of the signed Proposal to Initiate is enclosed for your reference.

The Commission will soon prepare an engagement plan in accordance with the Community Engagement Charter, which will include public consultation on the proposed changes.

Should you require further information, please contact Mr Jason Bailey from Planning and Land Use Services within the Department for Housing and Urban Development on 08 7109 7161 or via email at: Jason.Bailey@sa.gov.au.

Yours sincerely

Craig Holden
Chair

Encl Signed Proposal to Initiate the Tourism Development Code Amendment
Cc Mr Martin McCarthy, Chief Executive Officer, The Barossa Council - mmccarthy@barossa.sa.gov.au

saplanningcommission.sa.gov.au

SOUTH AUSTRALIA

PROPOSAL TO INITIATE AN AMENDMENT TO THE PLANNING & DESIGN CODE

Tourism Development Code Amendment

By the State Planning Commission (the Designated Entity)

Contact details

Email:
saplanningcommission@sa.gov.au

Phone: 1800 752 664



_____ (Signature)

CHAIR, STATE PLANNING COMMISSION

Date: 29/10/2024

This Proposal to Initiate document forms the basis for the preparation of a proposed amendment to the Planning and Design Code for the purpose of section 73(2)(a) of the *Planning, Development and Infrastructure Act 2016*.

STATE PLANNING COMMISSION

Government of South Australia
Department for Trade and Investment

OFFICIAL

Contents

1. INTRODUCTION 2
1.1. Designated Entity for Undertaking the Code Amendment 2
1.2. Rationale for the Code Amendment 3
2. SCOPE OF THE CODE AMENDMENT 3
2.1. Affected Area 3
2.2. Scope of Proposed Code Amendment 4
3. STRATEGIC PLANNING OUTCOMES 6
3.1. Alignment with State Planning Policies 7
3.2. Alignment with Regional Plans 9
3.3. Alignment with Other Relevant Documents 15
4. INVESTIGATIONS AND ENGAGEMENT 20
4.1. Investigations Already Undertaken 20
4.2. Further Investigations Proposed 22
4.3. Engagement Already Undertaken 23
4.4. Further Engagement Proposed 24
5. CODE AMENDMENT PROCESS 26
5.1. Engagement Plan 26
5.2. Engagement Report 27
5.3. Code Amendment Timetable 28

1. INTRODUCTION

The State Planning Commission (the Commission) is an independent body providing advice and leadership on all aspects of planning and development in South Australia. A key role of the Commission is to ensure the Planning and Design Code (the Code) is maintained, reflects contemporary values relevant to planning and is responsive to emerging trends and issues.

The Commission is proposing to initiate an amendment to the Code as it relates to the whole of South Australia, excluding coastal waters (the Affected Area).

The Tourism Development Code Amendment (the Code Amendment) seeks to review policies within the Planning and Design Code that relate to tourism development, particularly within the key wine regions of the state, to ensure they enable and guide high quality tourism accommodation and other facilities to meet market demand while complementing the valued character attributes of our diverse productive landscapes.

The Commission seeks to amend the Code pursuant to section 73(2)(a) of the *Planning, Development and Infrastructure Act 2016* (the Act). This 'Proposal to Initiate' details the scope, relevant strategic and policy considerations, nature of investigations to be carried out and information to be collected for the Tourism Development Code Amendment (the Code Amendment). It also details the timeframes to be followed in undertaking the Code Amendment.

The Commission is the 'designated entity' responsible for conducting this Code Amendment process and is required to undertake consultation in accordance with the Community Engagement Charter and make final recommendations to the Minister for Planning (the Minister) prior to consideration whether to adopt, alter or refuse the Code Amendment.

1.1. Designated Entity for Undertaking the Code Amendment

In accordance with section 73(2)(a) of the Act, the Commission will be the Designated Entity responsible for undertaking the Code Amendment process. As a result:

1.1.1. The Commission acknowledges that it will be responsible for undertaking the Code Amendment in accordance with the requirements Act.

1.1.2. The Commission intends to undertake the Code Amendment by utilising professional expertise of employees of the Planning and Land Use Services division of the Department for Housing and Urban Development (PLUS) including:

- Planning officers
- Communications staff
- Staff responsible for the technical management and operation of the online Planning and Design Code.

1.2. Rationale for the Code Amendment

The tourism industry is an important contributor to the state's economic activity, generating jobs and export dollars, by attracting interstate and international visitors. With high visitation numbers, the industry is flourishing. The government is now committed to growing the state's visitor economy to $12.8 billion, with the creation of 16,000 new tourism jobs by 2030.

South Australia's wine regions draw visitors internationally, interstate and locally. Vineyards and cellar doors are typically located in picturesque, rural landscapes. This unique setting creates rich visitor experiences but can also create challenges in meeting the demands for tourist accommodation and facilities in a way that complements and enhances the valued attributes of the landscape.

There are 18 wine regions in South Australia, including the Barossa Valley, Clare Valley, McLaren Vale, Adelaide Hills and Coonawarra. Most of these regions are located in rural zones under the Code.

This Code Amendment proposes to review policies within the Planning and Design Code that relate to tourism development, particularly within the key wine regions of the state, to ensure they enable and guide high quality tourism accommodation and other facilities to meet market demand while complementing the valued character attributes of our diverse productive landscapes.

Subject to investigations, the Code Amendment seeks to encourage accessible and sustainable tourism development, providing for unique visitor experiences, where impacts on agricultural productivity, the environment and scenic amenity can be successfully managed.

2. SCOPE OF THE CODE AMENDMENT

2.1. Affected Area

The proposal seeks to primarily review policy in the Rural Zone, Rural Horticulture Zone, Productive Rural Landscape Zone and Tourism Development Zone.

The primary focus is on the zones located within key wine regions of the state (e.g. the Adelaide Hills Council, Alexandrina Council, Barossa Council, Berri Barmera Council, Clare and Gilbert Valleys Councils, District Council of Mount Barker, District Council of Loxton Waikerie, Light Regional Council, Renmark Paringa Council, Wattle Range Council, City of Playford, City of Onkaparinga and Tatiara District Council).

It is noted that rural zones are spatially applied across large areas of the state, not just in wine regions. Furthermore, the Code Amendment has scope to review General Development Policies which apply state-wide, so the Code Amendment will effectively have a state-wide application.

2.2. Scope of Proposed Code Amendment

Current Policy	The Code currently includes the following rural-type zones that have been spatially applied to key wine regions of the state: • Rural Zone • Rural Horticulture Zone • Productive Rural Landscape Zone While the intent of these zones is primarily to facilitate primary production, they also currently provide some scope for small-scale tourism development. The Code also contains the Tourism Development Zone which applies to several key wine regions of the state including: • Adelaide Hills – Mt Lofty House • Barossa Valley (3 locations) – Chateau Tanunda, Seppeltsfield Winery and Barossa Valley Novotel Resort and golf course at Rowland Flat • McLaren Vale (2 locations) – Serafino Winery and Hardy's Wines / McLaren Vale Hotel. The Code Amendment will primarily review policy in these four zones, but the review may also extend to other content of the Code related to tourism development policies and procedures. This includes the Interface Between Land Uses and Tourism Development general development policies. Consideration will be given to the various overlays in the Code that apply throughout wine regions, and which apply policies to the assessment of tourism development: • the Character Preservation District Overlay which applies to the Barossa and McLaren Vale regions • the Scenic Quality Overlay which applies to part of the Adelaide Hills • the Significant Landscape Protection Overlay which applies east of Tanunda down to Williamstown in the Barossa Valley. The *Character Preservation (Barossa Valley) Act 2012* and the *Character Preservation (McLaren Vale) Act 2012* apply to the Barossa Valley and McLaren Vale. The Code Amendment will be cognisant of the role of both the character preservation legislation / policy that applies to parts of the areas affected by the Code Amendment. While a significant proportion of the Adelaide Hills Council area is located within the Environment and Food Production Area (EFPA), these restrictions are limited to

	residential land division, and therefore are not directly relevant to this Code Amendment. How the policies of the following overlays apply to tourism development so will also be reviewed: • the Hazard (Bushfire) Overlays which apply throughout wine regions, ranging from General to High risk • the Mount Lofty Ranges Water Supply Catchment Overlays which applies throughout the Adelaide Hills region • the River Murray Flood Plain Protection Area Overlay which applies in the Riverland with tributaries in the Adelaide Hills and Langhorne Creek. Relevant definitions in Part 7 and Part 8 of the Code will be reviewed, including those for: • Caravan and Tourist Park • Function Venue • Tourist accommodation The need for any new administrative and land use definitions will also be considered by the Code Amendment.
Amendment Outline	The Code Amendment will review policies that relate to tourism development, particularly within the key wine regions of the state, to ensure they enable and guide high quality tourism accommodation and other facilities to meet market demand while complementing the valued character attributes of our diverse productive landscapes. Investigations will assess the appropriateness of the current policy settings and consider the demand for different tourism development types, what geographic gaps exist in the market, and any policy difficulties faced by prospective developers and planning practitioners. The primary scope for policy change is expected to be at the zone level, but through this review, the Code Amendment may also propose some changes to general development policies and definitions. It may also put forward recommendations about the spatial application of the Tourism Development Zone, including any of its Subzones (in particular the Winery Experience Subzone).
Intended Policy	The policy review will focus on the following matters: • Rural Zone, Productive Rural Landscape Zone, Rural Horticulture Zone ○ consider the suitability of medium to larger scale tourist accommodation and tourism development in rural areas

	○ review Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) / Designated Performance Feature (DPF) criteria guiding tourism development, providing appropriate guidance to assess tourist accommodation and tourism facilities. • Land use and administrative definitions: ○ review of existing definitions including Caravan and Tourist Park, Function Venue and Tourist Accommodation to ensure that they provide the clarity required to assess contemporary tourism accommodation / development in wine regions ○ consider the need for any new land use definitions such as for 'Special Events' to assist relevant planning authorities in applying consistent planning rules for events ○ consider the need for any additional administrative definitions to assist with policy interpretation. • Tourism Development Zone and associated Subzones ○ review the current spatial application of the zone and determine the suitability of applying the zone to additional locations in those areas affected by the Code Amendment ○ analyse current policy for effectiveness and gaps. • Tourism Development General Development Policies ○ consider the introduction of additional PO and DTS / DPF criteria to guide the design and location of medium to larger scale tourism development proposals in rural areas ○ analyse current policy for effectiveness and gaps. • Interface Between Land Uses General Development Policies***** ○ analyse current policy for effectiveness and gaps – in particular the section 'Interface with Rural Activities'. *******The State Planning Commission's Interface Management Code Amendment (currently under investigation) will also review the Interface Between Land Uses General Development Policies. Any changes proposed by the Tourism Development Code Amendment to these policies will not undermine or conflict with any changes made by the Interface Management Code Amendment.*

3. STRATEGIC PLANNING OUTCOMES

Proposed Code Amendments occur within a state, regional and local strategic setting, which includes:

- State Planning Policies (SPPs)
- Regional Plans
- Other relevant strategic documents.

3.1. Alignment with State Planning Policies

The State Planning Policies (SPPs) set out the State's overarching goals and requirements for the planning system. Under section 66(3)(f) of the Act, the Code must comply with any principle prescribed by a SPP.

The Code Amendment should be initiated because the strategic planning outcomes sought to be achieved through the Code Amendment align with or seeks to implement the following SPPs:

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
SPP 1: Integrated Planning	
1.4 Protect areas of rural, landscape character, environmental importance, mining or food production significance from the expansion of urban areas, towns and settlements.	The Code Amendment will seek to review and prepare new tourism development policy which seeks to balance and respect the predominant role of rural areas for primary production and as areas of environmental significance / scenic quality. Where appropriate, state interest overlays have been applied to protect key assets and critical environmental/industry requirements.
SPP 2: Design Quality	
2.8 Recognise the unique character of areas by identifying their valued physical attributes in consultation with communities. 2.9 Respect the characteristics and identities of different neighbourhoods, suburbs and precincts by ensuring development considers existing and desired future context of a place.	The Code Amendment seeks to promote the delivery of quality design outcomes for tourism development, considering the environmental significance / scenic quality of wine regions, as well as other areas attractive to tourism development.
SPP 3: Adaptive Reuse	
3.3 Repurpose, adapt and reuse historical buildings and places that recognise and preserve our state's history. 3.4 Prioritise the adaptive reuse of buildings in areas of heritage or cultural value where it will contribute to active and vibrant places, or where	The Code Amendment will seek to facilitate the adaptive reuse of buildings and places of value for tourism development in the Affected Area. It will also seek to encourage tourism development that respects and reinforces the environmental / cultural values of the state's diverse productive landscapes.

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
it is a catalyst for additional development demand.	
SPP 7: Cultural Heritage	
7.1 The sensitive and respectful use of our culturally and historically significant places 7.3 Recognise and protect places and areas of acknowledged heritage value for future generations. 7.4 The appropriate conservation, continuing use, and as appropriate, adaptive reuse of our heritage places and heritage areas of value to the community. 7.5 Maintain the context of a place or area of heritage value through appropriate design guidelines that encourage compatible design solutions.	The Code Amendment will seek to facilitate the adaptive reuse of buildings and places of value for tourism development. It will also seek to encourage tourism development that respects and reinforces the environmental / cultural values of the state's diverse productive landscapes. Where appropriate, state interest overlays will continue to apply to protect key assets and critical industry/environmental requirements.
SPP 8: Primary Industry	
8.1 Identify and protect key primary production assets and secure strategic opportunities for future primary industry development. 8.2 Create local conditions that support new and continuing investment in primary industry while seeking to promote co-existence with adjoining primary industries and avoid land use conflicts. 8.4 Equitably manage the interface between primary production and other land use types, especially at the edge of urban areas.	The Code Amendment will be centrally concerned with how tourism development can coexist with the productive values of the state's diverse rural areas. It will seek to provide clearer guidelines to facilitate coexistence. Improved policy settings should also better manage the interface between primary production and more sensitive land uses such as tourist development avoiding land use conflicts and enabling businesses to grow, adapt and evolve. Where appropriate, state interest overlays have already been applied to the area affected to protect key primary production assets / requirements.
SPP 9: Employment Lands	
9.1 Support the expansion and clustering of key economic growth areas including health; education; tourism; energy and resources; primary industry; defence; and knowledge and creative industries.	The Code Amendment will seek to balance the interests of different employment activities in rural areas (including protecting the primary role of farming activity) by providing clearer policy guidelines for tourist development in rural areas.

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
9.9 Support sustainable tourism where the social, cultural and natural assets underpinning tourism developments are protected in line with sustainability principles.	Improved policy settings should also better manage the interface between primary production and more sensitive land uses such as tourist development avoiding land use conflicts and enabling businesses to grow, adapt and evolve. Where appropriate, state interest overlays have already been applied to the area affected to protect key primary production assets / requirements.
SPP 14: Water Security and Quality	
14.2 Protect and recognise water supply catchments, including: • Water Protection Areas under the *Environment Protection Act 1993* (including those located in the Mount Lofty Ranges, South East and River Murray) • the River Murray Protection Areas under the *River Murray Act 2003* • prescribed water resources and wells under the *Natural Resources Management Act 2004*.	The Code Amendment will consider whether clearer guidelines for how tourism development can coexist with the environmental and catchment values of the various water catchment areas across the state can be provided. maintains environmental and catchment can be provided. Where appropriate, state interest overlays have also already been applied to the area affected to protect key water assets / requirements.
SPP 15: Natural Hazards	
15.6 Avoid development in high or extreme hazard risk areas (such as bushfire risk areas) that will necessitate the removal of native vegetation.	The Code Amendment will seek to provide clearer guidelines for tourism development in rural areas, including mitigating the impacts of natural hazards on any new development. Where appropriate, state interest overlays have already been applied to the area affected to mitigate against and reduce exposure to the effects of natural hazards.

3.2. Alignment with Regional Plans

As with the SPPs, the directions set out in Regional Plans provide the long-term vision as well as setting the spatial patterns for future development in a region. This includes consideration of land use integration, transport infrastructure and the public realm.

All of the following Regional Plans (identified as volumes of the South Australian Planning Strategy prepared under the *Development Act 1993*, and applicable until such time as the new Regional Plans are prepared and adopted under the Act) are relevant for consideration as part of this Code Amendment:

- The 30-Year Plan for Greater Adelaide (2017 Update) + addendum special character of the Barossa Valley and McLaren Vale (December 2013) (MMRP)
- The Eyre and Western Region Plan (April 2012) (EWRP)
- Kangaroo Island Plan (January 2011) + addendum Kangaroo Island Sustainable Futures (January 2014) (KIP)
- Far North Region Plan (July 2010) (FNRP)
- Limestone Coast Region Plan (May 2011) (LCRP)
- Mid North Region Plan (May 2011) (MNRP)
- Murray Mallee Region Plan (January 2011) (MMRP)
- Yorke Peninsula and Mid North Regional Land Use Framework (December 2007) (YPMNRLUF)

Regional Plan Identified Priorities or Targets	**Code Amendment Alignment with Regional Plan**
The 30-Year Plan for Greater Adelaide (2017 Update)	
Design Quality P.30 Support the characteristics and identities of different neighbourhoods, suburbs and precincts by ensuring development considers context, location and place. P.31 Recognise the unique character of areas by identifying their valued physical attributes.	Large parts of the areas affected by this Code Amendment are currently subject to the provisions of Character Preservation District Overlay policy as well as the Scenic Quality Overlay and Significant Landscape Protection overlays. The Code Amendment will aim to ensure that any new policy to guide tourism development in key rural areas does not undermine the role of existing overlay policy in this regard.
Heritage P.33 Recognise the value that communities place on heritage and ensure that new development is implemented sensitively and respectfully. P.34 Ensure heritage places and areas of heritage value are appropriately identified and their conservation promoted. P.35 Encourage the innovative and sustainable reuse of heritage places and older building stock in a way that encourages activity and entices people to visit.	Relevant overlays which seek to protect areas / sites of heritage value already apply across the areas affected by this Code Amendment. The Code Amendment will aim to ensure that any new policy to guide tourism development in rural areas does not undermine the role of existing overlay policy in this regard and will encourage sustainability and adaptive reuse of existing buildings / structures.
The Economy and Jobs P.55 Promote certainty to undertake development while at the same time providing scope for innovation.	The interface between primary production and tourism development in the areas affected by the Code Amendment will be a key

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
Primary production P.57 Maintain and protect primary production and tourism assets in the Environment and Food Production Areas, while allowing for appropriate value-adding activities to increase investment opportunities. P.58 Ensure that the Environment and Food Production Areas, Character Preservation Districts and planning policies work in an integrated way to: • protect key primary production assets and opportunities • facilitate local operating and investment conditions that support primary production and related agri-business development • enable timely business adjustment and climate change adaptation by primary producers. P.59 Enable major new primary production and agri-business development across the Northern Adelaide and Barossa regions and in the Mount Barker-Murray Bridge corridor and prevent ad hoc land use changes that may compromise those investments. P.61 Increase opportunities for farm-related value-adding development within the Mount Lofty Ranges Watershed where it can be demonstrated that water quality can be maintained or improved consistent with the Mount Lofty Ranges Watershed water quality risk hierarchy. P.62 Manage the interface between townships and adjacent primary production activities and areas of nature protection. ***Tourism*** P.63 Provide for sustainable tourism development across Greater Adelaide by: • protecting, enhancing and promoting the qualities that attract tourism and are of value to the whole community • providing appropriate support infrastructure for tourism	consideration in investigations for the Code Amendment. Large parts of the areas affected by this Code Amendment are currently subject to the provisions of both the EFPA and Character Preservation District Overlay policy. The Code Amendment will seek to provide clearer policy guidance for tourism development in these sensitive rural areas to ensure that development outcomes do not undermine the intent of these important policies.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
• facilitating sustainably designed tourism accommodation in suitable locations • facilitating tourism-related developments such as restaurants, specialty retail accommodation and other value adding activities.	
Water P.116 Protect and secure water resources in the region, including: • the Mount Lofty Ranges Watershed • prescribed water resources • recycled wastewater networks • stormwater harvesting.	Relevant overlays which seek to protect water resources already apply to some areas affected by this Code Amendment. The Code Amendment will aim to ensure that any new policy to guide tourism development in key rural areas does not undermine the role of existing overlay policy in this regard.
Barossa Valley and McLaren Vale Character Preservation Addendum (released in December 2013) Outlines the character and heritage attributes / values of both areas (in terms of their natural landscape, visual amenity and built form).	Areas affected by this Code Amendment in the Barossa Valley and McLaren Vale are currently subject to the provisions of unique character preservation legislation and overlay policy. The Code Amendment will seek to provide clearer policy guidance for tourism development in these sensitive rural areas to promote development outcomes that do not undermine the intent of this critical legislation / policy.
Other Regional Plans *(given the remaining regional plans contain similar principles and policies, relevant policies and principles have been grouped and generalised for discussion)*	
Principle: Recognise, protect and restore the region's environmental assets. Policy: Protect the quality and function of water ecosystems by preventing the adverse impacts of land use and development such as the overuse of resources, erosion, land degradation and pollution. Policy: Apply water-sensitive urban design principles and appropriate buffers to ensure development does not affect natural watercourses and drainage patterns. Policy: Recognise areas of high biodiversity value, and locate and design development	Relevant overlays which seek to protect areas of significant biodiversity, water resources and landscape and scenic amenity value already apply across the areas affected by this Code Amendment. The Code Amendment will aim to ensure that any new policy to guide tourism development in key rural areas does not undermine the role of existing Overlay policy in this regard.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
to prevent the loss, degradation and fragmentation of native vegetation, and any loss of species and ecological communities. Policy: Acknowledge, protect and manage areas of significant landscape and amenity value, including landscapes that form attractive backgrounds and entrances to towns and tourist developments. Policy: Avoid development in areas with significant landscapes that can be viewed from tourist routes, walking trails, the beach and the sea, unless the development requires such a location (for example, a development of state significance), in which case the scale, height, design and siting of buildings must: • protect views to, from and along the ocean and scenic coastal areas • minimise the alteration of natural landforms • be visually compatible with the character of surrounding areas • restore and enhance visual quality in degraded areas, where feasible. Policy: Avoid adverse impacts of development on landscapes through site selection and design that reduces the height or bulk of structures. (EWRP, KIP, LCRP, MNRP, MMRP, YPMNRLUF)	
Principle: Protect people, property and the environment from exposure to hazards. Policy: Design and plan development to prevent the creation of hazards and to avoid natural occurring hazards. (EWRP, KIP, LCRP, MNRP, MMRP, YPMNRLUF)	Relevant Overlays which seek to protect rural areas from flood and bushfire hazard risk already apply across the areas affected by this Code Amendment. The Code Amendment will aim to ensure that any new policy to guide tourism development in key rural areas does not undermine the role of existing Overlay policy in this regard.
Principle: Identify and protect plans of heritage and cultural significance, and desired town character.	Relevant Overlays which seek to protect areas / sites of heritage and cultural significance already apply across the areas affected by this Code Amendment.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
Policy: Protect and conserve places of heritage and cultural value, including national, state and local registered sites. (EWRP, KIP, LCRP, MNRP, MMRP, YPMNRLUF)	The Code Amendment will aim to ensure that any new policy to guide tourism development in key rural areas does not undermine the role of existing Overlay policy in this regard.
Principle: Retain and strengthen the economic potential of primary production land. Policy: Prevent loss of productive agricultural land and potential conflict with incompatible land uses by: ……. • ensuring tourist-based developments are sited away from agricultural land where practical • designating areas of primary production significance. Policy: Encourage the development of small-scale, value-adding activity that complements primary production in the local area and large-scale value-adding activity outside areas of primary production significance. (EWRP, KIP, LCRP, MNRP, MMRP, YPMNRLUF)	The Code Amendment will seek to provide improved / clearer policy to guide the appropriate location of tourism development in rural areas of the state while minimising interface issues with primary production activity, which should continue to be the predominant land use in rural areas.
Principle: Reinforce the region as a preferred tourism destination. Policy: Protect, enhance and promote the assets that attract tourists and are of value to the community, including: • open space, hiking and cycling trails and scenic tourist drives. • natural landscapes, protected areas and parks and reserves. • heritage, culture and the built character of towns, including town approaches. • caravan parks and campsites, including those that provide effluent and rubbish facilities for large recreational vehicles. Policy: Facilitate tourist accommodation that is designed for sustainability and linked to the natural landscape and character of towns, including the upgrading of existing caravan parks and camping facilities to contemporary standards.	The Code Amendment will seek to provide improved policy to better guide the location and form of tourism accommodation / development in key wine regions of the state.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
Policy: Facilitate tourism-related developments such as restaurants, specialist retail and accommodation that complement the character of towns and the natural landscape and add value to existing economic activities. (EWRP, KIP, LCRP, MNRP, MMRP, YPMNRLUF)	

Updated Regional Plans Program

The Commission has now initiated the preparation of a new set of Regional Plans for the State's proclaimed planning regions (including Greater Adelaide) which are to be progressed over the remainder of 2024 and into 2025.

A Discussion Paper for the new Greater Adelaide Regional Plan (which will replace *The 30-Year Plan for Greater Adelaide*) was released for community and stakeholder engagement in late 2023. A draft of the new Greater Adelaide Regional Plan was released for community and stakeholder engagement on 23 September 2024. The draft Yorke and Mid North Regional Plan and Eyre and Western Regional Plan will follow in early 2025.

Preparation of the Code Amendment will be cognisant of any strategic directions coming out of the current Regional Plans program.

3.3. Alignment with Other Relevant Documents

Additional documents may relate to the broader land use intent within the scope of this proposed Code Amendment (or directly to the Affected Area) and therefore are identified for consideration in the preparation of the Code Amendment.

The following table identifies other documents relevant to the proposed Code Amendment:

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
Amendment for Phase Two (Rural Areas) and Phase Three (Urban Areas) Code Amendment Section 73(7) Engagement Reports	The Phase Two (Rural Areas) Code Amendment Engagement Report identified the opportunity for additional policy in the Tourism Development Zone to enable it to be spatially applied in more locations. The Phase Three (Urban Areas) Code Amendment Engagement Report identified the opportunity for: • a review of the tourist accommodation definition to avoid confusion with dwellings and campgrounds

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
	• consideration of additional design policies to reinforce the preservation of key attributes of the character preservation districts (including scenic, tourism and heritage elements) • additional policy in the Tourism Development Zone to guide the development of tourist accommodation and provide for environmentally sustainable and innovative tourism development • a further review of tourism related policies and land use definitions in the Rural Zone to provide greater clarification and assist in the development assessment process and to ensure the primary intent of the zone is not eroded • updating policy expression relating to tourist accommodation in the Rural Horticulture Zone to more accurately reflect where this form of development should be sited • new policy in the Productive Rural Landscape Zone which incentivises and facilitate the adaptive reuse of buildings for tourist accommodation by providing greater allowances of maximum DTS floor area. Limited feedback was received in relation to the Tourism Development general development policies, but the following issues were identified by councils: • it was suggested that additional policies may be needed to guide siting and development of tourism operations where located in areas of environmental significance to manage impacts on native vegetation, biodiversity and landscape amenity • several submissions sought a review of DO 1 and PO 1.1 to further reference environmentally sustainable tourism as well as surrounding environmental contexts • it was suggested that policy guidance for tourism development in rural areas relating to value adding activities, processing of farm produce and reuse of existing buildings should be addressed. The Code Amendment will have regard to the issues raised through feedback on both the Phase Two and Phase Three Code.

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
Productive Economy Discussion Paper (February 2019)	The Commission's Productive Economy Discussion Paper proposed a range of options to support enhancing the state's economic competitiveness as the new planning system is implemented. In particular, it focused on the role the planning system can play in protecting and growing key industries such as tourism accommodation and facilitating greater opportunities for innovation. The Code Amendment will have regard to the key opportunities and challenges identified in the Productive Economy Discussion Paper.
Barossa Growth and Infrastructure Investment Strategy – prepared by the Barossa Council (For Community Consultation January 2024)	The Code Amendment will have regard to the following issues identified within the Barossa Growth and Infrastructure Investment Strategy: • Need to maintain policies that promote small scale tourist accommodation, cellars and wineries outside of townships • Need to promote larger scale tourist accommodation in a few designated locations that are considered suitable for such development. The Barossa Council's Strategy has also identified the following two sites for rezoning to the Tourism Development Zone: • Site 1: Rural zoned land between Fuss Road and Hermann Thumm Drive at Lyndoch - the land identified is approximately 65 ha in area comprising several parcels of land and currently includes Chateau Yaldara. • Site 2: Rural Living zoned land at Sandy Creek - the land identified is approximately 54 ha's in area and currently contains the Sandy Creek Golf Club. These sites would add to the three sites in the Barossa Council already zoned 'Tourism Development': the Novotel Barossa Resort, Chateau Tanunda and Seppeltsfield.
Adelaide Peri-urban Project Report - Consuming Landscapes? Farm value-adding and rural business diversification in Adelaide's peri-urban region	The Code Amendment will have regard to those issues presented within the Adelaide Peri-urban Project Report which have been identified following a review of development applications for farm value-adding and rural business diversification activity during the period 2016-2021. Some of the issues identified in the report include:

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
– past, present and future (2023)	• there have been relatively few applications for farm value-adding projects which retain a direct connection with local on-farm production. • applications have been dominated by just a handful of development types, namely, tourist accommodation (98), wineries (80), cellar door shops (64), function centres (28) and restaurants (24). • the preliminary mapping of data suggests the formation of potential 'hotspots' that may require planning policy or other interventions to reconcile competing objectives. All of these issues have been identified in the context of the new Code promoting 'value-adding' in rural areas.
The South Australian Visitor Economy Sector Plan 2030 (South Australian Tourism Commission)	The Code Amendment will have regard to those issues identified within the South Australian Visitor Economy Section Plan 2030. Launched in August 2019, this plan sets a bold ambition to grow the state's visitor economy to $12.8 billion by 2030, generating 52,000 jobs. To achieve the 2030 targets, the plan focuses on six priority areas: marketing, experience and supply development, collaboration, industry capability, leisure and business events and promoting the value of tourism. The Code Amendment will assist with the 'experience and supply development' objectives of the plan.
South Australian Regional Visitor Strategy 2025 (South Australian Tourism Commission)	The Code Amendment will have regard to the issues identified within the South Australian Regional Visitor Strategy 2025 which aims to generate $4 billion in spending by 2025. The strategy released in March 2021 outlines priority action areas set by the state's 11 tourism regions after extensive consultation. These priority areas largely reflect the 2030 Plan outlined above.
Draft Agritourism Pathway document (South Australian Tourism Commission)	The Code Amendment will have regard to those issues identified within the South Australian Tourism Commission's Agritourism Pathway document which is currently being drafted.

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
Adelaide Hills Council Strategic Plan and Economic Development Plan 2020-2024	The Code Amendment will have regard to the issues identified within this strategic document.
Alexandrina Council Tourism and Visitor Strategy 2017 – 2022 and Economic Development Strategy 2022 - 2027	The Code Amendment will have regard to those issues identified within each Alexandrina Council strategic document. Both strategies seek to further develop tourism experiences in the council area by addressing existing gaps in the market and facilitating new investment in tourism development.
Berri Barmera Growth Strategy	The Code Amendment will have regard to the issues identified within this strategic document.
Clare and Gilbert Valleys Council Cultural Tourism Strategy 2020 – 2025 and Economic Development Plan 2023 – 2027	The Code Amendment will have regard to those issues identified within each Clare and Gilbert Valleys Council strategic document.
City of Onkaparinga Economic Growth and Tourism Strategic Plan 2025-2030 (DRAFT)	The Code Amendment will have regard to the issues identified within this draft strategic document.
District Council of Mount Barker Economic Development Strategy 2022 – 2027	The Code Amendment will have regard to the issues identified within this strategic document.
Light Regional Council Strategic Plan 2024 – 2028	The Code Amendment will have regard to the issues identified within this strategic document.
Loxton Waikerie Growth Strategy	The Code Amendment will have regard to the issues identified within this strategic document.
Renmark Paringa Economic Development Strategy	The Code Amendment will have regard to the issues identified within this strategic document.
Riverland Tourism Plan 2030	The Code Amendment will have regard to the issues identified within this strategic document.
Tatiara District Council Economic Development and Tourism Strategy 2020 – 2025	The Code Amendment will have regard to the issues identified within this strategic document.

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
Wattle Range Council Strategic Plan 2023-2027	The Code Amendment will have regard to the issues identified within this strategic document.

4. INVESTIGATIONS AND ENGAGEMENT

4.1. Investigations Already Undertaken

The table below identifies what investigations have already been undertaken in support of the proposed Code Amendment.

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
Preliminary review of tourism development policies in the Code	Review of the Code's policy and rules to manage tourism development in rural areas	The following observations were made: • A deemed-to-satisfy (DTS) pathway exists for single, small-scale tourist accommodation (<150m2) in rural zones ancillary to primary production. • This DTS criteria doubles as a designated performance feature (DPF) in the performance assessment of larger tourist accommodation facilities, which might be signifying to relevant authorities that larger tourist accommodation is not appropriate. • The applicable policies for performance assessment of tourist accommodation are programmed into Table 3 of the Code for some zones, but not all. Specifying the relevant criteria in township zones may assist in assessment of tourist accommodation. • The Tourism Development Zone and particularly the associated Winery Experience Subzone provides a facilitative policy setting for tourist accommodation but is only applied in isolated and limited parts of wine regions (Seppeltsfield and Serafino Winery).

		• Overlays apply additional policy which may make development of larger-scale tourist accommodation in wine regions less feasible, such as the Character Preservation District Overlay in the Barossa Valley and McLaren Vale.
Productive Economy Discussion Paper (informed the first iteration of the Planning and Design Code)	The Commission's Productive Economy Discussion Paper identifies that the tourism and visitor attraction sector has the potential to drive future economic growth for the state and that an efficient and effective planning system will be required to enable this sector to prosper. The Discussion Paper also states that South Australia has a comparative advantage in the tourism sector due the presence of its numerous festivals, wine regions and areas like Kangaroo Island which provide for significant growth potential. Value adding of primary production activity like food and wine is also acknowledged as having the potential to generate income for the state. A case study of value-adding in the Adelaide Hills called the 'Makers Movement' is identified in the Discussion Paper and highlights the economic contribution of this	The Discussion Paper concludes that: • It is important for ancillary tourist accommodation uses on primary production land to be guided by improved policy to minimise impacts - with a particular focus on the careful minimisation and management of impacts on sensitive environments. • There is a need to review / improve signage and wayfinding policy for tourist accommodation. • Tourism policy needs to better reflect the context of place (i.e. city, township, rural, remote).

	movement to the state by drawing together a range of craftspeople and artisans who make fine wine, furniture, clothing, craft beer, spirits and other products.	

4.2. Further Investigations Proposed

In addition to the investigations already undertaken and identified above, the table below outlines what additional investigations that will be undertaken to support the Code Amendment.

Further Investigations Proposed	**Explanation of how the further investigations propose to address an identified issue or question**
Review of recent tourism accommodation development applications (case studies) in key winery regions of South Australia	It is considered important that a cross-section of current or recent tourism accommodation development applications be reviewed in the affected council areas to determine: • whether the Code's policies and rules are appropriately guiding tourism development and accommodation in key winery regions of the state • whether new policy is warranted (and if so, what this should be) and consider whether assessment pathways should be more streamlined for certain types of development.
Review of interstate approaches to tourism development in rural areas (including any recent planning reforms)	Tourism accommodation is an accepted value-adding activity rural land use in several Australian states as well as overseas. However, an early stumbling block can be planning rules which are often not readily adaptable to innovative forms of tourism accommodation or larger scale proposals where they are located in sensitive environmental areas or areas where primary production activity is important. In this context, it is prudent for the Commission to undertake a review of interstate experience / case studies to: • determine the various types or models of tourism accommodation / value adding land uses that exist in rural or peri-urban areas • examine what impediments (if any) exist to approving these developments • review the steps undertaken by relevant interstate planning jurisdictions to remedy any issues identified.

Cumulative impact assessment	Investigate the potential cumulative impact of tourism accommodation / development enabled by policy amendments on landscape character and primary production.
Holistic planning approach	To ensure appropriate measures are in place to consider the potential impacts of promoting new forms of tourism accommodation in established rural / peri-urban areas, a review into other planning instruments and mechanisms under the Act is considered appropriate. This review will consider but is not limited to: • providing guidance material in the form of Practice Guidelines, advisory design guidelines and/or information sheets to assist in the interpretation of any new policy facilitating medium to larger scale tourism development in appropriate locations of rural areas • the need to carefully consider the interplay of any new tourism development policy with any relevant overlay policy (and the associated referrals) • consider the implications of any new forms of tourism development on building rules assessment.

4.3. Engagement Already Undertaken

Informal engagement was undertaken with the following organisations in the preparation of the Tourism Development Policy Review:

- South Australian Tourism Commission
- Planning officers supporting the State Commission Assessment Panel
- Adelaide Hills Council
- Alexandrina Council
- Barossa Council
- District Council of Mount Barker
- Light Regional Council
- City of Onkaparinga

These discussions explored policy barriers and assisted in identifying the scope of a potential Code Amendment. This preliminary engagement identified that further review of Code policies was warranted to improve the way tourism development is assessed in rural areas. The following key observations were made:

- Tourist accommodation is desired in rural zones with vineyard views and scenic landscapes, however policies can be seen to limit opportunities to small cabins less than 100m^2 floor area, ensuring they are ancillary to primary production.
- Large scale tourist accommodation is generally provided for in suitable zones and locations.
- Accordingly, there is a need to fill a segment in the tourist accommodation market for facilities of about 10-20 units, in a way that complements the rural landscape.

- In addition, overlays can limit the feasibility of tourist accommodation, such as policies seeking bushfire hazard mitigation, native vegetation protection and water quality in the Mount Lofty Ranges watershed.
- Additional policy would be beneficial to guide tourism development such as function venues and events.

4.4. Further Engagement Proposed

In addition to the engagement already undertaken and identified above, the table below outlines what additional engagement will be undertaken to support the Code Amendment.

Further Engagement Proposed	**Explanation of how the further engagement propose to address an identified issue or question**
Mount Lofty Ranges Planner Group (MLRPG)	The MLRPG is a peak local government body made up of planners from a large range of councils in the areas affected by this Code Amendment. It would be beneficial to discuss the following matters with MLRPG members to help inform the outcomes of the Code Amendment: • Current experiences assessing tourism development in winery regions, in particular whether the Code's policies and rules are appropriately guiding tourism development and accommodation in these areas. • Determine whether new policy is warranted (and if so, what this should be) and consider whether assessment pathways should be more streamlined.
Country Planners Officers Group (CPOG)	The CPOG is a peak local government body made up of planners from across regional South Australia, including some of the councils which are affected by this Code Amendment. It would be beneficial to discuss the following matters with CPOG members to help inform the outcomes of the Code Amendment: • Current experiences assessing tourism development in winery regions, in particular whether the Code's policies and rules are appropriately guiding tourism development and accommodation in these areas. • Determine whether new policy is warranted (and if so, what this should be) and consider whether assessment pathways should be more streamlined.
Building Policy and Programs Unit of Planning and Land Use Services, Department for Housing and	There is a view among some local councils that the National Construction Code (NCC) is inconsistently applied to tourism accommodation facilities, particularly where they are proposed within 'tiny homes' or within similar forms of development such as glamping tents or the like.

Further Engagement Proposed	Explanation of how the further engagement propose to address an identified issue or question
Urban Development	There are also other instances where tourism accommodation proposals never proceed beyond the building rules consent stage due to the complexities identified by building officers about new forms of tourism accommodation. In this context, it is important to discuss the following matters with the Building Policy and Program Unit to help inform the outcomes of the Code Amendment: • Whether there is currently a lack of consistency in the application of building rules consent for new forms of tourist accommodation proposals in rural areas of the state. • Whether a Practice Direction or similar should be prepared for building certifiers and council building surveyors in respect to the assessment of those new forms of tourist accommodation as identified above.
Environment Protection Agency (EPA), Country Fire Service (CFS) and Department for Environment and Water (DEW)	In view of the Code Amendment seeking to provide greater clarity for tourism development in key wine regions of the state, it is considered important to meet with those state government agencies who have an interest in this matter. This includes the EPA (water resources protection), the CFS (bushfire hazard minimisation) and the DEW (native vegetation protection).
Regional Tourism Organisations	The State is divided into 12 tourism regions (refer Regions | Tourism SA). Tourism development and promotion in a number of these (including the Barossa, the Fleurieu Peninsula and the Adelaide Hills) is supported by regional tourism organisations. These organisations have a core interest in the Code Amendment and are well-placed to provide relevant information and perspectives to inform the preparation of the Code Amendment.
Regional Wine Organisations	The State is divided into 18 wine regions (refer Wine Regions – South Australia). Development of the wine industry and other associated activities is promoted in a number of these regions through various wine industry organisations / stakeholders. These organisations have a core interest in the Code Amendment and are well-placed to provide relevant information and perspectives to inform the preparation of the Code Amendment.
Regional Development Organisations	Regional Development Australia (RDA) is a network of 53 committees across Australia committed to facilitating economic growth, innovation and entrepreneurship in regions through facilitating investment in community, industry and the environment. In South Australia, there are 8 RDA Committees (refer RDA – South Australia) covering all areas of the state including metropolitan Adelaide.

Further Engagement Proposed	Explanation of how the further engagement propose to address an identified issue or question
	The 8 RDA Committees in South Australia cover the following regions in addition to metropolitan Adelaide: • Adelaide Hills, Fleurieu and Kangaroo Island • Barossa, Gawler, Light and Adelaide Plains • Eyre Peninsula • Far North • Limestone Coast • Murraylands and Riverland • Yorke and Mid North Development of the wine and tourism industry is a key objective of the above RDAs, and they are well-placed to provide relevant information and perspectives to inform the preparation of the Code Amendment.
Notification and meeting with landowners within the affected area and neighbouring landowners	Should the Code Amendment propose rezoning of any land, landowners of the affected area and neighbouring properties will be notified to provide information on the potential impact of the proposed Code Amendment.
Community consultation	Broader community consultation to provide an opportunity for any interested community members to comment on the proposed outcomes of the Code Amendment.
Consultation with any person or body specified by the Commission under section 73(6)(e) of the Act.	The Engagement Plan will outline the specific method and nature of consultation.

5. CODE AMENDMENT PROCESS

5.1. Engagement Plan

The Code Amendment process will occur in accordance with the Community Engagement Charter and *Practice Direction 2 – Consultation on the Preparation or Amendment of a Designated Instrument* (Practice Direction 2).

The Designated Entity will prepare an Engagement Plan prior to the commencement of engagement on the proposed Code Amendment. The Engagement Plan will include the following mandatory consultation requirements (which may be in addition to the engagement outlined in this Proposal to Initiate):

- Given the proposal is generally relevant to councils, the Local Government Association must be notified in writing and consulted on the proposed Code Amendment.
- Given the proposal is specifically relevant to a particular group of councils (where those councils did not initiate the proposal), the following councils must also be consulted:
    - Adelaide Hills Council
    - Alexandrina Council
    - Barossa Council
    - Berri Barmera Council
    - Clare and Gilbert Valleys Council
    - City of Onkaparinga
    - City of Playford
    - District Council of Loxton Waikerie
    - District Council of Mount Barker
    - Light Regional Council
    - Renmark Paringa Council
    - Wattle Range Council
    - Tatiara District Council.

  All other councils containing a Rural Zone (but not located in one of the states key wine regions) will also be directly consulted on the Code Amendment.
- Consultation must also occur with any person or body specified by the State Planning Commission under section 73(6)(e) of the Act.

5.2. Engagement Report

Once engagement on the Code Amendment is complete, the Designated Entity will prepare an Engagement Report under section 73(7) of the Act.

The Designated Entity must ensure that a copy of the Engagement Report is furnished on the Minister and also published on the SA Planning Portal. This will occur in accordance with Practice Direction 2.

The Engagement Plan and the Engagement Report will also be considered by the State Planning Commission during the final stages of the Code Amendment process. The Commission will provide a report to the Environment, Resources and Development Committee of Parliament under section 74(3) of the Act. The Commission's report will provide information about the reason for the Code Amendment, the consultation undertaken on the Code Amendment and any other information considered relevant by the Commission.

5.3. Code Amendment Timetable

The Code Amendment is intended to be undertaken in line with the following timeframe:

- Investigations undertaken in late 2024/early 2025
- Consultation in the second quarter of 2025
- Finalisation in the third quarter of 2025.

PROPOSAL TO INITIATE AN AMENDMENT TO THE PLANNING & DESIGN CODE

Tourism Development Code Amendment

By the State Planning Commission (the Designated Entity)

Contact details

Email:
saplanningcommission@sa.gov.au

Phone: 1800 752 664



_____ (Signature)

CHAIR, STATE PLANNING COMMISSION

Date: 29/10/2024

This Proposal to Initiate document forms the basis for the preparation of a proposed amendment to the Planning and Design Code for the purpose of section 73(2)(a) of the *Planning, Development and Infrastructure Act 2016*.

STATE PLANNING COMMISSION

Government of South Australia
Department for Trade and Investment

Contents

1. INTRODUCTION 2
1.1. Designated Entity for Undertaking the Code Amendment 2
1.2. Rationale for the Code Amendment 3
2. SCOPE OF THE CODE AMENDMENT 3
2.1. Affected Area 3
2.2. Scope of Proposed Code Amendment 4
3. STRATEGIC PLANNING OUTCOMES 6
3.1. Alignment with State Planning Policies 7
3.2. Alignment with Regional Plans 9
3.3. Alignment with Other Relevant Documents 15
4. INVESTIGATIONS AND ENGAGEMENT 20
4.1. Investigations Already Undertaken 20
4.2. Further Investigations Proposed 22
4.3. Engagement Already Undertaken 23
4.4. Further Engagement Proposed 24
5. CODE AMENDMENT PROCESS 26
5.1. Engagement Plan 26
5.2. Engagement Report 27
5.3. Code Amendment Timetable 28

1. INTRODUCTION

The State Planning Commission (the Commission) is an independent body providing advice and leadership on all aspects of planning and development in South Australia. A key role of the Commission is to ensure the Planning and Design Code (the Code) is maintained, reflects contemporary values relevant to planning and is responsive to emerging trends and issues.

The Commission is proposing to initiate an amendment to the Code as it relates to the whole of South Australia, excluding coastal waters (the Affected Area).

The Tourism Development Code Amendment (the Code Amendment) seeks to review policies within the Planning and Design Code that relate to tourism development, particularly within the key wine regions of the state, to ensure they enable and guide high quality tourism accommodation and other facilities to meet market demand while complementing the valued character attributes of our diverse productive landscapes.

The Commission seeks to amend the Code pursuant to section 73(2)(a) of the *Planning, Development and Infrastructure Act 2016* (the Act). This 'Proposal to Initiate' details the scope, relevant strategic and policy considerations, nature of investigations to be carried out and information to be collected for the Tourism Development Code Amendment (the Code Amendment). It also details the timeframes to be followed in undertaking the Code Amendment.

The Commission is the 'designated entity' responsible for conducting this Code Amendment process and is required to undertake consultation in accordance with the Community Engagement Charter and make final recommendations to the Minister for Planning (the Minister) prior to consideration whether to adopt, alter or refuse the Code Amendment.

1.1. Designated Entity for Undertaking the Code Amendment

In accordance with section 73(2)(a) of the Act, the Commission will be the Designated Entity responsible for undertaking the Code Amendment process. As a result:

1.1.1. The Commission acknowledges that it will be responsible for undertaking the Code Amendment in accordance with the requirements Act.

1.1.2. The Commission intends to undertake the Code Amendment by utilising professional expertise of employees of the Planning and Land Use Services division of the Department for Housing and Urban Development (PLUS) including:

- Planning officers
- Communications staff
- Staff responsible for the technical management and operation of the online Planning and Design Code.

1.2. Rationale for the Code Amendment

The tourism industry is an important contributor to the state's economic activity, generating jobs and export dollars, by attracting interstate and international visitors. With high visitation numbers, the industry is flourishing. The government is now committed to growing the state's visitor economy to $12.8 billion, with the creation of 16,000 new tourism jobs by 2030.

South Australia's wine regions draw visitors internationally, interstate and locally. Vineyards and cellar doors are typically located in picturesque, rural landscapes. This unique setting creates rich visitor experiences but can also create challenges in meeting the demands for tourist accommodation and facilities in a way that complements and enhances the valued attributes of the landscape.

There are 18 wine regions in South Australia, including the Barossa Valley, Clare Valley, McLaren Vale, Adelaide Hills and Coonawarra. Most of these regions are located in rural zones under the Code.

This Code Amendment proposes to review policies within the Planning and Design Code that relate to tourism development, particularly within the key wine regions of the state, to ensure they enable and guide high quality tourism accommodation and other facilities to meet market demand while complementing the valued character attributes of our diverse productive landscapes.

Subject to investigations, the Code Amendment seeks to encourage accessible and sustainable tourism development, providing for unique visitor experiences, where impacts on agricultural productivity, the environment and scenic amenity can be successfully managed.

2. SCOPE OF THE CODE AMENDMENT

2.1. Affected Area

The proposal seeks to primarily review policy in the Rural Zone, Rural Horticulture Zone, Productive Rural Landscape Zone and Tourism Development Zone.

The primary focus is on the zones located within key wine regions of the state (e.g. the Adelaide Hills Council, Alexandrina Council, Barossa Council, Berri Barmera Council, Clare and Gilbert Valleys Councils, District Council of Mount Barker, District Council of Loxton Waikerie, Light Regional Council, Renmark Paringa Council, Wattle Range Council, City of Playford, City of Onkaparinga and Tatiara District Council).

It is noted that rural zones are spatially applied across large areas of the state, not just in wine regions. Furthermore, the Code Amendment has scope to review General Development Policies which apply state-wide, so the Code Amendment will effectively have a state-wide application.

2.2. Scope of Proposed Code Amendment

Current Policy	The Code currently includes the following rural-type zones that have been spatially applied to key wine regions of the state: • Rural Zone • Rural Horticulture Zone • Productive Rural Landscape Zone While the intent of these zones is primarily to facilitate primary production, they also currently provide some scope for small-scale tourism development. The Code also contains the Tourism Development Zone which applies to several key wine regions of the state including: • Adelaide Hills – Mt Lofty House • Barossa Valley (3 locations) – Chateau Tanunda, Seppeltsfield Winery and Barossa Valley Novotel Resort and golf course at Rowland Flat • McLaren Vale (2 locations) – Serafino Winery and Hardy's Wines / McLaren Vale Hotel. The Code Amendment will primarily review policy in these four zones, but the review may also extend to other content of the Code related to tourism development policies and procedures. This includes the Interface Between Land Uses and Tourism Development general development policies. Consideration will be given to the various overlays in the Code that apply throughout wine regions, and which apply policies to the assessment of tourism development: • the Character Preservation District Overlay which applies to the Barossa and McLaren Vale regions • the Scenic Quality Overlay which applies to part of the Adelaide Hills • the Significant Landscape Protection Overlay which applies east of Tanunda down to Williamstown in the Barossa Valley. The *Character Preservation (Barossa Valley) Act 2012* and the *Character Preservation (McLaren Vale) Act 2012* apply to the Barossa Valley and McLaren Vale. The Code Amendment will be cognisant of the role of both the character preservation legislation / policy that applies to parts of the areas affected by the Code Amendment. While a significant proportion of the Adelaide Hills Council area is located within the Environment and Food Production Area (EFPA), these restrictions are limited to

	residential land division, and therefore are not directly relevant to this Code Amendment. How the policies of the following overlays apply to tourism development so will also be reviewed: • the Hazard (Bushfire) Overlays which apply throughout wine regions, ranging from General to High risk • the Mount Lofty Ranges Water Supply Catchment Overlays which applies throughout the Adelaide Hills region • the River Murray Flood Plain Protection Area Overlay which applies in the Riverland with tributaries in the Adelaide Hills and Langhorne Creek. Relevant definitions in Part 7 and Part 8 of the Code will be reviewed, including those for: • Caravan and Tourist Park • Function Venue • Tourist accommodation The need for any new administrative and land use definitions will also be considered by the Code Amendment.
Amendment Outline	The Code Amendment will review policies that relate to tourism development, particularly within the key wine regions of the state, to ensure they enable and guide high quality tourism accommodation and other facilities to meet market demand while complementing the valued character attributes of our diverse productive landscapes. Investigations will assess the appropriateness of the current policy settings and consider the demand for different tourism development types, what geographic gaps exist in the market, and any policy difficulties faced by prospective developers and planning practitioners. The primary scope for policy change is expected to be at the zone level, but through this review, the Code Amendment may also propose some changes to general development policies and definitions. It may also put forward recommendations about the spatial application of the Tourism Development Zone, including any of its Subzones (in particular the Winery Experience Subzone).
Intended Policy	The policy review will focus on the following matters: • Rural Zone, Productive Rural Landscape Zone, Rural Horticulture Zone o consider the suitability of medium to larger scale tourist accommodation and tourism development in rural areas

	o review Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) / Designated Performance Feature (DPF) criteria guiding tourism development, providing appropriate guidance to assess tourist accommodation and tourism facilities. • Land use and administrative definitions: o review of existing definitions including Caravan and Tourist Park, Function Venue and Tourist Accommodation to ensure that they provide the clarity required to assess contemporary tourism accommodation / development in wine regions o consider the need for any new land use definitions such as for 'Special Events' to assist relevant planning authorities in applying consistent planning rules for events o consider the need for any additional administrative definitions to assist with policy interpretation. • Tourism Development Zone and associated Subzones o review the current spatial application of the zone and determine the suitability of applying the zone to additional locations in those areas affected by the Code Amendment o analyse current policy for effectiveness and gaps. • Tourism Development General Development Policies o consider the introduction of additional PO and DTS / DPF criteria to guide the design and location of medium to larger scale tourism development proposals in rural areas o analyse current policy for effectiveness and gaps. • Interface Between Land Uses General Development Policies***** o analyse current policy for effectiveness and gaps – in particular the section 'Interface with Rural Activities'. *******The State Planning Commission's Interface Management Code Amendment (currently under investigation) will also review the Interface Between Land Uses General Development Policies. Any changes proposed by the Tourism Development Code Amendment to these policies will not undermine or conflict with any changes made by the Interface Management Code Amendment.*

3. STRATEGIC PLANNING OUTCOMES

Proposed Code Amendments occur within a state, regional and local strategic setting, which includes:

- State Planning Policies (SPPs)
- Regional Plans
- Other relevant strategic documents.

3.1. Alignment with State Planning Policies

The State Planning Policies (SPPs) set out the State's overarching goals and requirements for the planning system. Under section 66(3)(f) of the Act, the Code must comply with any principle prescribed by a SPP.

The Code Amendment should be initiated because the strategic planning outcomes sought to be achieved through the Code Amendment align with or seeks to implement the following SPPs:

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
SPP 1: Integrated Planning	
1.4 Protect areas of rural, landscape character, environmental importance, mining or food production significance from the expansion of urban areas, towns and settlements.	The Code Amendment will seek to review and prepare new tourism development policy which seeks to balance and respect the predominant role of rural areas for primary production and as areas of environmental significance / scenic quality. Where appropriate, state interest overlays have been applied to protect key assets and critical environmental/industry requirements.
SPP 2: Design Quality	
2.8 Recognise the unique character of areas by identifying their valued physical attributes in consultation with communities. 2.9 Respect the characteristics and identities of different neighbourhoods, suburbs and precincts by ensuring development considers existing and desired future context of a place.	The Code Amendment seeks to promote the delivery of quality design outcomes for tourism development, considering the environmental significance / scenic quality of wine regions, as well as other areas attractive to tourism development.
SPP 3: Adaptive Reuse	
3.3 Repurpose, adapt and reuse historical buildings and places that recognise and preserve our state's history. 3.4 Prioritise the adaptive reuse of buildings in areas of heritage or cultural value where it will contribute to active and vibrant places, or where	The Code Amendment will seek to facilitate the adaptive reuse of buildings and places of value for tourism development in the Affected Area. It will also seek to encourage tourism development that respects and reinforces the environmental / cultural values of the state's diverse productive landscapes.

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
it is a catalyst for additional development demand.	
SPP 7: Cultural Heritage	
7.1 The sensitive and respectful use of our culturally and historically significant places 7.3 Recognise and protect places and areas of acknowledged heritage value for future generations. 7.4 The appropriate conservation, continuing use, and as appropriate, adaptive reuse of our heritage places and heritage areas of value to the community. 7.5 Maintain the context of a place or area of heritage value through appropriate design guidelines that encourage compatible design solutions.	The Code Amendment will seek to facilitate the adaptive reuse of buildings and places of value for tourism development. It will also seek to encourage tourism development that respects and reinforces the environmental / cultural values of the state's diverse productive landscapes. Where appropriate, state interest overlays will continue to apply to protect key assets and critical industry/environmental requirements.
SPP 8: Primary Industry	
8.1 Identify and protect key primary production assets and secure strategic opportunities for future primary industry development. 8.2 Create local conditions that support new and continuing investment in primary industry while seeking to promote co-existence with adjoining primary industries and avoid land use conflicts. 8.4 Equitably manage the interface between primary production and other land use types, especially at the edge of urban areas.	The Code Amendment will be centrally concerned with how tourism development can coexist with the productive values of the state's diverse rural areas. It will seek to provide clearer guidelines to facilitate coexistence. Improved policy settings should also better manage the interface between primary production and more sensitive land uses such as tourist development avoiding land use conflicts and enabling businesses to grow, adapt and evolve. Where appropriate, state interest overlays have already been applied to the area affected to protect key primary production assets / requirements.
SPP 9: Employment Lands	
9.1 Support the expansion and clustering of key economic growth areas including health; education; tourism; energy and resources; primary industry; defence; and knowledge and creative industries.	The Code Amendment will seek to balance the interests of different employment activities in rural areas (including protecting the primary role of farming activity) by providing clearer policy guidelines for tourist development in rural areas.

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
9.9 Support sustainable tourism where the social, cultural and natural assets underpinning tourism developments are protected in line with sustainability principles.	Improved policy settings should also better manage the interface between primary production and more sensitive land uses such as tourist development avoiding land use conflicts and enabling businesses to grow, adapt and evolve. Where appropriate, state interest overlays have already been applied to the area affected to protect key primary production assets / requirements.
SPP 14: Water Security and Quality	
14.2 Protect and recognise water supply catchments, including: • Water Protection Areas under the *Environment Protection Act 1993* (including those located in the Mount Lofty Ranges, South East and River Murray) • the River Murray Protection Areas under the *River Murray Act 2003* • prescribed water resources and wells under the *Natural Resources Management Act 2004*.	The Code Amendment will consider whether clearer guidelines for how tourism development can coexist with the environmental and catchment values of the various water catchment areas across the state can be provided. maintains environmental and catchment can be provided. Where appropriate, state interest overlays have also already been applied to the area affected to protect key water assets / requirements.
SPP 15: Natural Hazards	
15.6 Avoid development in high or extreme hazard risk areas (such as bushfire risk areas) that will necessitate the removal of native vegetation.	The Code Amendment will seek to provide clearer guidelines for tourism development in rural areas, including mitigating the impacts of natural hazards on any new development. Where appropriate, state interest overlays have already been applied to the area affected to mitigate against and reduce exposure to the effects of natural hazards.

3.2. Alignment with Regional Plans

As with the SPPs, the directions set out in Regional Plans provide the long-term vision as well as setting the spatial patterns for future development in a region. This includes consideration of land use integration, transport infrastructure and the public realm.

All of the following Regional Plans (identified as volumes of the South Australian Planning Strategy prepared under the *Development Act 1993*, and applicable until such time as the new Regional Plans are prepared and adopted under the Act) are relevant for consideration as part of this Code Amendment:

- The 30-Year Plan for Greater Adelaide (2017 Update) + addendum special character of the Barossa Valley and McLaren Vale (December 2013) (MMRP)
- The Eyre and Western Region Plan (April 2012) (EWRP)
- Kangaroo Island Plan (January 2011) + addendum Kangaroo Island Sustainable Futures (January 2014) (KIP)
- Far North Region Plan (July 2010) (FNRP)
- Limestone Coast Region Plan (May 2011) (LCRP)
- Mid North Region Plan (May 2011) (MNRP)
- Murray Mallee Region Plan (January 2011) (MMRP)
- Yorke Peninsula and Mid North Regional Land Use Framework (December 2007) (YPMNRLUF)

Regional Plan Identified Priorities or Targets	**Code Amendment Alignment with Regional Plan**
The 30-Year Plan for Greater Adelaide (2017 Update)	
Design Quality P.30 Support the characteristics and identities of different neighbourhoods, suburbs and precincts by ensuring development considers context, location and place. P.31 Recognise the unique character of areas by identifying their valued physical attributes.	Large parts of the areas affected by this Code Amendment are currently subject to the provisions of Character Preservation District Overlay policy as well as the Scenic Quality Overlay and Significant Landscape Protection overlays. The Code Amendment will aim to ensure that any new policy to guide tourism development in key rural areas does not undermine the role of existing overlay policy in this regard.
Heritage P.33 Recognise the value that communities place on heritage and ensure that new development is implemented sensitively and respectfully. P.34 Ensure heritage places and areas of heritage value are appropriately identified and their conservation promoted. P.35 Encourage the innovative and sustainable reuse of heritage places and older building stock in a way that encourages activity and entices people to visit.	Relevant overlays which seek to protect areas / sites of heritage value already apply across the areas affected by this Code Amendment. The Code Amendment will aim to ensure that any new policy to guide tourism development in rural areas does not undermine the role of existing overlay policy in this regard and will encourage sustainability and adaptive reuse of existing buildings / structures.
The Economy and Jobs P.55 Promote certainty to undertake development while at the same time providing scope for innovation.	The interface between primary production and tourism development in the areas affected by the Code Amendment will be a key

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
Primary production P.57 Maintain and protect primary production and tourism assets in the Environment and Food Production Areas, while allowing for appropriate value-adding activities to increase investment opportunities. P.58 Ensure that the Environment and Food Production Areas, Character Preservation Districts and planning policies work in an integrated way to: • protect key primary production assets and opportunities • facilitate local operating and investment conditions that support primary production and related agri-business development • enable timely business adjustment and climate change adaptation by primary producers. P.59 Enable major new primary production and agri-business development across the Northern Adelaide and Barossa regions and in the Mount Barker-Murray Bridge corridor and prevent ad hoc land use changes that may compromise those investments. P.61 Increase opportunities for farm-related value-adding development within the Mount Lofty Ranges Watershed where it can be demonstrated that water quality can be maintained or improved consistent with the Mount Lofty Ranges Watershed water quality risk hierarchy. P.62 Manage the interface between townships and adjacent primary production activities and areas of nature protection. ***Tourism*** P.63 Provide for sustainable tourism development across Greater Adelaide by: • protecting, enhancing and promoting the qualities that attract tourism and are of value to the whole community • providing appropriate support infrastructure for tourism	consideration in investigations for the Code Amendment. Large parts of the areas affected by this Code Amendment are currently subject to the provisions of both the EFPA and Character Preservation District Overlay policy. The Code Amendment will seek to provide clearer policy guidance for tourism development in these sensitive rural areas to ensure that development outcomes do not undermine the intent of these important policies.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
• facilitating sustainably designed tourism accommodation in suitable locations • facilitating tourism-related developments such as restaurants, specialty retail accommodation and other value adding activities.	
Water P.116 Protect and secure water resources in the region, including: • the Mount Lofty Ranges Watershed • prescribed water resources • recycled wastewater networks • stormwater harvesting.	Relevant overlays which seek to protect water resources already apply to some areas affected by this Code Amendment. The Code Amendment will aim to ensure that any new policy to guide tourism development in key rural areas does not undermine the role of existing overlay policy in this regard.
Barossa Valley and McLaren Vale Character Preservation Addendum (released in December 2013) Outlines the character and heritage attributes / values of both areas (in terms of their natural landscape, visual amenity and built form).	Areas affected by this Code Amendment in the Barossa Valley and McLaren Vale are currently subject to the provisions of unique character preservation legislation and overlay policy. The Code Amendment will seek to provide clearer policy guidance for tourism development in these sensitive rural areas to promote development outcomes that do not undermine the intent of this critical legislation / policy.
Other Regional Plans *(given the remaining regional plans contain similar principles and policies, relevant policies and principles have been grouped and generalised for discussion)*	
Principle: Recognise, protect and restore the region's environmental assets. Policy: Protect the quality and function of water ecosystems by preventing the adverse impacts of land use and development such as the overuse of resources, erosion, land degradation and pollution. Policy: Apply water-sensitive urban design principles and appropriate buffers to ensure development does not affect natural watercourses and drainage patterns. Policy: Recognise areas of high biodiversity value, and locate and design development	Relevant overlays which seek to protect areas of significant biodiversity, water resources and landscape and scenic amenity value already apply across the areas affected by this Code Amendment. The Code Amendment will aim to ensure that any new policy to guide tourism development in key rural areas does not undermine the role of existing Overlay policy in this regard.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
to prevent the loss, degradation and fragmentation of native vegetation, and any loss of species and ecological communities. Policy: Acknowledge, protect and manage areas of significant landscape and amenity value, including landscapes that form attractive backgrounds and entrances to towns and tourist developments. Policy: Avoid development in areas with significant landscapes that can be viewed from tourist routes, walking trails, the beach and the sea, unless the development requires such a location (for example, a development of state significance), in which case the scale, height, design and siting of buildings must: • protect views to, from and along the ocean and scenic coastal areas • minimise the alteration of natural landforms • be visually compatible with the character of surrounding areas • restore and enhance visual quality in degraded areas, where feasible. Policy: Avoid adverse impacts of development on landscapes through site selection and design that reduces the height or bulk of structures. (EWRP, KIP, LCRP, MNRP, MMRP, YPMNRLUF)	
Principle: Protect people, property and the environment from exposure to hazards. Policy: Design and plan development to prevent the creation of hazards and to avoid natural occurring hazards. (EWRP, KIP, LCRP, MNRP, MMRP, YPMNRLUF)	Relevant Overlays which seek to protect rural areas from flood and bushfire hazard risk already apply across the areas affected by this Code Amendment. The Code Amendment will aim to ensure that any new policy to guide tourism development in key rural areas does not undermine the role of existing Overlay policy in this regard.
Principle: Identify and protect plans of heritage and cultural significance, and desired town character.	Relevant Overlays which seek to protect areas / sites of heritage and cultural significance already apply across the areas affected by this Code Amendment.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
Policy: Protect and conserve places of heritage and cultural value, including national, state and local registered sites. (EWRP, KIP, LCRP, MNRP, MMRP, YPMNRLUF)	The Code Amendment will aim to ensure that any new policy to guide tourism development in key rural areas does not undermine the role of existing Overlay policy in this regard.
Principle: Retain and strengthen the economic potential of primary production land. Policy: Prevent loss of productive agricultural land and potential conflict with incompatible land uses by: ……. • ensuring tourist-based developments are sited away from agricultural land where practical • designating areas of primary production significance. Policy: Encourage the development of small-scale, value-adding activity that complements primary production in the local area and large-scale value-adding activity outside areas of primary production significance. (EWRP, KIP, LCRP, MNRP, MMRP, YPMNRLUF)	The Code Amendment will seek to provide improved / clearer policy to guide the appropriate location of tourism development in rural areas of the state while minimising interface issues with primary production activity, which should continue to be the predominant land use in rural areas.
Principle: Reinforce the region as a preferred tourism destination. Policy: Protect, enhance and promote the assets that attract tourists and are of value to the community, including: • open space, hiking and cycling trails and scenic tourist drives. • natural landscapes, protected areas and parks and reserves. • heritage, culture and the built character of towns, including town approaches. • caravan parks and campsites, including those that provide effluent and rubbish facilities for large recreational vehicles. Policy: Facilitate tourist accommodation that is designed for sustainability and linked to the natural landscape and character of towns, including the upgrading of existing caravan parks and camping facilities to contemporary standards.	The Code Amendment will seek to provide improved policy to better guide the location and form of tourism accommodation / development in key wine regions of the state.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
Policy: Facilitate tourism-related developments such as restaurants, specialist retail and accommodation that complement the character of towns and the natural landscape and add value to existing economic activities. (EWRP, KIP, LCRP, MNRP, MMRP, YPMNRLUF)	

Updated Regional Plans Program

The Commission has now initiated the preparation of a new set of Regional Plans for the State's proclaimed planning regions (including Greater Adelaide) which are to be progressed over the remainder of 2024 and into 2025.

A Discussion Paper for the new Greater Adelaide Regional Plan (which will replace *The 30-Year Plan for Greater Adelaide*) was released for community and stakeholder engagement in late 2023. A draft of the new Greater Adelaide Regional Plan was released for community and stakeholder engagement on 23 September 2024. The draft Yorke and Mid North Regional Plan and Eyre and Western Regional Plan will follow in early 2025.

Preparation of the Code Amendment will be cognisant of any strategic directions coming out of the current Regional Plans program.

3.3. Alignment with Other Relevant Documents

Additional documents may relate to the broader land use intent within the scope of this proposed Code Amendment (or directly to the Affected Area) and therefore are identified for consideration in the preparation of the Code Amendment.

The following table identifies other documents relevant to the proposed Code Amendment:

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
Amendment for Phase Two (Rural Areas) and Phase Three (Urban Areas) Code Amendment Section 73(7) Engagement Reports	The Phase Two (Rural Areas) Code Amendment Engagement Report identified the opportunity for additional policy in the Tourism Development Zone to enable it to be spatially applied in more locations. The Phase Three (Urban Areas) Code Amendment Engagement Report identified the opportunity for: • a review of the tourist accommodation definition to avoid confusion with dwellings and campgrounds

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
	• consideration of additional design policies to reinforce the preservation of key attributes of the character preservation districts (including scenic, tourism and heritage elements) • additional policy in the Tourism Development Zone to guide the development of tourist accommodation and provide for environmentally sustainable and innovative tourism development • a further review of tourism related policies and land use definitions in the Rural Zone to provide greater clarification and assist in the development assessment process and to ensure the primary intent of the zone is not eroded • updating policy expression relating to tourist accommodation in the Rural Horticulture Zone to more accurately reflect where this form of development should be sited • new policy in the Productive Rural Landscape Zone which incentivises and facilitate the adaptive reuse of buildings for tourist accommodation by providing greater allowances of maximum DTS floor area. Limited feedback was received in relation to the Tourism Development general development policies, but the following issues were identified by councils: • it was suggested that additional policies may be needed to guide siting and development of tourism operations where located in areas of environmental significance to manage impacts on native vegetation, biodiversity and landscape amenity • several submissions sought a review of DO 1 and PO 1.1 to further reference environmentally sustainable tourism as well as surrounding environmental contexts • it was suggested that policy guidance for tourism development in rural areas relating to value adding activities, processing of farm produce and reuse of existing buildings should be addressed. The Code Amendment will have regard to the issues raised through feedback on both the Phase Two and Phase Three Code.

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
Productive Economy Discussion Paper (February 2019)	The Commission's Productive Economy Discussion Paper proposed a range of options to support enhancing the state's economic competitiveness as the new planning system is implemented. In particular, it focused on the role the planning system can play in protecting and growing key industries such as tourism accommodation and facilitating greater opportunities for innovation. The Code Amendment will have regard to the key opportunities and challenges identified in the Productive Economy Discussion Paper.
Barossa Growth and Infrastructure Investment Strategy – prepared by the Barossa Council (For Community Consultation January 2024)	The Code Amendment will have regard to the following issues identified within the Barossa Growth and Infrastructure Investment Strategy: • Need to maintain policies that promote small scale tourist accommodation, cellars and wineries outside of townships • Need to promote larger scale tourist accommodation in a few designated locations that are considered suitable for such development. The Barossa Council's Strategy has also identified the following two sites for rezoning to the Tourism Development Zone: • Site 1: Rural zoned land between Fuss Road and Hermann Thumm Drive at Lyndoch - the land identified is approximately 65 ha in area comprising several parcels of land and currently includes Chateau Yaldara. • Site 2: Rural Living zoned land at Sandy Creek - the land identified is approximately 54 ha's in area and currently contains the Sandy Creek Golf Club. These sites would add to the three sites in the Barossa Council already zoned 'Tourism Development': the Novotel Barossa Resort, Chateau Tanunda and Seppeltsfield.
Adelaide Peri-urban Project Report - Consuming Landscapes? Farm value-adding and rural business diversification in Adelaide's peri-urban region	The Code Amendment will have regard to those issues presented within the Adelaide Peri-urban Project Report which have been identified following a review of development applications for farm value-adding and rural business diversification activity during the period 2016-2021. Some of the issues identified in the report include:

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
– past, present and future (2023)	• there have been relatively few applications for farm value-adding projects which retain a direct connection with local on-farm production. • applications have been dominated by just a handful of development types, namely, tourist accommodation (98), wineries (80), cellar door shops (64), function centres (28) and restaurants (24). • the preliminary mapping of data suggests the formation of potential 'hotspots' that may require planning policy or other interventions to reconcile competing objectives. All of these issues have been identified in the context of the new Code promoting 'value-adding' in rural areas.
The South Australian Visitor Economy Sector Plan 2030 (South Australian Tourism Commission)	The Code Amendment will have regard to those issues identified within the South Australian Visitor Economy Section Plan 2030. Launched in August 2019, this plan sets a bold ambition to grow the state's visitor economy to $12.8 billion by 2030, generating 52,000 jobs. To achieve the 2030 targets, the plan focuses on six priority areas: marketing, experience and supply development, collaboration, industry capability, leisure and business events and promoting the value of tourism. The Code Amendment will assist with the 'experience and supply development' objectives of the plan.
South Australian Regional Visitor Strategy 2025 (South Australian Tourism Commission)	The Code Amendment will have regard to the issues identified within the South Australian Regional Visitor Strategy 2025 which aims to generate $4 billion in spending by 2025. The strategy released in March 2021 outlines priority action areas set by the state's 11 tourism regions after extensive consultation. These priority areas largely reflect the 2030 Plan outlined above.
Draft Agritourism Pathway document (South Australian Tourism Commission)	The Code Amendment will have regard to those issues identified within the South Australian Tourism Commission's Agritourism Pathway document which is currently being drafted.

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
Adelaide Hills Council Strategic Plan and Economic Development Plan 2020-2024	The Code Amendment will have regard to the issues identified within this strategic document.
Alexandrina Council Tourism and Visitor Strategy 2017 – 2022 and Economic Development Strategy 2022 - 2027	The Code Amendment will have regard to those issues identified within each Alexandrina Council strategic document. Both strategies seek to further develop tourism experiences in the council area by addressing existing gaps in the market and facilitating new investment in tourism development.
Berri Barmera Growth Strategy	The Code Amendment will have regard to the issues identified within this strategic document.
Clare and Gilbert Valleys Council Cultural Tourism Strategy 2020 – 2025 and Economic Development Plan 2023 – 2027	The Code Amendment will have regard to those issues identified within each Clare and Gilbert Valleys Council strategic document.
City of Onkaparinga Economic Growth and Tourism Strategic Plan 2025-2030 (DRAFT)	The Code Amendment will have regard to the issues identified within this draft strategic document.
District Council of Mount Barker Economic Development Strategy 2022 – 2027	The Code Amendment will have regard to the issues identified within this strategic document.
Light Regional Council Strategic Plan 2024 – 2028	The Code Amendment will have regard to the issues identified within this strategic document.
Loxton Waikerie Growth Strategy	The Code Amendment will have regard to the issues identified within this strategic document.
Renmark Paringa Economic Development Strategy	The Code Amendment will have regard to the issues identified within this strategic document.
Riverland Tourism Plan 2030	The Code Amendment will have regard to the issues identified within this strategic document.
Tatiara District Council Economic Development and Tourism Strategy 2020 – 2025	The Code Amendment will have regard to the issues identified within this strategic document.

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
Wattle Range Council Strategic Plan 2023-2027	The Code Amendment will have regard to the issues identified within this strategic document.

4. INVESTIGATIONS AND ENGAGEMENT

4.1. Investigations Already Undertaken

The table below identifies what investigations have already been undertaken in support of the proposed Code Amendment.

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
Preliminary review of tourism development policies in the Code	Review of the Code's policy and rules to manage tourism development in rural areas	The following observations were made: • A deemed-to-satisfy (DTS) pathway exists for single, small-scale tourist accommodation (<150m2) in rural zones ancillary to primary production. • This DTS criteria doubles as a designated performance feature (DPF) in the performance assessment of larger tourist accommodation facilities, which might be signifying to relevant authorities that larger tourist accommodation is not appropriate. • The applicable policies for performance assessment of tourist accommodation are programmed into Table 3 of the Code for some zones, but not all. Specifying the relevant criteria in township zones may assist in assessment of tourist accommodation. • The Tourism Development Zone and particularly the associated Winery Experience Subzone provides a facilitative policy setting for tourist accommodation but is only applied in isolated and limited parts of wine regions (Seppeltsfield and Serafino Winery).

		• Overlays apply additional policy which may make development of larger-scale tourist accommodation in wine regions less feasible, such as the Character Preservation District Overlay in the Barossa Valley and McLaren Vale.
Productive Economy Discussion Paper (informed the first iteration of the Planning and Design Code)	The Commission's Productive Economy Discussion Paper identifies that the tourism and visitor attraction sector has the potential to drive future economic growth for the state and that an efficient and effective planning system will be required to enable this sector to prosper. The Discussion Paper also states that South Australia has a comparative advantage in the tourism sector due the presence of its numerous festivals, wine regions and areas like Kangaroo Island which provide for significant growth potential. Value adding of primary production activity like food and wine is also acknowledged as having the potential to generate income for the state. A case study of value-adding in the Adelaide Hills called the 'Makers Movement' is identified in the Discussion Paper and highlights the economic contribution of this	The Discussion Paper concludes that: • It is important for ancillary tourist accommodation uses on primary production land to be guided by improved policy to minimise impacts - with a particular focus on the careful minimisation and management of impacts on sensitive environments. • There is a need to review / improve signage and wayfinding policy for tourist accommodation. • Tourism policy needs to better reflect the context of place (i.e. city, township, rural, remote).

	movement to the state by drawing together a range of craftspeople and artisans who make fine wine, furniture, clothing, craft beer, spirits and other products.	

4.2. Further Investigations Proposed

In addition to the investigations already undertaken and identified above, the table below outlines what additional investigations that will be undertaken to support the Code Amendment.

Further Investigations Proposed	**Explanation of how the further investigations propose to address an identified issue or question**
Review of recent tourism accommodation development applications (case studies) in key winery regions of South Australia	It is considered important that a cross-section of current or recent tourism accommodation development applications be reviewed in the affected council areas to determine: • whether the Code's policies and rules are appropriately guiding tourism development and accommodation in key winery regions of the state • whether new policy is warranted (and if so, what this should be) and consider whether assessment pathways should be more streamlined for certain types of development.
Review of interstate approaches to tourism development in rural areas (including any recent planning reforms)	Tourism accommodation is an accepted value-adding activity rural land use in several Australian states as well as overseas. However, an early stumbling block can be planning rules which are often not readily adaptable to innovative forms of tourism accommodation or larger scale proposals where they are located in sensitive environmental areas or areas where primary production activity is important. In this context, it is prudent for the Commission to undertake a review of interstate experience / case studies to: • determine the various types or models of tourism accommodation / value adding land uses that exist in rural or peri-urban areas • examine what impediments (if any) exist to approving these developments • review the steps undertaken by relevant interstate planning jurisdictions to remedy any issues identified.

Cumulative impact assessment	Investigate the potential cumulative impact of tourism accommodation / development enabled by policy amendments on landscape character and primary production.
Holistic planning approach	To ensure appropriate measures are in place to consider the potential impacts of promoting new forms of tourism accommodation in established rural / peri-urban areas, a review into other planning instruments and mechanisms under the Act is considered appropriate. This review will consider but is not limited to: • providing guidance material in the form of Practice Guidelines, advisory design guidelines and/or information sheets to assist in the interpretation of any new policy facilitating medium to larger scale tourism development in appropriate locations of rural areas • the need to carefully consider the interplay of any new tourism development policy with any relevant overlay policy (and the associated referrals) • consider the implications of any new forms of tourism development on building rules assessment.

4.3. Engagement Already Undertaken

Informal engagement was undertaken with the following organisations in the preparation of the Tourism Development Policy Review:

- South Australian Tourism Commission
- Planning officers supporting the State Commission Assessment Panel
- Adelaide Hills Council
- Alexandrina Council
- Barossa Council
- District Council of Mount Barker
- Light Regional Council
- City of Onkaparinga

These discussions explored policy barriers and assisted in identifying the scope of a potential Code Amendment. This preliminary engagement identified that further review of Code policies was warranted to improve the way tourism development is assessed in rural areas. The following key observations were made:

- Tourist accommodation is desired in rural zones with vineyard views and scenic landscapes, however policies can be seen to limit opportunities to small cabins less than 100m^2 floor area, ensuring they are ancillary to primary production.
- Large scale tourist accommodation is generally provided for in suitable zones and locations.
- Accordingly, there is a need to fill a segment in the tourist accommodation market for facilities of about 10-20 units, in a way that complements the rural landscape.

- In addition, overlays can limit the feasibility of tourist accommodation, such as policies seeking bushfire hazard mitigation, native vegetation protection and water quality in the Mount Lofty Ranges watershed.
- Additional policy would be beneficial to guide tourism development such as function venues and events.

4.4. Further Engagement Proposed

In addition to the engagement already undertaken and identified above, the table below outlines what additional engagement will be undertaken to support the Code Amendment.

Further Engagement Proposed	**Explanation of how the further engagement propose to address an identified issue or question**
Mount Lofty Ranges Planner Group (MLRPG)	The MLRPG is a peak local government body made up of planners from a large range of councils in the areas affected by this Code Amendment. It would be beneficial to discuss the following matters with MLRPG members to help inform the outcomes of the Code Amendment: • Current experiences assessing tourism development in winery regions, in particular whether the Code's policies and rules are appropriately guiding tourism development and accommodation in these areas. • Determine whether new policy is warranted (and if so, what this should be) and consider whether assessment pathways should be more streamlined.
Country Planners Officers Group (CPOG)	The CPOG is a peak local government body made up of planners from across regional South Australia, including some of the councils which are affected by this Code Amendment. It would be beneficial to discuss the following matters with CPOG members to help inform the outcomes of the Code Amendment: • Current experiences assessing tourism development in winery regions, in particular whether the Code's policies and rules are appropriately guiding tourism development and accommodation in these areas. • Determine whether new policy is warranted (and if so, what this should be) and consider whether assessment pathways should be more streamlined.
Building Policy and Programs Unit of Planning and Land Use Services, Department for Housing and	There is a view among some local councils that the National Construction Code (NCC) is inconsistently applied to tourism accommodation facilities, particularly where they are proposed within 'tiny homes' or within similar forms of development such as glamping tents or the like.

Further Engagement Proposed	Explanation of how the further engagement propose to address an identified issue or question
Urban Development	There are also other instances where tourism accommodation proposals never proceed beyond the building rules consent stage due to the complexities identified by building officers about new forms of tourism accommodation. In this context, it is important to discuss the following matters with the Building Policy and Program Unit to help inform the outcomes of the Code Amendment: • Whether there is currently a lack of consistency in the application of building rules consent for new forms of tourist accommodation proposals in rural areas of the state. • Whether a Practice Direction or similar should be prepared for building certifiers and council building surveyors in respect to the assessment of those new forms of tourist accommodation as identified above.
Environment Protection Agency (EPA), Country Fire Service (CFS) and Department for Environment and Water (DEW)	In view of the Code Amendment seeking to provide greater clarity for tourism development in key wine regions of the state, it is considered important to meet with those state government agencies who have an interest in this matter. This includes the EPA (water resources protection), the CFS (bushfire hazard minimisation) and the DEW (native vegetation protection).
Regional Tourism Organisations	The State is divided into 12 tourism regions (refer Regions | Tourism SA). Tourism development and promotion in a number of these (including the Barossa, the Fleurieu Peninsula and the Adelaide Hills) is supported by regional tourism organisations. These organisations have a core interest in the Code Amendment and are well-placed to provide relevant information and perspectives to inform the preparation of the Code Amendment.
Regional Wine Organisations	The State is divided into 18 wine regions (refer Wine Regions – South Australia). Development of the wine industry and other associated activities is promoted in a number of these regions through various wine industry organisations / stakeholders. These organisations have a core interest in the Code Amendment and are well-placed to provide relevant information and perspectives to inform the preparation of the Code Amendment.
Regional Development Organisations	Regional Development Australia (RDA) is a network of 53 committees across Australia committed to facilitating economic growth, innovation and entrepreneurship in regions through facilitating investment in community, industry and the environment. In South Australia, there are 8 RDA Committees (refer RDA – South Australia) covering all areas of the state including metropolitan Adelaide.

Further Engagement Proposed	Explanation of how the further engagement propose to address an identified issue or question
	The 8 RDA Committees in South Australia cover the following regions in addition to metropolitan Adelaide: • Adelaide Hills, Fleurieu and Kangaroo Island • Barossa, Gawler, Light and Adelaide Plains • Eyre Peninsula • Far North • Limestone Coast • Murraylands and Riverland • Yorke and Mid North Development of the wine and tourism industry is a key objective of the above RDAs, and they are well-placed to provide relevant information and perspectives to inform the preparation of the Code Amendment.
Notification and meeting with landowners within the affected area and neighbouring landowners	Should the Code Amendment propose rezoning of any land, landowners of the affected area and neighbouring properties will be notified to provide information on the potential impact of the proposed Code Amendment.
Community consultation	Broader community consultation to provide an opportunity for any interested community members to comment on the proposed outcomes of the Code Amendment.
Consultation with any person or body specified by the Commission under section 73(6)(e) of the Act.	The Engagement Plan will outline the specific method and nature of consultation.

5. CODE AMENDMENT PROCESS

5.1. Engagement Plan

The Code Amendment process will occur in accordance with the Community Engagement Charter and *Practice Direction 2 – Consultation on the Preparation or Amendment of a Designated Instrument* (Practice Direction 2).

The Designated Entity will prepare an Engagement Plan prior to the commencement of engagement on the proposed Code Amendment. The Engagement Plan will include the following mandatory consultation requirements (which may be in addition to the engagement outlined in this Proposal to Initiate):

- Given the proposal is generally relevant to councils, the Local Government Association must be notified in writing and consulted on the proposed Code Amendment.
- Given the proposal is specifically relevant to a particular group of councils (where those councils did not initiate the proposal), the following councils must also be consulted:
    - Adelaide Hills Council
    - Alexandrina Council
    - Barossa Council
    - Berri Barmera Council
    - Clare and Gilbert Valleys Council
    - City of Onkaparinga
    - City of Playford
    - District Council of Loxton Waikerie
    - District Council of Mount Barker
    - Light Regional Council
    - Renmark Paringa Council
    - Wattle Range Council
    - Tatiara District Council.

  All other councils containing a Rural Zone (but not located in one of the states key wine regions) will also be directly consulted on the Code Amendment.
- Consultation must also occur with any person or body specified by the State Planning Commission under section 73(6)(e) of the Act.

5.2. Engagement Report

Once engagement on the Code Amendment is complete, the Designated Entity will prepare an Engagement Report under section 73(7) of the Act.

The Designated Entity must ensure that a copy of the Engagement Report is furnished on the Minister and also published on the SA Planning Portal. This will occur in accordance with Practice Direction 2.

The Engagement Plan and the Engagement Report will also be considered by the State Planning Commission during the final stages of the Code Amendment process. The Commission will provide a report to the Environment, Resources and Development Committee of Parliament under section 74(3) of the Act. The Commission's report will provide information about the reason for the Code Amendment, the consultation undertaken on the Code Amendment and any other information considered relevant by the Commission.

5.3. Code Amendment Timetable

The Code Amendment is intended to be undertaken in line with the following timeframe:

- Investigations undertaken in late 2024/early 2025
- Consultation in the second quarter of 2025
- Finalisation in the third quarter of 2025.

MATTERS FOR INFORMATION

6.2 MOUNT PLEASANT LIBRARY REFURBISHMENT - OUTCOMES UPDATE

Author: Manager Library Services
24/108338

To provide an update to Council on the community use outcomes of the 2023 Mount Pleasant Library refurbishment.

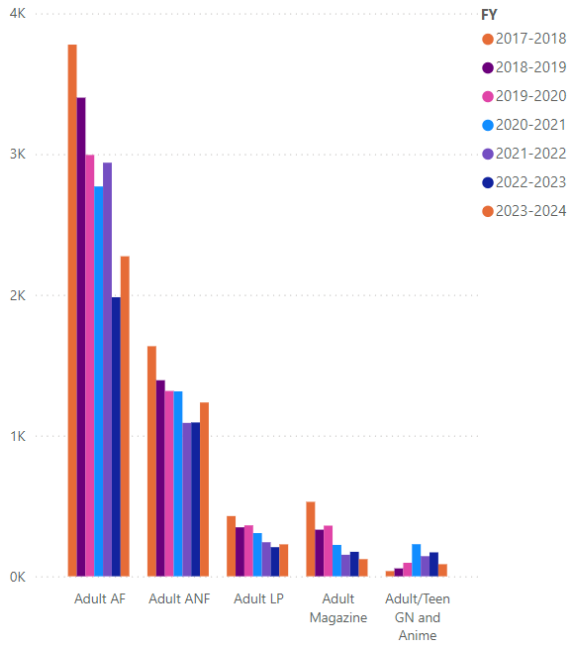
In July 2023 the Mount Pleasant Library refurbishment was completed as part of the Library Services Review 2022. This included refit of shelving, redesign of library space to create quiet seated areas and a children's area, internal and external painting, and provision of Visitor Information Outlet materials. Since the refurbishment the collection use and program attendance has increased.

Collections use

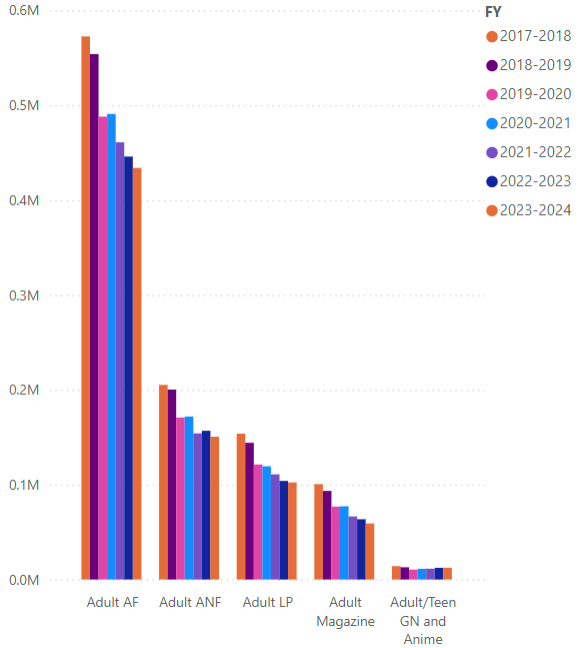
Collection use can be measured by the number of loans as a total and relative to the number of items in the collection. Generally, adult library collection loans have decreased at SA country libraries since the 2017-2018 financial year. Since the refurbishment, loans at the Mt Pleasant Library have gone against this trend, with an increase in loans of adult fiction, non-fiction and large print (see Fig 1). Adult fiction turnover (loans in the previous year divided by current collection count) is also outperforming the average for SA country library.

Fig 1: Adult collection loans comparison, Mt Pleasant trends vs all Libraries SA country

Mount Pleasant

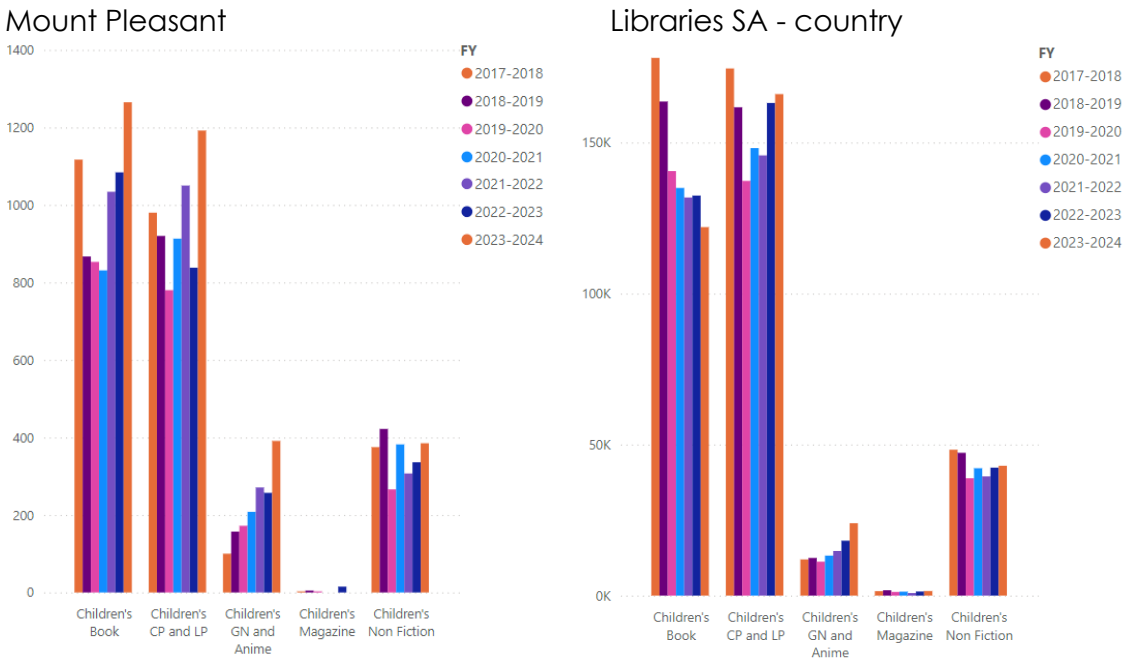


Libraries SA - Country



Similarly, borrowing of items from the children's collection at Mt Pleasant has increased for children's fiction, picture books (CP, LP), graphic novels (GN) and non-fiction, particularly since the refurbishment (Fig 2). In each case the increase has either been greater than experienced for other SA Country Libraires, or, in the case of children's fiction, a considerable increase in Mt Pleasant loans against the SA trend of decreased borrowing. Childrens fiction loans are also doing very well relative to the collection size (outperforming the three other Barossa Library branches), and children's picture books are turning over at a higher rate than the country library average.

Fig 2: Children collection loans comparison, Mt Pleasant trends vs all Libraries SA country



Children's program

Children's programs at Mount Pleasant were requested during the community consultation. Previous weekly programs at the library had been unsuccessful (due to poor attendance). Following the refurbishment, the increased shelving efficiency enabled the position, size, and space of the children's area to be more suitable for program delivery.

Under the guidance of the Children's Services Officer (a qualified primary school teacher), and the skills/lived experience of the library children's services team, a revised program was developed and launched on completion of the renovation and based on community requests. The program as it is currently delivered - Wiggle and Wonder – is on Wednesday at 10.00am. The 1hr program has built on to the foundation of offering songs, stories, movement, and play, and now includes sensory play and neuro-divergent friendly activities. The program is offered all year round to children aged 0-5yrs and their families/carers. It fosters an opportunity for children and families from in and around the Mount Pleasant area to connect, build relationships and support each other in the early years.

Over the course of 2024, attendance numbers have continued to rise, with between 15 and 27 attendees per session. Increased engagement and use of the Mount

Pleasant library by the community has also been noted as they utilise other services during their visits and families stay to connect after the program concludes each week.

The popular Library STEAM program (Science, Technology, Engineering, Art and Maths) is now also delivered at Mt Pleasant three times per term for primary school aged children. The program usually has three families with school aged children attend.

Collection use and program attendance has steadily increased since the refurbishment of the Mt Pleasant library, which demonstrates that the allocation of budget for this project has resulted in positive outcomes for the community.

ATTACHMENTS

Nil

SUPPORTING REFERENCES

Nil

MATTERS FOR INFORMATION

6.3 MINOR VARIATIONS PRACTICE DIRECTIONS - TARGETED ENGAGEMENT

Author: Manager Development Services
24/109231

Planning and Land Use Services (PLUS) has initiated stakeholder engagement in respect to a draft Minor Variations Practice Direction. The State Planning Commission issues practice directions to specify procedural requirements or steps to be taken in connection with a matter arising under the *Planning, Development and Infrastructure Act 2016 (the Act)*.

A copy of the Draft Practice Direction 19 is contained in Attachment 1.

The *Act* enables a Relevant Authority to grant a Planning Consent to a 'Deemed to Satisfy' (DTS) development, subject to 1 or more minor variations. A DTS development is a development that meets certain prescribed standards and where all criteria are met, must be granted Planning Consent. A minor variation is presently not defined within the Act nor is any guidance provided on how to form such opinion.

PLUS is seeking to provide a clearer framework for how minor variations are to be assessed under the Act. This is important as it will bind all Relevant Authorities, including private accredited professionals, who can make decisions to grant Planning Consent for a DTS development, subject to 1 or more minor variations. The proposed Practice Direction seeks to place new obligation on all Relevant Authorities to:

- Consider the Practice Direction when acting under the relevant provisions;
- Be satisfied the extent to which the variation departs from a measurable feature of the DTS criteria is insignificant;
- Be satisfied the extent to which the variation will impact adjacent land is insignificant;
- Be satisfied the effect of the variation will not be materially apparent.

Targeted engagement is taking place with planning practitioners in late November and early December 2024. Feedback is being sought in respect to the draft Practice Direction up until 31 January 2025. Staff are participating in the engagement and will be making a submission to this technical amendment prior to the close date.

ATTACHMENTS

Attachment 1 Advice from State Planning Commission - Draft for Consultation - Minor Variations Practice Directions - Targeted Engagement

SUPPORTING REFERENCES

Planning, Development and Infrastructure Act 2016

DRAFT PRACTICE DIRECTION 19

Minor Variations

STATE PLANNING COMMISSION

This practice direction is issued by the State Planning Commission under section 42 of the *Planning, Development and Infrastructure Act 2016* (the Act).

Introduction

Section 42 of the Act allows the Commission to issue practice directions for the purposes of the Act.

Generally, practice directions specify procedural requirements or steps in connection with a matter arising under the Act. In certain cases, the Act requires a particular matter to be addressed or dealt with by a practice direction.

In this case, this practice direction is made by the Commission to support the operation of:

- Part 7, Division 2, Subdivision 3 of the Act (Code assessed development), and specifically section 106(2) of the Act, in relation to a minor variation to development being deemed-to-satisfy development; and
- Part 7 Division 6 of the Act (Variation of authorisation), and specifically section 128(2)(b) of the Act and regulation 65(1) of the *Planning, Development and Infrastructure (General) Regulations 2017* (the Regulations), in relation to a minor variation to a planning consent.

This practice direction specifies steps that must be taken by a relevant authority for the purposes of these provisions of the Act and the Regulations. This practice direction does not limit the operation of these provisions and does not limit or prevent the Commission from acting under section 43(2)(b) of the Act with respect to making a practice guideline to specify variations that will, in relation to deemed-to-satisfy development, constitute minor variations (recognising in such a case the Commission is making specific provision with respect to a particular kind or class of variation or variations).

The relevant requirements of sections of the Act and the Regulations as they relate to this practice direction are outlined below:

Planning, Development and Infrastructure Act 2016

106—Deemed-to-satisfy assessment
(1) If a proposed development is classified as deemed-to-satisfy development, the development must be granted planning consent.
(2) If a relevant authority is satisfied that development is deemed-to-satisfy development except for 1 or more minor variations, the relevant authority must assess it as being deemed-to-satisfy (and that determination will then have effect for the purposes of this Act).
…

DRAFT FOR CONSULTATION

(5) A condition under subsection (4) may provide that a proposed development assessed under subsection (2) will be undertaken so as to address any minor variation in order to make it consistent with the deemed-to-satisfy requirement.

128—Variation of authorisation
(1) Subject to subsection (2), a person may seek the variation of a development authorisation previously given under this Act (including by seeking the variation of a condition imposed with respect to the development authorisation).
(2) An application to which subsection (1) applies—
(a) may only be made if the relevant authorisation is still operative; and

(b) will, for the purposes of this Part, but subject to any exclusion or modification prescribed by the regulations and any other provision made by the regulations, to the extent of the proposed variation (and not so as to provide for the consideration of other elements or aspects of the development or the authorisation), be treated as a new application for development authorisation;

…

Planning, Development and Infrastructure (General) Regulations 2017

65—Variation of authorisation (section 128)
(1) For the purposes of section 128(2)(b) of the Act, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) and the relevant authority is satisfied that the variation is minor in nature—
(a) the relevant authority may approve the variation; and

(b) the request is not to be treated as a new application for development authorisation;

…

Additional context

The following provides additional context on the operation of the Act, Regulations and Planning and Design Code (the Code) which is of relevance to the matters outlined in this practice direction:

(1) An assessment manager, an assessment panel or, in some situations, the State Planning Commission, is able to act as the relevant authority for both the assessment of deemed-to-satisfy development and performance assessed development (including where a person is seeking the variation of a development authorisation). An Accredited professional planning level 3 or planning level 4 is only able to act as the relevant authority for the assessment of deemed-to-satisfy development (with only an Accredited professional planning level 3 being able to act where there may be 1 or more minor variations under section 106(2) of the Act).

(2) An application for planning consent for performance assessed development is subject to public notification under section 107 of the Act unless:

(a) the development is within a class of development excluded from the operation of subsections (3) and (4) of section 107 by the Code; or

DRAFT FOR CONSULTATION

(b) the relevant authority has determined that there is a variation to 1 or more corresponding exclusions prescribed in Column B of Table 5 – Procedural Matters (PM) – Notification in the relevant Zone in the Code that is minor in nature and does not require notification.

(3) In some situations (typically in relation to heights of buildings), the Code notification requirements reference deemed-to-satisfy criteria (operating as designated performance features) which trigger notification if they are not satisfied.

(4) Section 122 of the Act, Schedule 9 of the Regulations and the Code together set out the requirement to undertake referrals to prescribed bodies for certain classes of proposed developments.

(5) In some situations, the Code excludes the requirement to undertake referrals if:

(a) certain deemed-to-satisfy criteria (operating as designated performance features) are met; or

(b) in the opinion of the relevant authority, the development is minor in nature and would not warrant a referral when considering the purpose of the referral.

(6) The authority to make a determination referred to in subclause (2), (3) or (5) is the relevant authority for the purposes of assessing the relevant application for planning consent, including in the case of an application for the variation of a development authorisation. These applications do not include applications relating to deemed-to-satisfy development.

Practice direction

Part 1 – Preliminary

1 – Citation

This practice direction may be cited as the *State Planning Commission Practice Direction 19 Minor Variations 2024*.

2 – Commencement of operation

This practice direction will come into operation on the day on which it is published on the SA planning portal.

3 – Object of practice direction

The object of this practice direction is to specify:

(a) matters to be considered by a relevant authority when it is determining whether a variation is:

(i) a minor variation from any Deemed-to-Satisfy criteria in the Code; or

(ii) a minor variation of a planning consent for the purposes of section 128(2)(b) of the Act; and

(b) how a relevant authority must document a decision that a variation is minor.

DRAFT FOR CONSULTATION

4 – Interpretation

In this practice direction, unless the contrary intention appears –

Act means the *Planning, Development and Infrastructure Act 2016*.

Adjacent land in relation to other land, means land that is no more than 60 metres from the other land.

Code means the Planning and Design Code.

DTS criteria means the Deemed-to-Satisfy Criteria in the Code.

DTS development application means an application for planning consent that is to be assessed under section 106 of the Act (including after taking into account the operation of section 106(2)).

Insignificant means unimportant or trifling.

Regulations means the *Planning, Development and Infrastructure (General) Regulations 2017*.

Site means the same as in Part 8 – Administrative Terms and Definitions in the Code.

Note: Section 12 of the Legislation Interpretation Act 2021 provides that an expression used in an instrument made under an Act has, unless the contrary intention appears, the same meaning as in the Act under which the instrument was made.

5 – Requirement to consider practice direction when acting under relevant provisions

Pursuant to section 42(2) of the Act, a relevant authority is required, in acting under section 106(2), or 128(2)(b) and regulation 65(1), to consider the provisions and principles set out in Part 2.

Part 2 - Principles for determining a minor variation

6 – Minor variation to DTS criteria

(1) Subject to subclause (2), a relevant authority may consider that a variation to any DTS criteria that is relevant to a DTS development application constitutes a minor variation under section 106(2) of the Act if it is satisfied that:

(a) the extent (if any) to which the variation departs from a measurable feature of the DTS criteria is insignificant; and

(b) the extent (if any) to which the variation will impact adjacent land is insignificant; and

(c) the effect of the variation will not be materially apparent.

(2) A variation to DTS criteria cannot be considered to constitute a minor variation under this clause if the variation:

(a) relates to any DTS criteria where:

DRAFT FOR CONSULTATION

i. the criteria is applied as a Designated Performance Feature and listed in Column B of Table 5 – Procedural Matters (PM) – Notification in the relevant Zone in the Code; and

ii. the failure to meet the criteria would trigger a requirement to undertake public notification (whether or not the relevant authority considers at this point that it would qualify for an exemption from notification by virtue of it being minor in nature); or

(b) relates to any DTS criteria where:

i. the criteria is listed within the Procedural Matters – Referrals in any Overlay that applies to the site of the development or that is included in Part 9 – Referrals in the Code; and

ii. the failure to meet the criteria would require a referral to a referral body (whether or not the relevant authority considers at this point that it would qualify for an exemption to a referral by virtue of it being minor in nature).

7 – Minor variation to planning consent

(1) Subject to subclause (2), a relevant authority may consider that a variation to a planning consent (including any variation of a condition of consent) is minor in nature as provided by section 128(2) of the Act and regulation 65(1) of the Regulations if it is satisfied that:

(a) the variation is insignificant; and

(b) the extent (if any) to which the variation will impact adjacent land is insignificant; and

(c) the effect of the variation will not be materially apparent.

(2) A variation cannot be considered to be minor in nature under this clause if the variation:

(a) would require public notification under Column B of Table 5 – Procedural Matters (PM) – Notification in the relevant Zone in the Code if it were being processed as a variation of a development authorisation under section 128(2)(b) of the Act (whether or not the relevant authority considers it would qualify for an exemption from notification by virtue of it being minor in nature); or

(b) would require a referral to a referral body under the Procedural Matters – Referrals in any Overlay that applies to the site of the development or that is included in Part 9 – Referrals in the Code if it were being processed as a variation of a development authorisation under section 128(2)(b) of the Act (whether or not the relevant authority considers it would qualify for an exemption to a referral by virtue of it being minor in nature).

Part 3 - Documenting decision making for a minor variation

8 – Documentation

(1) If a relevant authority determines that a variation to any DTS criteria constitutes a minor variation under section 106(2) of the Act, it must record the following on the SA planning portal for the relevant development application:

DRAFT FOR CONSULTATION

(a) a declaration that this practice direction has been considered in relation to the variation; and

(b) the specific DTS criteria to which the variation relates; and

(c) in relation to the application of this practice direction – a brief explanation as to why it is satisfied that:

i. the extent (if any) to which the variation departs from a measurable feature of the DTS criteria is insignificant; and

ii. the extent (if any) to which the variation will impact adjacent land is insignificant; and

iii. the effect of the variation will not be materially apparent.

(d) in relation to a determination that has been made on some other basis – a brief explanation as to the reasons for why the relevant authority has determined that the variation constitutes a minor variation.

(2) If a relevant authority determines a variation to a planning consent is minor in nature as provided by section 128(2) of the Act and regulation 65(1) of the Regulations, it must record the following on the SA planning portal for the relevant development application:

(a) that the relevant planning consent is still operative; and

(b) a declaration that this practice direction has been considered in relation to the variation; and

(c) in relation to the application of this practice direction – a brief explanation as to why it is satisfied that:

i. variation is insignificant; and

ii. the extent (if any) to which the variation will impact adjacent land is insignificant; and

iii. the effect of the variation will not be materially apparent.

(d) in relation to a determination that has been made on some other basis – a brief explanation as to the reasons why the relevant authority has determined that the proposed variation is minor in nature.

DRAFT FOR CONSULTATION

This practice direction is made by the State Planning Commission on xx yyy 2024 with the approval of the Minister given to the Commission on aa bbb 2024.

MATTERS FOR INFORMATION

6.4 ANCILLARY ACCOMMODATION AND STUDENT ACCOMMODATION DEFINITIONS REVIEW CODE AMENDMENT

Author: Manager Development Services
24/109736

At the Council meeting of 19 March 2024, Council endorsed a Submission in relation to the Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment. A copy of Council's submission is contained in Attachment 1.

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

Minister for Planning, Hon Nick Champion MP has written to Council and advised that he has determined to adopt the Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment (refer letter in Attachment 2).

A copy of the Amendment is contained in Attachment 3.

Following consultation, the following key changes have been made to the Code Amendment:

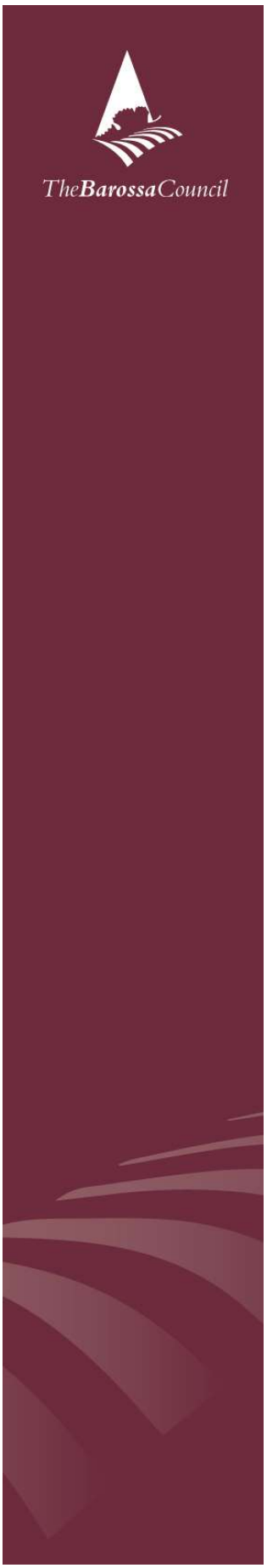
- Increase the maximum floor area criteria from 60 to 70 square metres to support living amenity within ancillary accommodation.
- Include a new policy for ancillary accommodation specifying that the primary dwelling's private open space is accessible to all occupiers of the site. This will ensure that ancillary accommodation has access to private open space and will further reinforce that ancillary accommodation is not a separate dwelling.
- Remove the part of the definition of ancillary accommodation relating to utilities and include it within the related policy instead, thereby enabling utilities connection to be assessed by the relevant authority.
- Instead of applying policy for ancillary buildings (eg. carports, outbuildings), package ancillary accommodation policy into a single policy suite in the design and Design in Urban Areas General Development Policies.
- Refer to a 'site' instead of an 'allotment' in the definition of ancillary accommodation, consistent with other definitions.
- Simplify clause (b) of the definition of ancillary accommodation to 'can be (but need not be) self-contained' to provide further clarity, rather than introduce a new term of 'residence'.

The Minister advises these changes will provide more flexible and diverse housing options by allowing ancillary accommodation and student accommodation to be self-contained, in that they may have their own bathroom, kitchen and laundry.
The Code Amendment will come into effect when consolidated into the online Planning and Design Code and will be published on the Plan SA Portal.

ATTACHMENTS

Attachment 1	Microsoft Word - Draft Submission - Draft Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment ⇩
Attachment 2	Advice Minister Planning - Adopt Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment ⇩
Attachment 3	The Amendmdent - Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment ⇩

Reference: TRIM



19 9 March 2024

Code Amendment Team
Planning and Land Use Services Division
Department for Trade and Investment

By email: plansasubmissions@sa.gov.au

Dear Sir/Madam,

Submission – Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment

Thank you for notice of the release of the above-mentioned Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment on 29 February 2024.

Council supports the proposed amendments to definitions of Ancillary Accommodation and Student Accommodation as outlined within the Code Amendment released for public consultation.

The Code Amendment provides greater certainty for applicants and Relevant Authorities in respect to the types of facilities permitted within ancillary accommodation.

The current definition may preclude facilities such as a kitchen, bathroom or laundry facilities which are common and expected within ancillary accommodation.

The proposed change recognises the importance of ancillary accommodation to support housing choice and diversity of housing, especially given the housing market pressures currently experienced.

We look forward to the outcome from the consultation process and how the proposed changes will be implemented on a permanent basis.

Sincerely,

Martin McCarthy
Chief Executive Officer

(08) 8563 8444 | barossa@barossa.sa.gov.au | barossa.sa.gov.au
43-51 Tanunda Road (PO Box 867), Nuriootpa SA 5355 | ABN: 47 749 871 215

Hon Nick Champion MP

Government of South Australia

Minister for Housing and Urban Development

Minister for Housing Infrastructure

Minister for Planning

GPO Box 11032
ADELAIDE SA 5001

T: (08) 8235 5580

E: ministerchampion@sa.gov.au

24EXT0290

Mayor Michael Lange
The Barossa Council

By email: mayor.lange@barossa.sa.gov.au

Mr Martin McCarthy
Chief Executive Officer
The Barossa Council

By email: mmccarthy@barossa.sa.gov.au

Dear Mayor Lange and Mr McCarthy

I write to advise that under section 73(10)(c) of the *Planning, Development and Infrastructure Act 2016*, I have considered the issues raised during the engagement period and have now determined to adopt the Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment.

A copy of the signed Code Amendment is enclosed for your reference.

I note the following key changes have been made to the Code Amendment following the consultation period:

- Increase the maximum floor area criteria from 60 to 70 square metres to support living amenity within ancillary accommodation.
- Include a new policy for ancillary accommodation specifying that the primary dwelling's private open space is accessible to all occupiers of the site. This will ensure that ancillary accommodation has access to private open space and will further reinforce that ancillary accommodation is not a separate dwelling.
- Remove the part of the definition of ancillary accommodation relating to utilities and include it within the related policy instead, thereby enabling utilities connection to be assessed by the relevant authority.
- Instead of applying policy for ancillary buildings (e.g. carports, outbuildings), package ancillary accommodation policy into a single policy suite in the Design and Design in Urban Areas General Development Policies.
- Refer to a 'site' instead of an 'allotment' in the definition of ancillary accommodation, consistent with other definitions.
- Simplify clause (b) of the definition of ancillary accommodation to 'can be (but need not be) self-contained' to provide further clarity, rather than introduce a new term of 'residence'.

SOUTH AUSTRALIA

In adopting the Code Amendment, I am of the view that the changes provide more flexible and diverse housing options by allowing ancillary accommodation and student accommodation to be self-contained, in that they may have their own bathroom, kitchen and laundry.

The Code Amendment will come into effect when consolidated into the online Planning and Design Code and published on the PlanSA Portal online at https://code.plan.sa.gov.au/home/browse_the_planning_and_design_code?code=browse.

A copy of the Engagement Report is available to view on the PlanSA Portal online at https://plan.sa.gov.au/have_your_say/code-amendments.

For further information, please contact Mr Marc Voortman, Director, Planning, Planning and Land Use Services, on 08 7133 2234 or by email to marc.voortman@sa.gov.au.

Yours sincerely



Hon Nick Champion MP
Minister for Planning

20 / 11 / 2024

Encl. Signed Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment

Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment

By the Chief Executive, Department for Housing and Urban Development

THE AMENDMENT

Adopted by:

.....

Hon Nick Champion MP

Minister for Planning

18/11/24

OFFICIAL

Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment

Preamble

The amendment instructions below reflect the changes to the Planning and Design Code (the Code) as proposed in the Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment (the Code Amendment).

The Code Amendment commenced interim operation on 29 February 2024, amending the definitions of ancillary accommodation and student accommodation as follows (deleted text shown in ~~red strikethrough~~ and new text in green underlined):

- **Ancillary accommodation**

  Means accommodation that:

  a) *is located on the same allotment as an existing dwelling; and*
  b) *~~is not~~ can be (but need not be) a self-contained residence; and*
  c) *contains no more than 2 bedrooms or rooms or areas capable of being used as a bedroom; and*
  a) *is subordinate to and does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, wastewater system or waste control system) to those servicing the existing dwelling.*

- **Student accommodation**:

  Means premises used to accommodate students in room or dormitory style accommodation that ~~is not~~ can be (but need not be) self-contained and that includes common facilities for shared use by student occupants such as:

  a) *shared cooking facilities and/or the provision of meals;*
  b) *common rooms and recreation areas;*
  c) *shared laundry facilities or a laundry service; or*
  d) *shared bathroom facilities.*

The Designated Entity proposed further changes to the Code Amendment following consultation, as outlined in the Engagement Report furnished to the Minister for Planning by the Designated Entity under section 73(7) of the *Planning, Development and Infrastructure Act 2016* the Act), as follows:

- Increase the maximum floor area criteria from 60 to 70 square metres to support living amenity within ancillary accommodation
- Include a new policy for ancillary accommodation specifying that the primary dwelling's private open space is accessible to all occupiers of the site so that ancillary accommodation has access to private open space and further reinforce that ancillary accommodation is not a separate dwelling

- Remove the part of the definition of ancillary accommodation relating to utilities and include it within the related policy instead, thereby utilities connection to be assessed by the relevant authority
- Instead of applying policy for ancillary buildings (e.g. carports, outbuildings), package ancillary accommodation policy into a single policy suite in the Design and Design in Urban Areas general development policies
- Refer to a 'site' instead of an 'allotment' in the definition of ancillary accommodation, consistent with other definitions
- Simplify clause (b) of the definition of ancillary accommodation to "can be (but need not be) self-contained" to provide further clarity rather than introduce a new term of 'residence'.

The amendment instructions below represent these further changes.

Amendment instructions

The following amendment instructions (at the time of drafting) relate to the Code, version 2024.9 published on 23 May 2024. Where amendments to the Code have been published after this date, consequential changes to the following amendment instructions will be made as necessary to give effect to this Code Amendment. The Minister specifies under section 73(12)(c) of the Act that this Code Amendment will take effect on the day that it is deployed into both the electronic Planning and Design Code and the South Australian Property and Planning Atlas.

Instructions

Amend the Code as follows:

1. In Part 7 – Land Use Definitions, replace the existing definition (in Column B of the Land Use Definitions Table) for land use term "Ancillary accommodation" with the following:

   "Means accommodation that:

   (a) is located on the same site as an existing dwelling and is ancillary to that dwelling; and

   (b) can be (but need not be) self-contained; and

   (c) contains no more than 2 bedrooms or rooms or areas capable of being used as a bedroom."

2. In Part 4 – General Development Policies in the Assessment Provisions of the **Design in Urban Areas** module:

   a. Insert the words "(excluding ancillary accommodation)" immediately following the words "Ancillary buildings" in DTS/DPF 19.1

   b. Delete the following part (l) from DTS/DPF 19.1:

      "(l) in relation to ancillary accommodation in the Rural Zone, Productive Rural Landscape Zone, or Rural Horticulture Zone, is located within 20m of an existing dwelling."

   c. Insert the following new policy immediately after PO 19.4 and associated DTS/DPF 19.4:

<table>
<tr>
<td>PO 19.5

Ancillary accommodation:

(a) is sited and designed to not detract from the streetscape or appearance of primary residential buildings on the site or neighbouring properties
(b) is integrated within the site of the dwelling to which it is ancillary and incorporates shared utilities and shared open space.</td>
<td>DTS/DPF 19.5

Ancillary accommodation:

(a) is ancillary to a dwelling erected on the same site
(b) has a floor area not exceeding 70m^2
(c) is not constructed, added to, or altered so that any part is situated:
(i) in front of any part of the building line of the dwelling to which it is ancillary
or
(ii) within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads)
(d) if situated on a boundary (not being a boundary with a primary street or secondary street), does not exceed a length of 11.5m unless:
(i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary
and
(ii) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent
(e) if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street), all walls or structures on the boundary will not exceed 45% of the length of that boundary
(f) will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or about the proposed wall or structure
(g) has a wall height or post height not exceeding 3m above natural ground level (and not including a gable end)
(h) has a roof height where no part of the roof is more than 5m above the natural ground level
(i) if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour
(j) retains a total area of soft landscaping in accordance with (i) or (ii), whichever is less:
(i) a total area as determined by the following table:
<table>
<tr><th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m^2)</th><th>Minimum percentage of site</th></tr>
<tr><td><150</td><td>10%</td></tr>
<tr><td>150-200</td><td>15%</td></tr>
<tr><td>201-450</td><td>20%</td></tr>
<tr><td>>450</td><td>25%</td></tr>
</table>
</td>
</tr>
</table>

	(ii) the amount of existing soft landscaping prior to the development occurring (k) does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, wastewater system or waste control system) to those servicing the existing dwelling (l) has unrestricted access to the private open space associated with the existing dwelling to which it is ancillary (m) in the case of the Rural Zone, Productive Rural Landscape Zone, or Rural Horticulture Zone, is located within 20m of an existing dwelling.

3. In Part 4 – General Development Policies in the Assessment Provisions of the **Design** module:

   a. Insert the words "(excluding ancillary accommodation)" immediately following the words "Ancillary buildings" in DTS/DPF 13.1

   b. Delete the following part (l) from DTS/DPF 13.1:

      "(l) in relation to ancillary accommodation in the Rural Zone, Productive Rural Landscape Zone, or Rural Horticulture Zone, is located within 20m of an existing dwelling."

   c. Insert the following new policy immediately after PO 13.4 and associated DTS/DPF 13.4:

PO 13.5	DTS/DPF 13.5
Ancillary accommodation: (a) is sited and designed to not detract from the streetscape or appearance of primary residential buildings on the site or neighbouring properties (b) is integrated within the site of the dwelling to which it is ancillary and incorporates shared utilities and shared open space.	Ancillary accommodation: (a) is ancillary to a dwelling erected on the same site (b) has a floor area not exceeding 70m^2 (c) is not constructed, added to, or altered so that any part is situated: (i) in front of any part of the building line of the dwelling to which it is ancillary or (ii) within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads) (d) if situated on a boundary (not being a boundary with a primary street or secondary street), does not exceed a length of 11.5m unless: (i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary and (ii) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent (e) if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street), all walls

<table>
<tr>
<td></td>
<td>
or structures on the boundary will not exceed 45% of the length of that boundary
(f) will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or about the proposed wall or structure
(g) has a wall height or post height not exceeding 3m above natural ground level (and not including a gable end)
(h) has a roof height where no part of the roof is more than 5m above the natural ground level
(i) if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour
(j) retains a total area of soft landscaping in accordance with (i) or (ii), whichever is less:
(i) a total area as determined by the following table:
<table>
<tr><th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m^2)</th><th>Minimum percentage of site</th></tr>
<tr><td><150</td><td>10%</td></tr>
<tr><td>150-200</td><td>15%</td></tr>
<tr><td>201-450</td><td>20%</td></tr>
<tr><td>>450</td><td>25%</td></tr>
</table>
(ii) the amount of existing soft landscaping prior to the development occurring
(k) does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, wastewater system or waste control system) to those servicing the existing dwelling
(l) has unrestricted access to the private open space associated with the existing dwelling to which it is ancillary
(m) in the case of the Rural Zone, Productive Rural Landscape Zone, or Rural Horticulture Zone, is located within 20m of an existing dwelling.
</td>
</tr>
</table>

4. In Part 2 in the **Business Neighbourhood Zone** and **Suburban Business Zone** make the following amendments:
   a. In Table 2 – Deemed-to-Satisfy Development Classification, in the row applying to "Ancillary accommodation" Class of Development:

      - Delete the following words in the column titled "Zone":

        "Ancillary Buildings and Structures
        DTS/DPF 7.1, DTS/DPF 7.2"

- Insert the following words in the column titled “General Development Policies”:

  “Design in Urban Areas [All Residential Development [Ancillary Development]]
  DTS/DPF 19.2, DTS/DPF 19.5”

b. In Table 3 – Performance Assessed Development Classification in the row applying to “Ancillary accommodation” Class of Development:

- Delete the following words in the column titled “Zone”:

  “Ancillary Buildings and Structures
  PO 7.1, PO 7.2”

- Insert the following words in the column titled “General Development Policies”:

  “Design in Urban Areas [All Residential Development [Ancillary Development]]
  PO 19.2, PO 19.5”

5. In Part 2 in the **Established Neighbourhood Zone, General Neighbourhood Zone, Suburban Neighbourhood Zone** and **Township Neighbourhood Zone** make the following amendments:

a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to “Ancillary accommodation” Class of Development:

- Delete the following words in the column titled “Zone”:

  “Ancillary buildings and structures
  DTS/DPF 11.1, DTS/DPF 11.2”

- Insert the following words in the column titled “General Development Policies”:

  “Design in Urban Areas [All Residential Development [Ancillary Development]]
  DTS/DPF 19.2, DTS/DPF 19.5”

b. In Table 3 – Performance Assessed Development Classification in the row applying to “Ancillary accommodation” Class of Development:

- Delete the following words in the column titled “Zone”:

  “Ancillary buildings and structures
  PO 11.1, PO 11.2”

- Insert the following words in the column titled “General Development Policies”:

  “Design in Urban Areas [All Residential Development [Ancillary Development]]
  PO 19.2, PO 19.5”

6. In Part 2 in the **City Living Zone** make the following amendments:

a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to “Ancillary accommodation” Class of Development:

- Delete the following words in the column titled “Zone”:

"Ancillary Buildings and Structures
DTS/DPF 8.1, DTS/DPF 8.2"

- Insert the following words in the column titled "General Development Policies":

  "Design in Urban Areas [All Residential Development [Ancillary Development]]
  DTS/DPF 19.2, DTS/DPF 19.5"

b. In Table 3 – Performance Assessed Development Classification the row applying to "Ancillary accommodation" Class of Development:

- Delete the following words in the colulm titled "Zone":

  "Ancillary Buildings and Structures
  PO 8.1, PO 8.2"

- Insert the following words in the column titled "General Development Policies":

  "Design in Urban Areas [All Residential Development [Ancillary Development]]
  PO 19.2, PO 19.5"

7. In Part 2 in the **Golf Course Estate Zone** make the following amendments:

   a. In Table 3 – Performance Assessed Development Classification in the row applying to "Ancillary accommodation" Class of Development:

   - Delete the following words from the column titled "Zone":

     "Ancillary Buildings and Structures
     PO 9.1, PO 9.2,"

   - Insert the following words in the column titled "General Development Policies":

     "Design in Urban Areas [All Residential Development [Ancillary Development]]
     PO 19.2, PO 19.5"

8. In Part 2 in the **Housing Diversity Neighbourhood Zone** and **Urban Renewal Neighbourhood Zone** make the following amendments:

   a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to "Ancillary accommodation" Class of Development:

   - Delete the following words from the column titled "Zone":

     "Ancillary buildings and structures
     DTS/DPF 10.1, DTS/DPF 10.2"

   - Insert the following words in the column titled "General Development Policies":

     "Design in Urban Areas [All Residential Development [Ancillary Development]]
     DTS/DPF 19.2, DTS/DPF 19.5"

   b. In Table 3 – Performance Assessed Development Classification in the row applying to "Ancillary accommodation" Class of Development:

   - Delete the following words from the column titled "Zone":

"Ancillary buildings and structures
PO 10.1, PO 10.2"

- Insert the following words in the column titled "General Development Policies":

"Design in Urban Areas [All Residential Development [Ancillary Development]]
PO 19.2, PO 19.5

9. In Part 2 in the **Hills Neighbourhood Zone** make the following amendments:
    a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to "Ancillary accommodation" Class of Development:
        - Delete the following words from the column titled "Zone":

"Ancillary Buildings and Structures
DTS/DPF 12.1, DTS/DPF 12.2"

        - Insert the following words in the column titled "General Development Policies":

"Design in Urban Areas [All Residential Development [Ancillary Development]]
DTS/DPF 19.2, DTS/DPF 19.5"

    b. In Table 3 – Performance Assessed Development Classification in the row applying to "Ancillary accommodation" Class of Development:
        - Delete the following words from the column titled "Zone":

"Ancillary Buildings and Structures
PO 12.1, PO 12.2"

        - Insert the following words in the column titled "General Development Policies":

"Design in Urban Areas [All Residential Development [Ancillary Development]]
PO 19.2, PO 19.5"

10. In Part 2 in the **Waterfront Neighbourhood Zone** make the following amendments:
    a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to "Ancillary accommodation" Class of Development:
        - Delete the following words from the column titled "Zone":

"Ancillary Buildings and Structures
DTS/DPF 12.2, DTS/DPF 12.3"

        - Insert the following in the column titled "General Development Policies":

"Design in Urban Areas [All Residential Development [Ancillary Development]]
DTS/DPF 19.2, DTS/DPF 19.5"

    b. In Table 3 – Performance Assessed Development Classification in the row applying to "Ancillary accommodation" Class of Development:
        - Delete the following words from the column titled "Zone":

"Ancillary Buildings and Structures
PO 12.2, PO 12.3"

- Insert the following words in the column titled "General Development Policies":

"Design in Urban Areas [All Residential Development [Ancillary Development]]
PO 19.2, PO 19.5"

11. In Part 2 in the **Master Planned Neighbourhood Zone** and **Master Planned Township Zone** make the following amendments:

a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to "Ancillary accommodation" Class of Development:

- Delete the following words from the column titled "Zone":

"Ancillary Structures and Buildings
DTS/DPF 17.1, DTS/DPF 17.2"

- Insert the following words in the column titled "General Development Policies":

"Design in Urban Areas [All Residential Development [Ancillary Development]]
DTS/DPF 19.2, DTS/DPF 19.5"

b. In Table 3 – Performance Assessed Development Classification in the row applying to "Ancillary accommodation" Class of Development:

- Delete the following words from the column titled "Zone":

"Ancillary Structures and Buildings
PO 17.1, PO 17.2"

- Insert the following words in the column titled "General Development Policies":

"Design in Urban Areas [All Residential Development [Ancillary Development]]
PO 19.2, PO 19.5"

12. In Part 2 in the **Rural Settlement Zone** make the following amendments:

a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to "Ancillary accommodation" Class of Development:

- Delete the following words from the column titled "Zone":

"Ancillary Buildings and Structures
DTS/DPF 6.1"

- Insert the following words in the column titled "General Development Policies":

"Design [All Residential Development [Ancillary Development]]
DTS/DPF 13.2, DTS/DPF 13.5"

b. In Table 3 – Performance Assessed Development Classification in the row applying to "Ancillary accommodation" Class of Development:

- Delete the following words from the column titled "Zone":

"Ancillary Buildings and Structures
PO 6.1"

- Insert the following words in the column titled "General Development Policies":

  "Design [All Residential Development [Ancillary Development]]
  PO 13.2, PO 13.5"

13. In Part 2 in the **Rural Neighbourhood Zone, Productive Rural Landscape Zone, Remote Areas Zone, Rural Zone,** and **Rural Living Zone** make the following amendments:

    a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to "Ancillary accommodation" Class of Development:

       - Delete the following words from the column titled "General Development Policies":

         "Design [All Residential development [Ancillary Development]]
         DTS/DPF 13.1,"

       - Insert the following words in the column titled "General Development Policies":
         "Design [All Residential Development [Ancillary Development]]
         DTS/DPF 13.5"

    b. In Table 3 – Performance Assessed Development Classification in the row applying to "Ancillary accommodation" Class of Development:

       - Delete the following words from the column titled "General Development Policies":

         "Design [All Residential development [Ancillary Development]]
         PO 13.1"

       - Insert the following words in the column titled "General Development Policies":

         "Design [All Residential development [Ancillary Development]]
         PO 13.5"

14. In Part 2 in the **Rural Shack Settlement Zone** make the following amendments:

    a. In Table 3 – Performance Assessed Development Classification in the row applying to "Ancillary accommodation" Class of Development:

       - Delete the following words from the column titled "Zone":

         "Ancillary Buildings and Structures
         PO 6.1,"

       - Insert the following in the column titled "General Development Policies":

         "Design [All Residential development [Ancillary Development]]
         PO 13.2, PO 13.5"

15. In Part 2 in the **Rural Horticulture Zone** make the following amendments:

    a. In Table 3 – Performance Assessed Development Classification in the row applying to "Ancillary accommodation" Class of Development:

       - Delete the following words in the column titled "General Development Policies:

"Design [All Residential development [Ancillary Development]]
PO 13.1,"

- Insert the following words in the column titled "General Development Policies":

"Design [All Residential development [Ancillary Development]]
PO 13.5"

16. In Part 2 in the **Neighbourhood Zone** and **Township Zone** make the following amendments:

a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to "Ancillary accommodation" Class of Development:

- Delete the following words from the column titled "General Development Policies":

"Design [All Residential development [Ancillary Development]]
DTS/DPF 13.1,"

- Insert the following words in the column titled "General Development Policies":

"Design [All Residential Development [Ancillary Development]]
DTS/DPF 13.5"

b. In Table 3 – Performance Assessed Development Classification in the row applying to "Ancillary accommodation" Class of Development:

- Delete the following words from the column titled "General Development Policies":

"Design [All Residential development [Ancillary Development]]
PO 13.1,"

- Insert the following words in the column titled "General Development Policies":

"Design [All Residential Development [Ancillary Development]]
PO 13.5"

17. In Part 2 in the **Master Planned Renewal Zone** make the following amendments:

a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to "Ancillary accommodation" Class of Development:

- Delete the following words in column titled "General Development Policies":

"Design in Urban Areas [All residential development [Ancillary Development]]
DTS/DPF 19.1,"

- Insert the following words in the column titled "General Development Policies":

"Design in Urban Areas [All Residential Development [Ancillary Development]]
DTS/DPF 19.5"

b. In Table 3 – Performance Assessed Development Classification in the row applying to "Ancillary accommodation" Class of Development:

- Delete the following words in the column titled "General Development Policies":

"Design in Urban Areas [All residential development [Ancillary Development]] PO 19.1,"

- Insert the following words in the column titled "General Development Policies":

"Design in Urban Areas [All residential development [Ancillary Development]] PO 19.5"

18. In Part 2 in the **Home Industry Zone** make the following amendments:

a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to "Ancillary accommodation" Class of Development:

- Delete the following words from the column titled "General Development Policies":

"Design in Urban Areas [All residential development [Ancillary Development]] DTS/DPF 19.1,"

- Insert the following words in the column titled "General Development Policies":

"Design in Urban Areas [All Residential Development [Ancillary Development]] DTS/DPF 19.5"

b. In Table 3 – Performance Assessed Development Classification in the row applying to "Ancillary accommodation" Class of Development:

- Delete the following words from the column titled "General Development Policies":

"Design in Urban Areas [All residential development [Ancillary Development]] PO 19.1,"

- Insert the following words in the column titled "General Development Policies":

"Design in Urban Areas [All residential development [Ancillary Development]] PO 19.5"

19. In Part 13 – Table of Amendments, update the publication date, Code version number, amendment type and summary of amendments within the 'Table of Planning and Design Code Amendments' to reflect the publication of this Code Amendment.

Map A

As this is a state-wide Code amendment, the entire state is affected by the proposal. Therefore, there are no mapping changes.

MATTERS FOR INFORMATION

6.5 SPECIAL AUDIT AND RISK COMMITTEE - MINUTES OF 25 NOVEMBER 2024

Author: Team Leader Corporate Governance and Information Services
24/110571

The Special Audit and Risk Committee minutes of 25 November 2024 are hereby tabled.

ATTACHMENTS

Attachment 1 Agenda - Special Audit and Risk Committee Meeting - 25 November 2024 ⇩

Attachment 2 Minutes - Special Audit and Risk Committee Meeting - 25 November 2024 ⇩

SUPPORTING REFERENCES

Agenda - Special Audit and Risk Committee - 25 November 2024 (www.barossa.sa.gov.au)
Minutes - Special Audit and Risk Committee - 25 November 2024 (www.barossa.sa.gov.au)

NOTICE OF MEETING

Notice is hereby given that the next Special Meeting of an Audit and Risk Committee will be held on Monday 25 November 2024 in the Peramangk Room (Committee Room), 43-51 Tanunda Road, Nuriootpa, commencing at 5.00pm.

Martin McCarthy
CHIEF EXECUTIVE OFFICER
AUDIT AND RISK COMMITTEE

A G E N D A

Welcome by the Chair

1. ATTENDANCE RECORD

1.1 Members Present

Apologies

Nil

Not Present

Nil

Leave of Absence

Nil

2. DEBATE REPORT

2.1 2023-24 Annual Financial Statements - The Barossa Council 4
2.2 2023-24 Annual Financial Statements - Nuriootpa Centennial Park Authority 91

3. CONFIDENTIAL AGENDA

Nil

4. URGENT OTHER BUSINESS

5. NEXT MEETING

Monday 25 November 2024 at 5:00pm

6. CLOSURE

Mr Martin McCarthy
Chief Executive Officer
The Barossa Council
43-51 Tanunda Road
Nuriootpa SA 5355

22 November 2024

Dear Martin

Re: Calling of a Special Meeting of Council

Pursuant to Section 87(5)(a) of the Local Government Act, as Presiding Officer, I hereby call a special meeting of the Audit and Risk Committee of Council to be held at 5:00pm, Monday, 25 November 2024.

I request that the agenda shall consist of the following matters:

1. 2023-24 Annual Financial Statements – Nuriootpa Centennial Park Authority.
2. 2023-24 Annual Financial Statements – The Barossa Council.

Please prepare the necessary agenda and distribute.

Yours sincerely



Mr Peter Brass
Chairperson
The Barossa Council – Audit and Risk Committee

DEBATE REPORT

2.1 2023-24 ANNUAL FINANCIAL STATEMENTS - THE BAROSSA COUNCIL

Author: Manager Financial Services
24/109496

PURPOSE

The purpose of this report is to present the Annual Financial Statements for the 2023-24 financial year for the Barossa Council for review and endorsement for Council adoption.

RECOMMENDATION

That the Audit and Risk Committee:

(1) Receives and notes the Draft Audit Report for the Barossa Council from Council's external auditor Mr Tim Muhlhausler of Galpins Accountants, Auditors and Business Consultants for the year ended 30 June 2024.

(2) Receives and notes the Management Representation Letter, which was provided to Mr Tim Muhlhausler of Galpins Accountants, Auditors and Business Consultants for the year ended 30 June 2024.

(3) Notes the Draft Audit Certificate of Audit Independence as part of the 2023-24 Annual Financial Statements which will be provided by Mr Tim Muhlhausler of Galpins Accountants, Auditors and Business Consultants.

(4) Having reviewed the Barossa Council 2023-24 Annual Financial Statements for the year ended 30 June 2024 consider the statements present fairly the state of affairs of the Barossa Council.

(5) Notes the analysis contained within this report comparing the audited 2023-24 Financial Statements with the 2023-24 original adopted budget and the audited 2022-23 Financial Statements.

(6) Receives and, including as necessary any further minor and non-material adjustments, endorses for adoption by Council the Barossa Council 2023-24 Annual Financial Statements for the year ended 30 June 2024

(7) Authorises the Audit and Risk Committee Chairperson to sign the Certification of Auditor Independence.

REPORT

Background

The 2023-24 Annual Financial Statements and accompanying notes have been prepared in accordance with Section 127 of the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011*.

Regulation 13 of the *Local Government (Financial Management) Regulations 2011* requires that the Financial Statements of a Council be prepared in accordance with the requirements set out in the Model Financial Statements.

Section 126(4)(a) of the *Local Government Act 1999* requires that the functions of an Audit and Risk Committee include reviewing annual financial statements to ensure that they present fairly the state of affairs of the council.

Regulation 10 of the *Local Government (Financial Management) Regulations 2011* requires a report showing the audited financial results of each item shown in the statement of comprehensive income and balance sheet of the budgeted financial statement compared with the estimated financial results set out in the budget.

Introduction

Key results of the Barossa Council 2023-24 Annual Financial Statements include:

- 2023-24 operating deficit of $1.139 million compared to $0.949 million operating surplus for 2022-23.
- 2023-24 adjusted and true underlying operating surplus (adjusting for the advanced payment of 2023-24 financial) assistance grants of $2.086M paid in he 2022-23 financial year of $0.947M and for comparison the adjusted and true underlying operating surplus for 2022-23 was $0.247M).
- 2023-24 net surplus after capital adjustments of $1.535 million (2022-23 $8.403 million net surplus).
- 2023-24 total comprehensive income after changes in revaluation surplus and share of other comprehensive income of equity accounted council businesses of $4.306 million surplus (2022-23 $3.685 million surplus).
- Net assets increased to $407.809 million as at 30 June 2024 from $403.503 million as at 30 June 2023.
- Cash and cash equivalents at 30 June 2024 were $3.153 million (2023 $4.618 million).
- Total borrowings have increased by $6.471 million from $8.958 million to $15.429 million at 30 June 2024.
- There was a $469,000 increase to the revaluation surplus for infrastructure, property, plant and equipment recognised in 2023-24 in addition to $2.302 million recognised for the Barossa Council's share of other comprehensive income of equity accounted council businesses.
- Future commitments for capital expenditure are recorded at Note 14 of the Annual Financial Statements and totalled $10.860 million.

Discussion

The tables below compare the 2023-24 audited financial result to both the 2023-24 adopted original budget and the 2022-23 audited financial result.

- Table 1 – Statement of Comprehensive Income
- Table 2 – Statement of Financial Position
- Table 3 – Financial Indicators

Table 4 – Asset Revaluation, has been included to briefly explain the asset revaluation reserve movements.

Table 1: Statement of Comprehensive Income	2023/24 Actual $'000	2023/24 Budget $'000	Variance to Budget $'000	Variance to Budget %	Notes	2022/23 Actual $'000	Variance to actual $'000	Variance to actual %	Notes
Income									
Rates	37,956	37,892	64	0%		35800	2,156	6%	A1
Statutory charges	830	828	2	0%		803	27	3%	
User charges	3,827	3,927	-100	-3%		3601	226	6%	A2
Grants, subsidies and contributions - operating	1,903	1,471	432	29%	B1	4311	-2,408	-56%	A3
Investment income	217	152	65	43%		415	-198	-48%	A4
Reimbursements	63	62	1	2%		9	54	600%	
Other income	1,243	772	471	61%	B2	806	437	54%	A5
Total income	46,039	45,014	1,025	2%		45745	294	1%	
Expenses									
Employee costs	17,817	17,478	339	2%		15897	1,920	12%	A6
Materials, contracts and other expenses	17,533	18,426	-893	-5%	B3	17887	-354	-2%	
Depreciation, amortisation and impairment	11,010	10,170	840	8%	B4	10553	457	4%	
Finance costs	771	1,285	-514	-40%	B5	441	330	75%	A7
Net loss - equity accounted council businesses	47	0	47	-		18	29	161%	
Total expenses	47,178	47,359	-181	0%		44796	2,382	5%	
Operating surplus / (deficit)	-1,139	-2,345	1,206	-51%		949	-2,088	-220%	
Physical resources received free of charge	2,832	0	2,832	-	B6	3131	-299	-10%	A8
Asset disposal and fair value adjustments	-2,497	-854	-1,643	192%		-1097	-1,400	128%	A9
Amounts received specifically for new or upgraded assets	2,339	2,838	-499	-18%		5420	-3,081	-57%	A10
Net surplus / (deficit)	1,535	-361	1,896	-525%		8403	-6,868	-82%	
Other comprehensive income									
Increase/(decrease) in asset revaluation surplus	469	0	469	-		-4714	5,183	-110%	A11
Share of other comprehensive income - equity accounted council businesses	2,302	0	2,302	-		0	2,302	-	A12
Inmpairment Expense	0	0	0	-		-4	4	-100%	
Total Other Comprehensive Income	2,771	0	2,771	-		-4718	7,489	-159%	
Total Comprehensive Income	4,306	-361	4,667	-1293%		3685	621	17%	

Where the variation is greater than +/- 5% and +/- $100,000, a comment is provided below.

Notes	Explanation
B1	95% of Financial Assistance Grant for 2023-24 was received in June 2023, actual amount received in 2023-24 was higher than initial budget. Also received unbudgeted Bushgardens grant.
B2	Variance primarily relates to unbudgeted contributions received from other councils for project work and unbudgeted amounts received from insurance, eg. income protection and workers compensation
B3	Variance is primarily due to lower than anticipated spend in contractors and consultants ($963,000 favourable), slightly offset by higher than budgeted energy and water costs ($198,000 unfavourable).
B4	The increase is attributable to revaluation of assets and increases in the unit rates for CWMS, bridges, footpaths, kerb and gutter and transport asset classes in 2022-23 with the impact only being know after 2023-24 original budget was set.
B5	Borrowing costs lower than original budget due to lower capital spend throughout the year.
B6	Physical resources received free of charge are not budgeted for and amount to assets transferred at land division.
A1	The increase is represented by: · A general rate increase of 3.28%

- A budgeted growth in rateable properties of 0.91%
- Waste, recycling and green organics collection service charge increase of 2.5%
- CWMS service charge increase of 7.3%.

A2 Nuriootpa Centennial Park site activity growth on 2022-23 resulting in additional income for cabins and site fees. Also increase in sale of CWMS reuse water.

A3 2023-24 Financial Assistance Grant and Local Roads grant paid in 2022-23.

A4 Reduced interest received from investing activities due to less cash available for investing with increased capital spend.

A5 Largely due to a $307,000 increase in contributions and a $92,000 increase in insurance and other recoveries.

A6 Due to overall salary and superannuation rate increases in enterprise agreements and superannuation law changes, insourcing of works and approved organisational growth.

A7 The variance is primarily due to the following: increased average interest through the year on variable borrowings as well as increased borrowing (CAD Facility) to fund capital projects.

A8 The variance is predominately due to less transport assets received from development this year compared to last year.

A9 Increased disposals for replaced assets in major projects for 2023-24, the asset class breakdown is as follows: Bridges $98,000, Buildings $945,000, CWMS $95,000, Land $255,000, Plant $126,000, Recreation Infrastructure $462,000 and Transport Infrastructure $723,000.

A10 Variance is primarily due to a number of grants for projects received in 2022-23 and not received in 2023-24 including: Local roads and community infrastructure program, Barossa rugby precinct and Tanunda Recreation Park.

A11 The difference is predominately related to the Transport asset class revaluation. In 2022-23, an assessment of both the unit rates and condition was undertaken with the condition assessment outcome unfavourable resulting in a write down of the overall value of the Transport asset class. This is compared to only land being revalued in 2023-24.

A12 Move in Gawler River Floodplain Management Authority revaluation surplus resulting in an increase in equity share.

Table 2: Statement of Financial Position	2023/24 Actual $'000	2023/24 Budget $'000	Variance to Budget $'000	Variance to Budget %	Notes	2022/23 Actual $'000	Variance to actual $'000	Variance to actual %	
ASSETS									
Current assets									
Cash and cash equivalent assets	3,153	902	2,251	250%	B1	4618	-1,465	-32%	A1
Trade and other receivables	3,248	2703	545	20%	B2	2946	302	10%	A2
Inventories	123	391	-268	-69%	B3	245	-122	-50%	A3
Total current assets	6,524	3996	2,528	63%		7809	-1,285	-16%	
Non-current assets									
Trade and other receivables	1,228	1212	16	1%		1312	-84	-6%	
Equity accounted investments in council	4,518	2281	2,237	98%	B4	2263	2,255	100%	A4
Other non-current assets	5,724	0	5,724	-	B5	15893	-10,169	-64%	A5
Infrastructure, property, plant and equipr	414,613	439067	-24,454	-6%	B6	394340	20,273	5%	A6
Total non-current assets	426,083	442560	-16,477	-4%		413808	12,275	3%	
TOTAL ASSETS		446556				421617			
LIABILITIES									
Current liabilities									
Trade and other payables	5,355	5429	-74	-1%		5116	239	5%	
Borrowings	3,558	22644	-19,086	-84%	B7	1945	1,613	83%	A7
Provisions	3,292	3035	257	8%	B8	3358	-66	-2%	A8
Total current liabilities	12,205	31108	-18,903	-61%		10419	1,786	17%	
Non-current liabilities									
Borrowings	11,871	2380	9,491	399%	B7	7013	4,858	69%	A7
Provisions	722	1073	-351	-33%	B8	682	40	6%	A8
Total non-current liabilities	12,593	3453	9,140	265%		7695	4,898	64%	
TOTAL LIABILITIES	24,798	34561	-9,763	-28%		18114	6,684	37%	
Net assets	407809	411995	-4,186	-1%		403503			
EQUITY									
Accumulated surplus	106561	105899	662	1%		105026	1,535	1%	
Asset revaluation reserve	285676	293089	-7,413	-3%		282905	2,771	1%	
Other reserves	15572	13007	2,565	20%	B9	15572	-	0%	
Total equity	407809	411995				403503			

Where the variation is greater than +/- 5% and +/- $100,000, a comment is provided below.

Notes	Explanation
B1	The budget assumed greater cash outflows for investing activities and upgraded assets.
B2	Due to budget assumptions associated with repayments of loans to community and level of predicted rates debtors.
B3	Inventories lower due to no rubble crush in 2023-24, rubble inventory was reduced to a very minor amount as at end of June 2024.
B4	Move in Gawler River Floodplain Management Authority revaluation surplus resulting in an increase in equity share.
B5	No budget allocated for Works in Progress (WIP).
B6	Approximately $11 million carried forward to 2023-24. The budget assumed $27.1 million expenditure on new and upgraded assets whereby actuals were $13.6 million.
B7	Lower than anticipated borrowings in 2023-24 due to timing of capital expenditure on major projects being later than budgeted. Borrowing to occur in 2024-25.
B8	Overall provision variance is within tolerance this is purely a difference in current vs non-current.
B9	Budget included a decrease in CWMS reserves due to high capital spend however actual capital spend was lower than anticipated with a portion being carried forward to 2024-25.
A1	Reduced cash year on year with lower investment balance and increased borrowing CAD facilities due to nature of current capital project work.

A2 The variance is predominately due to the outstanding rates balance which has increased ($350,000 higher as at 30 June 2024).

A3 Inventories lower due to no rubble crush in 2023-24, rubble inventory was reduced to a very minor amount as at end of June 2024

A4 Move in Gawler River Floodplain Management Authority revaluation surplus resulting in an increase in equity share.

A5 The variance is mainly due to the following: major projects sitting as WIP at the end of 2022-23 including: Mt Pleasant Caravan Park $2.1 million, Barossa Rugby $1.5 million, Tanunda Recreation Park $6.6 million and Moculta Road $2.1 million. Most of these were completed in 2023-24. The majority of WIP in 2023-24 relates to: Nuriootpa Soccer $2 million, Lyndoch Recreation Park $0.8 million and Creative Industries $0.4 million.

A6 The following significant movements in infrastructure, property, plant and equipment occurred during 2023-24: additions related to renew/replaced assets $9.9 million, capital additions related to found/gifted/new assets $23.6 million, depreciation $11 million, and disposals $2.8 million.

A7 Overall current and non-current borrowings have increased in order to fund major capital projects, this is primarily an increase in cash advance borrowing.

A8 Overall provision variance is within tolerance this is purely a difference in current vs non-current split.

Table 3: Financial Indicators	Notes	2023-24 Actual	2023/24 Budget	2022-23 Actual	Adopted Target
Operating Surplus Ratio	1	(2.5%)	(5.2%)	2.1%	(2%) – 10%
Adjusted Operating Surplus Ratio	1a	2.0%	(5.2%)	0.5%	(2%) – 10%
Net Financial Liabilities Ratio	2	37%	66.1%	20%	0% - 100%
Adjusted Net Financial Liabilities Ratio	2a	36%	66.1%	25%	0% - 100%
Asset Renewal Funding Ratio	3	123%	116.8%	113%	80% - 110%

Notes	Explanation
1	Operating Surplus Ratio outside of the adopted target range but exceeded budget expectations.
1a	True and underlying operating surplus ratio meets performance target.
2	Net Financial Liabilities Ratio exceeded budget expectations due to less than budgeted borrowings and meets performance target.
2a	True and underlying net financial liabilities ratio meets target.
3	Asset Renewal Funding Ratio is higher than budgeted and outside of the adopted target range due to additional spending on asset renewals.

Asset Revaluations

Land assets classified as level 3 in the fair value hierarchy were revalued in 2023-24 based on a desktop valuation using values supplied by the Valuer-General as at 1 July 2023. Table 4 below explains the revaluation movements as reported in note 9(a).

Table 4 – Asset Revaluations

Asset Class	Increment/ (Decrement) $'000	Explanation

Land (community)	$37,000	Revalued based on values supplied by the Valuer-General as at 1 July 2023. Revaluation increments totalled $1.144 million, and revaluation decrements totalled $1.107 million resulting in an overall net revaluation increment to the asset revaluation reserve of $37,000.

Other adjustments were made to the asset revaluation reserve for assets that were 'found' during the year. These adjustments totalled $432,000.

A $2.302 million increment to the asset revaluation reserve was also recognised for the Council's 10.61% interest in the other comprehensive income of the Gawler River Floodplain Management Authority.

Management Representation Letter

A copy of the management representation letter for the year ended 30 June 2024, which has been provided to Galpins Accountants, Auditors and Business Consultants, has also been attached for your information and noting.

Summary and Conclusion

The 2023-24 Annual Financial Statements of the Barossa Council are presented for review.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Draft 2023-24 Annual Financial Statements (Audit Clearance Version to Audit and Risk Committee) - Barossa Council
Attachment 2 Galpins Draft Audit Report on Financial Statements - Barossa Council
Attachment 3 2023-24 Management Representation Letter to Galpins - Barossa Council

Supporting references

Nil.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

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

Legislative Requirements

Section 126(4) of the Local Government Act 1999
Local Government (Financial Management) Regulations 2011

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial

All known financial and resourcing requirements as at 30 June 2024 have been included in the annual financial reports.

Risk Management

Risk management issues are considered by management throughout the financial year and communicated to Council as required.

COMMUNITY ENGAGEMENT

No separate consultation is required under Council's Public Consultation Policy. The Financial Statements are public documents, accessible to the community via Council's website after Council adoption.

The Barossa Council

GENERAL PURPOSE FINANCIAL STATEMENTS

for the year ended 30 June 2024

The Barossa Council

General Purpose Financial Statements

for the year ended 30 June 2024

Contents Page

Council certificate 2

Principal Financial Statements

Statement of Comprehensive Income 3
Statement of Financial Position 4
Statement of Changes in Equity 5
Statement of Cash Flows 6

Notes to and forming part of the Financial Statements 7

Independent Auditor's Report – Financial Statements 44

Independent Auditor's Report – Internal Controls 45

Certificates of Audit Independence

Council Certificate of Audit Independence 46
Audit Certificate of Audit Independence 47

The Barossa Council

General Purpose Financial Statements
for the year ended 30 June 2024

Certification of Financial Statements

We have been authorised by the Council to certify the financial statements in their final form.

In our opinion:

- the accompanying financial statements comply with the *Local Government Act 1999, Local Government (Financial Management) Regulations 2011* and Australian Accounting Standards,
- the financial statements present a true and fair view of the Council's financial position at 30 June 2024 and the results of its operations and cash flows for the financial year,
- internal controls implemented by the Council provide a reasonable assurance that the Council's financial records are complete, accurate and reliable and were effective throughout the financial year,
- the financial statements accurately reflect the Council's accounting and other records.

Martin McCarthy
Chief Executive Officer

November 2024

Michael (Bim) Lange OAM
Mayor

November 2024

The Barossa Council

Statement of Comprehensive Income

for the year ended 30 June 2024

$ '000	Notes	2024	2023
Income			
Rates	2a	37,956	35,800
Statutory charges	2b	830	803
User charges	2c	3,827	3,601
Grants, subsidies and contributions - operating	2g	1,903	4,311
Investment income	2d	217	415
Reimbursements	2e	63	9
Other income	2f	1,243	806
Total income		46,039	45,745
Expenses			
Employee costs	3a	17,817	15,897
Materials, contracts and other expenses	3b	17,533	17,887
Depreciation, amortisation and impairment	3c	11,010	10,553
Finance costs	3d	771	441
Net loss - equity accounted council businesses	19	47	18
Total expenses		47,178	44,796
Operating surplus / (deficit)		(1,139)	949
Physical resources received free of charge	2i	2,832	3,131
Asset disposal and fair value adjustments	4	(2,497)	(1,097)
Amounts received specifically for new or upgraded assets	2g	2,339	5,420
Net surplus / (deficit)		1,535	8,403
Other comprehensive income			
Amounts which will not be reclassified subsequently to operating result			
Changes in revaluation surplus - infrastructure, property, plant and equipment	9a	469	(4,714)
Share of other comprehensive income - equity accounted council businesses	19	2,302	–
Impairment (expense) / recoupments offset to asset revaluation reserve	9a	–	(4)
Total amounts which will not be reclassified subsequently to operating result		2,771	(4,718)
Total other comprehensive income		2,771	(4,718)
Total comprehensive income		4,306	3,685

The above Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

The Barossa Council

Statement of Financial Position
as at 30 June 2024

$ '000	Notes	2024	2023
ASSETS			
Current assets			
Cash and cash equivalent assets	5a	3,153	4,618
Trade and other receivables	5b	3,248	2,946
Inventories	5c	123	245
Total current assets		6,524	7,809
Non-current assets			
Trade and other receivables	6a	1,228	1,312
Equity accounted investments in council businesses	6b	4,518	2,263
Other non-current assets	6c	5,724	15,893
Infrastructure, property, plant and equipment	7	414,613	394,340
Total non-current assets		426,083	413,808
TOTAL ASSETS		432,607	421,617
LIABILITIES			
Current liabilities			
Trade and other payables	8a	5,355	5,116
Borrowings	8b	3,558	1,945
Provisions	8c	3,292	3,358
Total current liabilities		12,205	10,419
Non-current liabilities			
Borrowings	8b	11,871	7,013
Provisions	8c	722	682
Total non-current liabilities		12,593	7,695
TOTAL LIABILITIES		24,798	18,114
Net assets		407,809	403,503
EQUITY			
Accumulated surplus		106,561	105,026
Asset revaluation reserve	9a	285,676	282,905
Other reserves	9b	15,572	15,572
Total equity		407,809	403,503

The above Statement of Financial Position should be read in conjunction with the accompanying notes.

The Barossa Council

Financial Statements 2024

Statement of Changes in Equity
for the year ended 30 June 2024

$ '000	Notes	Accumulated surplus	Asset revaluation reserve	Other reserves	Total equity
2024					
Balance as at 1 July		105,026	282,905	15,572	403,503
Net surplus / (deficit) for year		1,535	–	–	1,535
Other comprehensive income					
Gain (loss) on revaluation of infrastructure, property, plant and equipment	7a	–	469	–	469
Share of other comprehensive income - equity accounted council businesses		–	2,302	–	2,302
Other comprehensive income		–	2,771	–	2,771
Total comprehensive income		1,535	2,771	–	4,306
Transfers to reserves		–	–	–	–
Balance at the end of period		106,561	285,676	15,572	407,809
2023					
Balance as at 1 July		98,215	287,623	13,980	399,818
Net surplus / (deficit) for year		8,403	–	–	8,403
Other comprehensive income					
Gain (loss) on revaluation of infrastructure, property, plant and equipment	7a	–	(4,714)	–	(4,714)
Impairment (expense) / recoupments offset to asset revaluation reserve	7a	–	(4)	–	(4)
Other comprehensive income		–	(4,718)	–	(4,718)
Total comprehensive income		8,403	(4,718)	–	3,685
Transfers to reserves		(1,592)	–	1,592	–
Balance at the end of period		105,026	282,905	15,572	403,503

The above Statement of Changes in Equity should be read in conjunction with the accompanying notes.

Page 5 of 47

The Barossa Council

Statement of Cash Flows

for the year ended 30 June 2024

$ '000	Notes	2024	2023
Cash flows from operating activities			
Receipts			
Rates receipts		37,609	35,589
Statutory charges		830	803
User charges		4,210	3,961
Grants, subsidies and contributions		1,903	4,276
Investment receipts		217	415
Reimbursements		63	9
Other receipts		5,872	4,472
Payments			
Payments to employees		(17,779)	(15,814)
Payments for materials, contracts and other expenses		(21,603)	(22,301)
Finance payments		(771)	(441)
Net cash provided by (or used in) operating activities	11b	10,551	10,969
Cash flows from investing activities			
Receipts			
Amounts received specifically for new or upgraded assets		1,966	3,435
Sale of replaced assets		281	257
Repayments of loans by community groups		103	103
Payments			
Expenditure on renewal/replacement of assets		(6,940)	(6,284)
Expenditure on new/upgraded assets		(13,651)	(18,524)
Loans made to community groups		(16)	(300)
Net cash provided (or used in) investing activities		(18,257)	(21,313)
Cash flows from financing activities			
Receipts			
Proceeds from loans		7,419	2,200
Proceeds from bonds and deposits		340	530
Payments			
Repayments of loans		(880)	(936)
Repayment of principal portion lease liabilities		(68)	(74)
Repayment of bonds and deposits		(570)	(22)
Net cash provided by (or used in) financing activities		6,241	1,698
Net increase (decrease) in cash held		(1,465)	(8,646)
Plus: cash & cash equivalents at beginning of period		4,618	13,264
Cash and cash equivalents held at end of period	11a	3,153	4,618

The above Statement of Cash Flows should be read in conjunction with the accompanying notes.

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Contents of the Notes accompanying the General Purpose Financial Statements

Note	Details	Page
1	Summary of Material Accounting Policies	8
2	Income	15
3	Expenses	18
4	Asset disposal and fair value adjustments	19
5	Current assets	20
6	Non-current assets	21
7	Infrastructure, property, plant and equipment	22
8	Liabilities	25
9	Reserves	26
10	Assets subject to restrictions	27
11	Reconciliation to Statement of Cash Flows	28
12(a)	Functions	29
12(b)	Components of functions	30
13	Financial instruments	31
14	Capital expenditure commitments	34
15	Financial indicators	35
16	Uniform presentation of finances	36
17	Leases	37
18	Superannuation	39
19	Interests in other entities	40
20	Contingencies and assets/liabilities not recognised in the balance sheet	42
21	Events after the balance sheet date	42
22	Related party transactions	43

The Barossa Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 1. Summary of Material Accounting Policies

The principal accounting policies adopted by the Barossa Council (the Council) in the preparation of these consolidated financial statements are set out below.

These policies have been consistently applied to all the years presented, unless otherwise stated.

(1) Basis of preparation

1.1 Compliance with Australian Accounting Standards
This general purpose financial report has been prepared on a going concern basis in accordance with Australian Accounting Standards as they apply to not-for-profit entities, other authoritative pronouncements of the Australian Accounting Standards Board, Interpretations and relevant South Australian legislation.

In the current year, Council adopted all of the new and revised Standards and Interpretations issued by the Australian Accounting Standards Board (AASB) that are relevant to its operations and effective for the current reporting period. The adoption of the new and revised Standards and Interpretations has not resulted in any material changes to Council's accounting policies.

The financial report was authorised for issue by certificate under Regulation 14 of the *Local Government (Financial Management) Regulations 2011*.

1.2 Historical cost convention
Except as stated below, these financial statements have been prepared in accordance with the historical cost convention.

1.3 Critical Accounting Estimates
The preparation of financial statements in conformity with Australian Accounting Standards requires the use of certain critical accounting estimates, and requires management to exercise its judgement in applying Council's accounting policies. The areas involving a higher degree of judgement or complexity, or areas where assumptions and estimates are significant to the financial statements are specifically referred to in the relevant sections of these notes.

1.4 Rounding
All amounts in the financial statements have been rounded to the nearest thousand dollars ($'000).

(2) The local government reporting entity

The Council is incorporated under the *Local Government Act 1999* and has its principal place of business at 43-51 Tanunda Road, Nuriootpa. These consolidated financial statements include the Council's direct operations and all entities through which Council controls resources to carry on its functions. In the process of reporting on the Council as a single unit, all transactions and balances between activity areas and controlled entities have been eliminated.

(3) Subsidiary Operation

Under the *Local Government Act 1999*, Section 42, the Council oversees the Nuriootpa Centennial Park Authority (the Authority) which is a subsidiary that operates and maintains both the Barossa Valley Tourist Park and its surrounding park lands. The Authority's information as at the reporting date has been consolidated in the accounts within this report.

(4) Income recognition

Income is measured at the fair value of the consideration received or receivable. Income is recognised when the Council obtains control over the assets comprising the income, or when the amount due constitutes an enforceable debt, whichever occurs first.

The Council recognises revenue under AASB 1058 Income of Not-for-Profit Entities (AASB 1058) or AASB 15 Revenue from Contracts with Customers (AASB 15) when appropriate.

In cases where there is an 'enforceable' contract with a customer with 'sufficiently specific' performance obligations, the transaction is accounted for under AASB 15 where income is recognised when (or as) the performance obligations are satisfied (i.e. when it transfers control of a product or service to a customer). Revenue is measured based on the consideration to which the Council expects to be entitled in a contract with a customer.

In other cases, AASB 1058 applies when a not-for-profit entity enters into transactions where the consideration to acquire an asset is significantly less than the fair value of the asset principally to enable the entity to further its objectives. The excess of the asset recognised (at fair value) over any 'related amounts' is recognised as income immediately, except in the case where a financial asset has been received to enable the Council to acquire or construct a recognisable non-financial asset that is to

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 1. Summary of Material Accounting Policies (continued)

be controlled by the Council. In this case, the Council recognises the excess as a liability that is recognised over time in profit and loss when (or as) the entity satisfies its obligations under the transfer.

Where grants, contributions and donations recognised as incomes during the reporting period were obtained on the condition that they be expended in a particular manner or used over a particular period, and those conditions were undischarged as at the reporting date, the amounts subject to those undischarged conditions are included in these notes.

In recent years the payment of untied financial assistance/local and supplementary roads grants has varied from the annual allocation as shown in the table below:

Year	*Cash Payment Received*	*Annual Allocation*	*Difference*
2019/20	$1,322,566	$1,555,963	($233,397)
2020/21	$1,536,605	$1,654,037	($117,432)
2021/22	$2,435,662	$1,894,550	$541,112
2022/23	$2,859,679	$2,078,321	$781,358
2023/24	$410,757	$2,400,108	($1,989,351)

As these grants are untied, the Australian Accounting Standards require that payments be recognised upon receipt. The operating results of these periods have therefore been distorted compared to those that would have been reported had the grants been paid in the year to which they were allocated.

The adjusted operating surplus ratio disclosed in Note 15 has also been calculated after adjusting for the distortions resulting from the differences between the actual grants received and the grant entitlements allocated.

Construction contracts
Construction works undertaken by Council for third parties are generally on an agency basis where the third party reimburses Council for actual costs incurred, and usually do not extend beyond the reporting period. As there is no profit component, such works are treated as 100% completed. Reimbursements not received are recognised as receivables and reimbursements received in advance are recognised as payments received in advance.

(5) Cash, cash equivalents and other financial instruments

Cash assets include all amounts readily convertible to cash on hand at Council's option with an insignificant risk of changes in value with a maturity of three months or less from the date of acquisition.

Receivables for rates and annual charges are secured over the subject land, and bear interest at rates determined in accordance with the *Local Government Act 1999*. Other receivables are generally unsecured and do not bear interest.

All receivables (including community loans) are reviewed as at the reporting date and adequate allowance made for amounts the receipt of which is considered doubtful.

All financial instruments are recognised at fair value at the date of recognition. A detailed statement of the accounting policies applied to financial instruments forms part of Note 13.

(6) Inventories

Inventories held in respect of depot stores (fuel and rubble) have been valued by using the weighted average cost on a continual basis or at cost for the Barossa Regional Gallery, Barossa Visitor Centre and the Authority, after adjustment for loss of service potential. Inventories held in respect of business undertakings have been valued at the lower of cost and net realisable value.

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 1. Summary of Material Accounting Policies (continued)

(7) Infrastructure, property, plant and equipment

7.1 Initial Recognition

All assets are initially recognised at cost. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition.

All non-current assets purchased or constructed are capitalised as the expenditure is incurred and depreciated as soon as the asset is held ready for use. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition, including architect and engineering design fees and all other costs incurred. The cost of non-current assets constructed by the Council includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Capital works still in progress at balance date are recognised as other non-current assets and are transferred to the relevant asset class when completed and ready for use.

7.2 Materiality

Assets with an economic life in excess of one year are only capitalised where the cost of acquisition exceeds materiality thresholds established by Council for each type of asset. In determining (and in annually reviewing) such thresholds, regard is had to the nature of the asset and its estimated service life. Capitalisation thresholds applied during the year are as follows (no capitalisation threshold is applied to the acquisition of land or interests in land). Any new or upgrade work below these threshold amounts will be expensed as incurred.

	$
***Buildings** *	
- Buildings (including Toilets)	$20,000
- Sheds, Pergolas, Cabins, Carports and Other Structures	$10,000
- Buildings and Componentisation	$50,000
***Sealed Roads** *	
- Reconstruction and Renewal Work	$20,000
Sheeted Roads	
- Resheeting, Major Patch Repair and Road Shoulders	$15,000
Footpaths, Kerbs and Carpark Surfaces	$10,000
Community Wastewater Management Systems (CWMS)	$5,000
Stormwater and Drainage	$5,000
Bridges, Floodways and Major Culverts	$15,000
Parks and Reserves Development	$5,000
Plant and Equipment	$5,000
Furniture and Fittings	$5,000
Core Software Programs	$15,000
Right-of-Use Assets	$15,000
Leasehold Improvements	$20,000
All Other Assets	$5,000

* These assets are capitalised when replacing/renewing assets that are >10% of the Depreciable Replacement Value

7.3 Subsequent Recognition

All material asset classes are revalued on a regular basis such that the carrying values are not materially different from fair value. For infrastructure and other asset classes where no active market exists, fair value is determined to be the current replacement cost of an asset less, where applicable, accumulated depreciation calculated on the basis of such cost to reflect the already consumed or expired future economic benefits of the asset. Further detail of existing valuations, methods and valuers are provided at Note 7.

7.4 Depreciation of Non-Current Assets

Other than land, all infrastructure, property, plant and equipment assets recognised are systematically depreciated over their useful lives on a straight-line basis which, in the opinion of Council, best reflects the consumption of the service potential embodied in those assets. Depreciation methods, useful lives and residual values of classes of assets are reviewed annually.

Major depreciation periods for each class of asset are shown in the following table. Depreciation periods for infrastructure assets have been estimated based on the best information available to Council, but appropriate records covering the entire

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 1. Summary of Material Accounting Policies (continued)

life cycle of these assets are not available, and extreme care should be used in interpreting financial information based on these estimates.

Buildings	
Complete	20 to 100 years
Substructure	40 to 300 years
Superstructure	20 to 300 years
Roof Structure	40 to 60 years
Internal Fit Out	20 to 25 years
Services	20 to 100 years
Town Hall Solid Flooring Only	150 years
Transport	
Unformed Roads (Earthworks) *	Unlimited
Sheeted Roads *	12 to 50 years
Sealed Roads - Pavement *	40 to 200 years
Sealed Roads - Surface *	10 to 50 years
Footpaths *	Up to 100 years
Kerb	50 to 100 years
Car Park Surfaces *	30 to 50 years
Bridges	
Bridges *	Up to 100 years
Major Culverts *	Up to 100 years
Floodways *	Up to 100 years
Footbridges *	Up to 100 years
CWMS	
Pump Stations - Components	10 to 50 years
Lagoons - Components	40 to 100 years
Waste Water Treatment Plant - Components	5 to 50 years
Pipes	60 to 100 years
Recreation / Community Infrastructure	
Fences	40 years
Monuments	100 years
Other	10 to 100 years
Stormwater and Drainage	
Drainage Channels	20 to 150 years
Other	150 years
Plant and Equipment	
Plant and Machines	3 to 20 years
Vehicles	3 to 33 years
Computer Equipment	5 to 33 years
Hill and Son Historic Pipe Organ	300 years
Furniture and Fittings	10 to 25 years
Leasehold improvements	Term of Lease
Right-of-use assets	Term of Lease

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 1. Summary of Material Accounting Policies (continued)

* These asset types are made up of two components. The useful lives listed above are for the first component. The second component being a long life asset with lives ranging from 150 to 750 years. Please refer to Council's adopted Asset Accounting Policy for further information.

* Road Earthworks should not be depreciated in line with AASB 1055 (interpretation). Council Policy shows an unlimited useful life for these assets and current practice is not to depreciate them.

7.5 Impairment
Assets whose future economic benefits are not dependent on the ability to generate cash flows, and where the future economic benefits would be replaced if Council were deprived of them, are not subject to impairment testing.

Other assets that are subject to depreciation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount (which is the higher of the present value of future cash inflows or value in use).

Where an asset that has been revalued is subsequently impaired, the impairment is first offset against such amount as stands to the credit of that class of assets in the asset revaluation reserve, any excess being recognised as an expense.

(8) Payables

8.1 Goods and services
Creditors are amounts due to external parties for the supply of goods and services and are recognised as liabilities when the goods and services are received. Creditors are normally paid 30 days after the month of invoice. No interest is payable on these amounts.

8.2 Payments received in advance and deposits
Amounts received from external parties in advance of service delivery, and security deposits held against possible damage to Council assets, are recognised as liabilities until the service is delivered or damage reinstated, or the amount is refunded as the case may be.

(9) Borrowings

Loans are carried at their principal amounts which represent the present value of future cash flows associated with servicing the debt. Interest is accrued over the period to which it relates, and is recorded as part of Payables.

(10) Employee benefits

10.1 Salaries, wages and compensated absences
Liabilities for employees entitlements to salaries, wages and compensated absences expected to be paid or settled within 12 months of reporting date are accrued at nominal amounts (including payroll based oncosts) measured in accordance with AASB 119.

Liabilities for employee benefits not expected to be paid or settled within 12 months are measured as the present value of the estimated future cash outflows (including payroll based oncosts) to be made in respect of services provided by employees up to the reporting date. Present values are calculated using Government guaranteed securities rates with similar maturity terms.

Weighted average discount rate: 4.08% (2023: 5.5%)
Weighted average settlement period: 0.42 years (2023: 0.19 years)

No accrual is made for sick leave as Council experience indicates that, on average, sick leave taken in each reporting period is less than the entitlement accruing in that period, and this experience is expected to recur in future reporting periods. Council does not make payment for untaken sick leave.

10.2 Superannuation
Council makes employer superannuation contributions in respect of its employees to schemes selected by employees under the choice of fund legislation. Council uses Hostplus as its default superannuation fund. This scheme has two types of membership, each of which is funded differently. Council's subsidiary, Nuriootpa Centennial Park Authority makes contributions to other superannuation schemes. No changes in accounting policy have occurred during either the current or previous reporting periods. Details of the accounting policies applied and Council's involvement with the schemes are reported in Note 18.

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 1. Summary of Material Accounting Policies (continued)

(11) Leases
11.1 Council as a lessee

The Council recognises lease liabilities to make lease payments and right-of-use assets representing the right to use the underlying assets.

i) Right-of-Use-Assets

The Council recognises right-of-use assets at the commencement date of the lease. Right-of-use assets are measured at cost, less any accumulated depreciation and impairment losses, and adjusted for any remeasurement of lease liabilities. The cost of right-of-use assets includes the amount of lease liabilities recognised, initial direct costs incurred, lease payments made at or before the commencement date less any lease incentives received and the estimate of costs to be incurred to restore the leased asset. Right-of-use assets are depreciated on a straight-line basis over the shorter of the lease term and the estimated useful lives of the assets - refer Item 7.4 for details.

The right-of-use assets are also subject to impairment - refer to item 7.5 for details.

ii) Lease Liabilities

At the commencement date of the lease, the Council recognises lease liabilities measured at the present value of lease payments to be made over the lease term. In calculating the present value of lease payments, the Council uses its incremental borrowing rate or the interest rate implicit in the lease.

iii) Short-term leases and leases of low-value assets

The Council applies the short-term lease recognition exemption to its short-term leases of plant and equipment (i.e. those leases that have a lease term of 12 months or less from the commencement date). It also applies the low-value assets recognition exemption to leases of plant and equipment that are considered to be low value. Lease payments on short-term leases and leases of low-value assets are recognised as expense on a straight-line basis over the lease term.

Council is lessee for various peppercorn leases and licenses that have not been included for AASB 16. The function, period(s) to and potential costs are as follows:

Function/Purpose	Period to	$/pa each
Barossa Visitor Centre and Library - Tanunda	30/06/2026	$1 on demand
Kroemer Crossing, Tanunda - Reserve	30/03/2039	$1 on demand
Nuriootpa to Angaston (bike-walking path)	09/04/2035	$1 on demand
Barossa Trail (bike-walking path) - 2 licenses	2034	$1 on demand
Barossa Trail (bike-walking path) - 2 licenses	2035	$1 on demand
Barossa Trail (bike-walking path) - 1 license	31/07/2052	$1 on demand
Barossa Trail (bike-walking path) - numerous licenses	2062	$1 on demand
Barossa Trail (bike-walking path) - 1 license	26/04/2064	$1 on demand
Railway line Barossa Valley Way between Tanunda /Nuriootpa (Rose Hedge)	No lease	$201
Williamstown land used for car park	Lease under negotiation	$460

(12) Equity accounted Council businesses

Council participates in cooperative arrangements with other Councils for the provision of services and facilities. Council's interests in cooperative arrangements, which are only recognised if material, are accounted for in accordance with AASB 128 and set out in detail in Note 19.

(13) GST implications

In accordance with AASB Interpretation UIG Abstract 1031 Accounting for the Goods and Services Tax:

- Receivables and creditors include GST receivable and payable.
- Except in relation to input taxed activities, revenues and operating expenditures exclude GST receivable and payable.
- Non-current assets and capital expenditures include GST net of any recoupment.
- Amounts included in the Statement of Cash Flows are disclosed on a gross basis.

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 1. Summary of Material Accounting Policies (continued)

(14) New accounting standards and UIG interpretations

New accounting standards, amendments to existing standards and UIG Interpretations

Council applied for the first time certain new standards and amendments to existing standards, which are effective for annual periods beginning on or after 1 January 2023. Council has not early adopted any other standard, interpretation or amendment that has been issued but is not yet effective.

AASB 2021-2 Amendments to Australian Accounting Standards – Disclosure of Accounting Policies and Definition of Accounting Estimates

Council adopted AASB 2021-2, which makes some small amendments to a number of standards including the following: AASB 7, AASB 101, AASB 108, AASB 134 and AASB Practice Statement 2.

AASB 2022-6: Amendments to Australian Accounting Standards -- Non-current Liabilities with Covenants

Council adopted AASB 2022-6, which introduces specific disclosure requirements for loan liabilities. These requirements apply when the right to defer settlement for at least twelve months from the reporting date is subject to conditions in the arrangement.

AASB 2022-7: Editorial Corrections to Australian Accounting Standards and Repeal of Superseded and Redundant Standards

AASB 2022-7 makes various editorial corrections to a number of standards effective for reporting periods beginning on of after 1 January 2023.

Council has adopted all amendments mentioned above required for the year ended 30 June 2024. The adoption of these amendments did not have a material impact on the financial statements.

Standards issued by the AASB not yet effective

The AASB has issued new and amended Australian Accounting Standards and Interpretations that are not effective as of 30 June 2024. These standards have not yet been adopted by Council and will be incorporated into the financial statements upon their effective dates. The following list identifies all applicable new and amended Australian Accounting Standards and Interpretations that were issued but are not yet effective as of 30 June 2024.

Effective for annual report periods beginning on or after 1 January 2024

AASB 2020-1: *Amendments to Australian Accounting Standards – Classification of Liabilities as Current or Non-current*
AASB 2022-5: *Amendments to Australian Accounting Standards – Lease Liability in a Sale and Leaseback*
AASB 2022-*10: Amendments to Australian Accounting Standards – Fair Value Measurement of Non-Financial Assets of Not-for-Profit Public Sector Entities.*

Effective for annual report periods beginning on or after 1 January 2025.

AASB 2014-10: *Amendments to Australian Accounting Standards – Sale or Contribution of Assets between an investor and its Associate or Joint Venture*

Council has assessed the impact of new and changed Australian Accounting Standards and Interpretations not yet effective and concluded that they will not have a material impact on the financial statements.

(15) Comparative figures

To ensure comparability with the current reporting period's figures, some comparative period line items and amounts may have been reclassified or individually reported for the first time within these financial statements.

(16) Disclaimer

Nothing contained within these statements may be taken to be an admission of any liability to any person under any circumstance.

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 2. Income

$ '000	2024	2023
(a) Rates		
General rates		
General rates	31,332	30,081
Less: mandatory rebates	(562)	(533)
Less: Discretionary rebates, remissions and write offs	(174)	(328)
Total general rates	30,596	29,220
Other rates (including service charges)		
Landscape SA levy	822	560
Waste, recycling and green organics collection	3,004	2,728
Community wastewater management systems	3,316	3,140
Total other rates (including service charges)	7,142	6,428
Other charges		
Penalties for late payment	188	120
Legal and other costs recovered	30	32
Total other charges	218	152
Total rates	37,956	35,800
(b) Statutory charges		
Development Act and town planning fees	447	425
Septic tank inspection fees	69	76
Animal registration fees and fines	281	268
Parking fines / expiation fees	7	2
Other licences, fees and fines	26	32
Total statutory charges	830	803
(c) User charges		
Bushgarden seed/seedling sales	40	26
Caravan park fees	2,734	2,558
Cemetery fees	99	121
CWMS reuse water sales	261	200
Hall and equipment hire	26	20
Immunisation fees	31	30
Lease fees	61	91
Photocopying fees	21	19
Property search fees	48	46
Recreation park fees	51	36
Sundry	58	59
Tourism - souvenir and other sales	209	212
Transport scheme fees	126	119
Waste collection bins	34	39
Waste disposal/transfer station fees	28	25
Total user charges	3,827	3,601

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 2. Income (continued)

$ '000	2024	2023
(d) Investment income		
Interest on investments		
- Local Government Finance Authority	82	239
- Banks and other	78	118
- Loans to community groups	57	58
Total investment income	217	415
(e) Reimbursements		
Employee costs	60	5
Other	3	4
Total reimbursements	63	9
(f) Other income		
Insurance and other recoupments	160	68
Rebates received	69	49
Donations received	18	32
Contributions	390	83
Sundry	606	574
Total other income	1,243	806
(g) Grants, subsidies and contributions		
Capital grants, subsidies and contributions		
Amounts received specifically for new or upgraded assets	2,339	5,420
Total amounts received for new or upgraded assets	2,339	5,420
Operating grants, subsidies and contributions		
Roads to Recovery	483	483
Other grants, subsidies and contributions	1,420	1,742
Additional Grants Commission payment	–	2,086
Total other grants, subsidies and contributions - operating	1,903	4,311
The functions to which operating grants relate are shown in Note 12.		
Total grants, subsidies and contributions	4,242	9,731
(i) Sources of grants		
Commonwealth Government	1,124	3,493
State Government	1,742	5,857
Other	1,376	381
Total	4,242	9,731

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 2. Income (continued)

$ '000	2024	2023
(h) Conditions over grants and contributions		
Grants and contributions which were obtained on the condition that they be expended for specified purposes or in a future period, but which are not yet expended in accordance with those conditions, and are required to be repaid to the funding body if not expended, are as follows:		
Unexpended at the close of the previous reporting period	877	2,828
Less:		
Expended during the current period from revenues recognised in previous reporting periods		
Roads infrastructure	–	(564)
Recreation	(812)	(2,234)
Culture	(15)	(17)
Environment	(50)	(9)
Subtotal	(877)	(2,824)
Plus:		
Amounts recognised as revenues in this reporting period but not yet expended in accordance with the conditions		
Recreation	–	812
Community Services	30	–
Culture	17	16
Environment	13	45
Subtotal	60	873
Unexpended at the close of this reporting period	60	877
Net increase (decrease) in assets subject to conditions in the current reporting period	(817)	(1,951)
(i) Physical resources received free of charge		
Land and land improvements	173	439
Buildings	1	–
Transport	1,527	1,753
Community wastewater management system	405	243
Stormwater and drainage	674	696
Plant and equipment	48	–
Recreation	4	–
Total physical resources received free of charge	2,832	3,131

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 3. Expenses

$ '000	Notes	2024	2023
(a) Employee costs			
Salaries and wages		15,560	14,264
Employee leave expense movement		268	(13)
Superannuation - defined contribution plan contributions	18	1,533	1,292
Superannuation - defined benefit plan contributions	18	136	179
Workers compensation insurance		465	411
Less: capitalised and distributed costs		(145)	(236)
Total employee costs		17,817	15,897
Total number of employees (full time equivalent at end of reporting period)		173.0	161.5
(b) Materials, contracts and other expenses			
(i) Prescribed expenses			
Auditor's remuneration			
- Auditing the financial reports		39	25
Elected Member expenses		307	288
Lease expense - low value assets / short term leases		191	201
Subtotal - prescribed expenses		537	514
(ii) Other materials, contracts and expenses			
Contractors		3,360	4,058
Bank charges		113	109
Energy (including fuel)		2,365	2,053
Maintenance		1,320	1,838
Legal expenses		159	120
Levies paid to Government - Landscape Levy		884	626
Levies - other		18	19
Parts, accessories and consumables		1,268	1,269
Professional services		403	639
Communications and information technology		1,146	1,011
Contributions and donations		530	634
Water		543	464
Advertising and printing		148	174
Insurance		1,014	916
Sundry		954	910
Waste services		2,876	2,760
Less: capitalised and distributed Costs		(105)	(227)
Subtotal - Other materials, contracts and expenses		16,996	17,373
Total materials, contracts and other expenses		17,533	17,887

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 3. Expenses (continued)

$ '000	2024	2023
(c) Depreciation, amortisation and impairment		
(i) Depreciation and amortisation		
Buildings and other structures	2,208	2,173
Infrastructure		
- Bridges, floodways and major culverts	563	559
- Stormwater drainage	422	408
- Community wastewater management system	1,480	1,460
- Transport	4,241	4,075
- Recreation	539	505
- Community infrastructure	45	45
Right-of-use assets	67	75
Plant and equipment	1,380	1,215
Furniture and fittings	61	34
Leasehold improvements	4	4
Total depreciation, amortisation and impairment	11,010	10,553
(d) Finance costs		
Interest on loans	771	441
Total finance costs	771	441

Note 4. Asset disposal and fair value adjustments

$ '000	2024	2023
Infrastructure, property, plant and equipment		
(i) Assets renewed or directly replaced		
Proceeds from disposal	281	257
Less: carrying amount of assets sold	(2,523)	(1,354)
Gain (loss) on disposal	(2,242)	(1,097)
(ii) Assets surplus to requirements		
Carrying amount of assets sold	(255)	–
Gain (loss) on disposal	(255)	–
Net gain (loss) on disposal or revaluation of assets	(2,497)	(1,097)

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 5. Current assets

$ '000	2024	2023
(a) Cash and cash equivalent assets		
Cash on hand and at bank	2,513	1,373
Deposits at call	640	3,245
Total cash and cash equivalent assets	3,153	4,618
(b) Trade and other receivables		
Rates - general and other	1,863	1,519
Accrued revenues	362	279
Debtors - general	246	278
GST recoupment	298	561
Prepayments	360	190
Loans to community organisations	119	119
Subtotal	3,248	2,946
Total trade and other receivables	3,248	2,946

Amounts included in receivables that are not expected to be received within 12 months of reporting date are disclosed in Note 13.

(c) Inventories		
Stores and materials	25	145
Trading stock	98	100
Total inventories	123	245

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 6. Non-current assets

$ '000		2024	2023
(a) Trade and other receivables			
Receivables			
Council rates postponement scheme		175	172
Loans to community organisations		1,053	1,140
Total financial assets		1,228	1,312
(b) Equity accounted investments in council businesses			
Gawler River Floodplain Management Authority	19	4,488	2,230
Northern and Yorke Local Government Association	19	30	33
Total equity accounted investments in Council businesses		4,518	2,263
(c) Other non-current assets			
Capital work in progress		5,724	15,893
Total other non-current assets		5,724	15,893

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 7. Infrastructure, property, plant and equipment

Infrastructure, property, plant and equipment

		as at 30/06/23				Asset movements during the reporting period								as at 30/06/24			
$ '000	Fair Value Level	At Fair Value	At Cost	Accumulated Depreciation	Carrying amount	Asset Additions New / Upgrade	Asset Additions Renewals	WDV of Asset Disposals	Depreciation Expense (Note 3c)	Impairment Loss (recognised in Equity) (Note 9)	Adjustments & Transfers	Revaluation Decrements to Equity (ARR) (Note 9)	Revaluation Increments to Equity (ARR) (Note 9)	At Fair Value	At Cost	Accumulated Depreciation	Carrying amount
Land - community	3	54,671	1,164	–	55,835	–	1,945	(255)	–	–	–	(1,107)	1,144	56,225	1,337	–	57,562
Land - other	2	4,162	228	–	4,390	–	–	–	–	–	–	–	–	4,162	228	–	4,390
Buildings and other structures	3	88,944	5,779	(54,882)	39,841	11,610	175	(962)	(2,074)	–	7	–	191	96,795	5,779	(53,786)	48,788
Buildings and other structures	2	9,801	524	(7,529)	2,796	–	–	–	(134)	–	12	–	–	9,813	524	(7,663)	2,674
Leasehold improvements	3	–	107	(49)	58	–	–	–	(4)	–	–	–	–	–	107	(53)	54
Infrastructure																	
- Bridges, floodways and major culverts		53,211	472	(26,611)	27,072	–	84	(71)	(563)	–	–	–	2	53,202	472	(27,150)	26,524
- Stormwater and drainage		53,705	3,258	(11,409)	45,554	1,616	44	(15)	(422)	–	18	–	95	54,822	3,911	(11,844)	46,889
- Community wastewater management system		72,693	377	(30,550)	42,520	445	286	(95)	(1,480)	–	–	–	193	73,039	782	(31,952)	41,869
- Transport		266,319	7,452	(120,904)	152,867	2,865	7,064	(783)	(4,241)	–	(28)	(49)	–	272,297	8,997	(123,599)	157,695
- Recreation		14,905	7,327	(8,462)	13,770	4,662	295	(470)	(539)	–	11	–	–	18,847	7,327	(8,445)	17,729
- Community infrastructure		973	1,470	(612)	1,831	6	–	–	(45)	–	–	–	–	979	1,470	(657)	1,792
Right-of-use assets		–	315	(218)	97	–	–	–	(67)	–	–	–	–	–	315	(285)	30
Plant and equipment	3	–	16,987	(9,726)	7,261	2,312	26	(126)	(1,380)	–	4	–	–	–	16,576	(8,479)	8,097
Furniture and fittings	3	–	1,507	(1,059)	448	133	–	–	(61)	–	–	–	–	–	1,638	(1,118)	520
Total infrastructure, property, plant and equipment		619,384	46,967	(272,011)	394,340	23,649	9,919	(2,778)	(11,010)	–	24	(1,156)	1,625	640,181	49,463	(275,031)	414,613
Comparatives		565,707	42,282	(215,173)	392,816	13,626	4,523	(1,354)	(10,553)	(4)	–	(22,053)	17,339	619,384	46,967	(272,011)	394,340

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 7. Infrastructure, property, plant and equipment (continued)

Valuation of infrastructure, property, plant & equipment

Valuation of assets
The fair value of assets and liabilities must be estimated in accordance with various Accounting Standards for either recognition and measurement requirements or for disclosure purposes.

AASB 13 Fair Value Measurement requires all assets and liabilities measured at fair value to be assigned to a level in the fair value hierarchy as follows:

Level 1: Unadjusted quoted prices in active markets for identical assets or liabilities that the entity can access at the measurement date.

Level 2: Inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3: Inputs for the asset or liability that are not based on observable market data (unobservable inputs).

Refer to Note 7a for the disclosure of the fair value levels of Infrastructure, Property, Plant and Equipment Assets.

Information on valuations
Certain land, and the buildings and structures thereon, are shown above as being based on fair value hierarchy level 2 valuation inputs. They are based on prices for similar assets in an active market, with directly or indirectly observable adjustments for specific advantages or disadvantages attaching to the particular asset.

Valuations of Crown land, community land and land subject to other restrictions on use or disposal, shown above as being based on fair value hierarchy level 3 valuation inputs, are based on prices for similar assets in an active market, but include adjustments for specific advantages or disadvantages attaching to the particular asset that are not directly or indirectly observable in that market, or the number and/or amount of observable adjustments of which are so great that the valuation is more fairly described as being based on level 3 valuation inputs.

There is normally no known market for Council buildings, infrastructure and other assets (with the exception of properties at level 2 valued using Market Fair Value inputs). These assets are valued at depreciated current replacement cost. This method involves the determination of the cost to construct the asset (or its modern engineering equivalent) using current prices for materials and labour, the quantities of each being estimated based on recent experience of this Council, or on industry construction guides where these are more appropriate.

Other information
Upon revaluation, the current new replacement cost and accumulated depreciation are re-stated such that the difference represents the fair value of the asset determined in accordance with AASB 13 Fair Value Measurement: accumulated depreciation is taken to be the difference between current new replacement cost and fair value. In the case of land, current replacement cost is taken to be the fair value.

Highest and best use
All of Council's non financial assets are considered as being utilised for their highest and best use.

Transition to AASB 13 - Fair Value Measurement
The requirements of AASB 13 Fair Value Measurement have been applied to all valuations undertaken since 1 July 2013 as shown by the valuation dates by individual asset classes below.

Land & Land Improvements
- Basis of valuation: Fair Value Level 3, Market Value Level 2, additions are recognised at cost
- Date of valuation: Level 3: 1 July 2023, Level 2: 1 July 2019
- Valuer: Level 3: desktop valuation using Valuer-General values, Level 2: JLL Public Sector Valuations

Buildings & Other Structures
- Basis of valuation: Fair Value Level 3, Market Value Level 2; additions are recognised at cost
- Date of valuation: 1 July 2020
- Valuer: JLL Public Sector Valuations and Barossa Council in-house staff expertise using Rawlinsons Australian Construction Handbook Edition 37, 2019

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 7. Infrastructure, property, plant and equipment (continued)

Transport
- Basis of valuation: Written down current replacement cost; additions are recognised at cost
- Date of valuation: 1 July 2022
- Valuer: Tonkin Consulting
- Condition Assessment: Infrastructure Management Group assessed Sealed and Sheeted Roads in 2022/23, Council Officers assessed Kerb and Gutter in 2017/18 and Car Parks were assessed in 2015/16

Bridges, Floodways and Major Culverts
- Basis of valuation: Written down current replacement cost; additions are recognised at cost
- Date of valuation: 1 July 2022
- Valuer: Council Officers applied LGPI (Local Government Price Index) 17.5% on the previous valuation 1 July 2017
- Condition Assessment: WSP Australia Pty Ltd assessed Bridges, Footbridges and some Major Culverts in 2017/18

Community Wastewater Management System
- Basis of valuation: Written down current replacement cost; additions are recognised at cost
- Date of valuation: 1 July 2022
- Valuer: Council Officers
- Condition Assessment: Council Officers assessed CWMS Assets, Waste Water Treatment Plant and Lagoons in 2022/23.

Stormwater
- Basis of valuation: Written down current replacement cost; additions are recognised at cost
- Date of valuation: 1 July 2021
- Valuer: Tonkin Consulting

Recreation Infrastructure
- Basis of valuation: Written down current replacement cost; additions are recognised at cost
- Date of valuation: 1 July 2020
- Valuer: JLL Public Sector Valuations and Barossa Council in-house staff expertise using Rawlinsons Australian Construction Handbook Edition 37, 2019

Community Infrastructure
- Basis of valuation: Written down current replacement cost; additions are recognised at cost
- Date of valuation: 1 July 2010
- Valuer: Asset and Valuation Consulting Pty Ltd

This asset class is immaterial to the total asset value representing only 0.30% of the total value so revaluations are not necessary and should not occur. Only periodic audits will be conducted to ensure the assets are required for Council business and in the condition needed.

Plant, Equipment, Furniture and Fittings
- Basis of valuation: Cost basis

Leasehold Improvements
- Basis of valuation: Written down current replacement cost; additions are recognised at cost, based on term of lease

This asset class is immaterial to the total asset value representing only 0.02% of the total value so revaluations are not necessary and should not occur. Only periodic audits will be conducted to ensure the assets are required for Council business and in the condition needed.

Right-of-Use Assets
- Basis of valuation: Lease and associated costs basis per AASB 16

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 8. Liabilities

$ '000		2024 Current	2024 Non Current	2023 Current	2023 Non Current
(a) Trade and other payables					
Goods and services		2,661	–	2,284	–
Payments received in advance		504	–	877	–
Accrued expenses - employee entitlements		720	–	633	–
Accrued expenses - other		934	–	556	–
Deposits, retentions and bonds		536	–	766	–
Total trade and other payables		5,355	–	5,116	–
(b) Borrowings					
Loans		3,540	11,858	1,877	6,982
Lease liabilities	17b	18	13	68	31
Total Borrowings		3,558	11,871	1,945	7,013
(c) Provisions					
Employee entitlements (including oncosts)		3,292	222	3,358	205
Future Reinstatement - Landfill		–	500	–	477
Total provisions		3,292	722	3,358	682

Amounts included in trade and other payables that are not expected to be settled within 12 months of reporting date are disclosed in Note 13

All interest bearing liabilities are secured over the future revenues of the Council.

Movements in provisions

2024 (current and non-current) $ '000	Future reinstatement 2024
Opening balance	477
Add: additional amounts recognised	23
Closing balance	500

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 9. Reserves

$ '000	as at 30/06/23 Opening Balance	Increments (Decrements)	Impairments	as at 30/06/24 Closing Balance
(a) Asset revaluation reserve				
Land - community	44,562	37	–	44,599
Land - other	478	–	–	478
Buildings and other structures	21,922	191	–	22,113
Infrastructure				
- Bridges, floodways & major culverts	17,785	2	–	17,787
- Stormwater and drainage	32,903	95	–	32,998
- Community wastewater management system	32,854	193	–	33,047
- Transport	124,214	(49)	–	124,165
- Recreation	6,706	–	–	6,706
- Community infrastructure	647	–	–	647
Plant and equipment	(4)	–	–	(4)
JVs / associates - other comprehensive income	838	2,302	–	3,140
Total asset revaluation reserve	282,905	2,771	–	285,676
Comparatives	287,623	(4,714)	(4)	282,905

$ '000	as at 30/06/23 Opening Balance	Tfrs to Reserve	Tfrs from Reserve	as at 30/06/24 Closing Balance
(b) Other reserves				
Community wastewater management	13,783	–	(77)	13,706
Refuse, recycling and green waste	223	76	(79)	220
Recreation facilities	172	–	–	172
Cultural services	510	6	(66)	450
Caravan parks	63	–	–	63
Economic development	170	–	–	170
Plant and equipment replacement	140	–	–	140
Other reserves	511	140	–	651
Total other reserves	15,572	222	(222)	15,572
Comparatives	13,980	1,782	(190)	15,572

Purposes of reserves

Asset revaluation reserve
The asset revaluation reserve is used to record increments and decrements arising from changes in fair value of non-current assets (less any subsequent impairment losses, where applicable).

Community wastewater management
Community wastewater management scheme service charges raised under Section 155 of the *Local Government Act 1999*.

Refuse, recycling and green waste
Collection of refuse, recycling and green waste service charges raised under Section 155 of the *Local Government Act 1999*.

Recreation facilities
Recreation Facilities reserves are used to fund capital improvements at Council owned recreation parks.

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 9. Reserves (continued)

Cultural services
Cultural services reserves are used to fund capital improvements at Council owned community halls.

Caravan parks
Caravan park reserves are used towards the upgrade of caravan park and surrounding recreation park facilities.

Economic development
Economic development reserves are used to fund specific initiatives including Council main streets.

Plant and equipment replacement
Plant and equipment replacement reserves are used to fund the replacement of Council's community transport cars and buses, funded by grants.

Other reserves
Other reserves are used to account for developer contributions received towards future capital works, funds held in trust and other minor reserves not elsewhere allocated.

Note 10. Assets subject to restrictions

$ '000	2024	2023
The uses of the following assets are restricted, wholly or partially, by legislation or other externally imposed requirements. The assets are required to be utilised for the purposes for which control was transferred to Council, or for which the revenues were originally obtained.		
Grant funding or contributions which were received during the year ended 30 June 2024 (or in previous years) but which remain unspent, are also subject to restrictions - these funds would need to be repaid if the required expenditure does not go ahead in the future.		
Cash and financial assets		
Open space contributions	1	1
Developer contributions	642	502
Grant Funding - Commonwealth	–	–
Grant Funding - State	503	562
Total cash and financial assets	1,146	1,065
Total assets subject to externally imposed restrictions	1,146	1,065

The Barossa Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 11. Reconciliation to Statement of Cash Flows

$ '000	Notes	2024	2023
(a) Reconciliation of cash			
Cash assets comprise highly liquid investments with short periods to maturity subject to insignificant risk of changes of value. Cash at the end of the reporting period as shown in the Statement of Cash Flows is reconciled to the related items in the Statement of Financial Position as follows:			
Total cash and equivalent assets	5a	3,153	4,618
Balances per Statement of Cash Flows		3,153	4,618
(b) Reconciliation of Operating Result			
Net surplus/(deficit)		1,535	8,403
Non-cash items in income statements			
Depreciation, amortisation and impairment		11,010	10,553
Movements in equity accounted investments (increase)/decrease		47	18
Physical resources received free of charge		(2,832)	(3,131)
Grants for capital acquisitions treated as investing activity		(1,966)	(3,435)
Net (gain)/loss on disposals		2,497	1,097
		10,291	13,505
Add (less): changes in net current assets			
Net (increase)/decrease in receivables		(305)	(228)
Net (increase)/decrease in inventories		122	146
Net increase/(decrease) in trade and other payables		469	(2,510)
Net increase/(decrease) in unpaid employee benefits		(49)	25
Net increase/(decrease) in other provisions		23	31
Net cash provided by (or used in) operations		10,551	10,969
(c) Non-cash financing and investing activities			
Acquisition of assets by means of:			
Physical resources received free of charge	2i	2,832	3,131
Amounts recognised in income statement		2,832	3,131
Total non-cash financing and investing activities		2,832	3,131
(d) Financing arrangements			
Unrestricted access was available at balance date to the following lines of credit:			
Bank overdrafts		300	300
Corporate credit cards		79	79
LGFA cash advance debenture facility		10,700	20,016

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 12(a). Functions

Income, expenses and assets have been directly attributed to the following functions / activities.
Details of these functions/activities are provided in Note 12(b).

$ '000	OPERATING INCOME 2024	OPERATING INCOME 2023	OPERATING EXPENSES 2024	OPERATING EXPENSES 2023	OPERATING SURPLUS (DEFICIT) 2024	OPERATING SURPLUS (DEFICIT) 2023	GRANTS INCLUDED IN OPERATING INCOME 2024	GRANTS INCLUDED IN OPERATING INCOME 2023	TOTAL ASSETS HELD (CURRENT AND NON-CURRENT) 2024	TOTAL ASSETS HELD (CURRENT AND NON-CURRENT) 2023
Functions/Activities										
Business undertakings	6,481	6,358	6,158	5,682	323	676	–	–	50,705	51,776
Community services	1,039	1,077	3,640	3,171	(2,601)	(2,094)	696	700	9,522	10,563
Culture	339	330	3,134	3,152	(2,795)	(2,822)	205	192	14,033	14,069
Economic development	240	253	1,691	1,252	(1,451)	(999)	–	–	–	–
Environment	4,160	3,531	7,535	6,582	(3,375)	(3,051)	108	54	65,022	62,157
Recreation	321	461	6,820	6,841	(6,499)	(6,380)	–	–	92,341	81,424
Regulatory services	728	740	2,845	2,380	(2,117)	(1,640)	–	22	156	167
Transport	733	1,485	7,106	7,190	(6,373)	(5,705)	765	1,485	184,174	184,874
Plant hire and depot/indirect	139	111	1,313	841	(1,174)	(730)	–	–	3,124	4,184
Council administration	31,859	31,399	6,889	7,687	24,970	23,712	129	1,858	9,012	10,140
Joint ventures	–	–	47	18	(47)	(18)	–	–	4,518	2,263
Total Functions/Activities	46,039	45,745	47,178	44,796	(1,139)	949	1,903	4,311	432,607	421,617

Income and expenses exclude amounts received specifically for new or upgraded assets and physical resources received free of charge.

The Barossa Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 12(b). Components of functions

The activities relating to Council functions are as follows:

Business undertakings
Caravan parks, gravel pits/quarries, private works and sewerage/CWMS.

Community services
Public order and safety, emergency services, other fire protection, other public order and safety, health services, pest control – health, immunisation, preventive health services, other health services, community support, elderly citizens facilities, home assistance scheme, other services for the aged and disabled, children and youth services, community assistance, community transport, other community support, community amenities, bus shelters, cemeteries, public conveniences, car parking – non-fee-paying and other community amenities.

Culture
Library services, mobile libraries and housebound services, static libraries, other library services, cultural services, cultural venues, heritage, museums and art galleries and other cultural services.

Economic development
Regional development, support to local businesses, tourism and other economic development.

Environment
Agricultural services, landcare, other agricultural services, waste management, domestic waste, green waste, recycling, transfer stations, waste disposal facility, other waste management, other environment, stormwater and drainage, street cleaning, street lighting, streetscaping, Northern and Yorke Landscape Levy and other environment.

Recreation
Parks and gardens, sports facilities – indoor, sports facilities – outdoor, swimming centres – indoor, swimming centres – outdoor and other recreation, major projects

Regulatory services
Dog and cat control, building control, town planning, litter control, health inspection, parking control and other regulatory services.

Transport
Bridges, footpaths and kerbing, roads – sealed, roads – formed, roads – natural formed, roads – unformed, traffic management, LGGC – roads (formula funded) and other transport.

Plant hire and depot
Plant, machinery and depot.

Council administration
Governance, administration, Elected Members, organisational support services, accounting/finance, payroll, human resources, information technology, communication, rates administration, records, occupancy, contract management, customer service, other support services, revenues, LGGC – general purpose, separate and special rates, audit andd assurance, planning and performance, legal services.

Joint Ventures
Gawler River Floodplain Management Authority and Northern and Yorke Local Government Association.

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 13. Financial instruments

Recognised financial instruments

Bank, deposits at call, short term deposits

Accounting Policy:
Initially recognised at fair value and subsequently measured at amortised cost; interest is recognised when earned.

Terms & Conditions:
Deposits are returning fixed interest rates between 4.3% and 4.55% (2023: 4.30% and 4.90%). Short term deposits returned interest rates of 4.9% (2023: 4.30% and 4.90%).

Carrying Amount:
Approximates fair value due to the short term to maturity.

Receivables - rates and associated charges

Accounting Policy:
Initially recognised at fair value and subsequently measured at amortised cost. An impairment provision is recognised using the expected credit loss method.

Terms & Conditions:
Secured over the subject land, arrears attract interest of 9.05% (2023: 5.80%). Seniors who postpone their rates pay 3% less per annum. Council is not materially exposed to any individual debtor, credit risk exposure is concentrated within the Council's boundaries in the State.

Carrying Amount:
Approximates fair value (after deduction of any allowance).

Receivables - fees and other charges

Accounting Policy:
Initially recognised at fair value and subsequently measured at amortised cost. An impairment provision is recognised using the expected credit loss method.

Terms & Conditions:
Unsecured, and do not bear interest. Council is not materially exposed to any individual debtor, credit risk exposure is concentrated within the Council's boundaries.

Carrying Amount:
Approximates fair value (after deduction of any allowance).

Receivables - other levels of government

Accounting Policy:
Initially recognised at fair value and subsequently measured at amortised cost. An impairment provision is recognised using the expected credit loss method.

Terms & Conditions:
Amounts due have been calculated in accordance with the terms and conditions of the respective programs following advice of approvals, and do not bear interest. All amounts are due by Departments and Agencies of State and Federal Governments.

Carrying Amount:
Approximates fair value.

Liabilities - creditors and accruals

Accounting Policy:

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 13. Financial instruments (continued)

Liabilities are recognised for amounts to be paid in the future for goods and services received, whether or not billed to the Council.

Terms & Conditions:
Liabilities are normally settled on 30 day terms.

Carrying Amount:
Approximates fair value.

Liabilities - interest bearing borrowings

Accounting Policy:
Initially recognised at fair value and subsequently at amortised cost using the effective interest rate.

Terms & Conditions:
Secured over future revenues, fixed borrowings are repayable by equal half yearly instalments of principal and interest; interest is charged at fixed rates between 2.05% and 7.02% (2023: 2.05% and 7.02%). Variable borrowings accessed during 2023/24 from the Local Government Finance Authority cash advance debenture is charged at variable rates between 5.3% and 6.15% (2023: 5.30% and 6.05%).

Carrying Amount:
Approximates fair value.

Liabilities - leases

Accounting Policy:
Accounted for in accordance with AASB 16 as stated in Note 17.

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 13. Financial instruments (continued)

$ '000	Due < 1 year	Due > 1 year and ≤ 5 years	Due > 5 years	Total Contractual Cash Flows	Carrying Values
Financial assets and liabilities					
2024					
Financial assets					
Cash and cash equivalents	3,153	–	–	3,153	3,153
Receivables	2,941	–	–	2,941	2,888
Other financial assets	–	772	600	1,372	1,228
Total financial assets	6,094	772	600	7,466	7,269
Financial liabilities					
Payables	4,851	–	–	4,851	4,851
Current borrowings	3,767	–	–	3,767	3,540
Non-current borrowings	–	2,044	10,158	12,202	11,858
Lease liabilities	–	–	–	–	31
Total financial liabilities	8,618	2,044	10,158	20,820	20,280
Total financial assets and liabilities	14,712	2,816	10,758	28,286	27,549
2023					
Financial assets					
Cash and cash equivalents	4,618	–	–	4,618	4,618
Receivables	2,818	–	–	2,818	2,756
Other financial assets	–	872	726	1,598	1,312
Total financial assets	7,436	872	726	9,034	8,686
Financial liabilities					
Payables	3,606	–	–	3,606	3,606
Current borrowings	2,251	–	–	2,251	1,877
Non-current borrowings	–	5,391	2,136	7,527	6,982
Lease liabilities	70	32	–	102	99
Total financial liabilities	5,927	5,423	2,136	13,486	12,564
Total financial assets and liabilities	13,363	6,295	2,862	22,520	21,250

The following interest rates were applicable to Council's borrowings at balance date:

	2024		2023	
$ '000	Weighted Avg Interest Rate	Carrying Value	Weighted Avg Interest Rate	Carrying Value
Fixed interest rates	5.94%	5,999	5.65%	6,876
		5,999		6,876

Net fair value
All carrying values approximate fair value for all recognised financial instruments. There is no recognised market for the financial assets of the Council.

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 13. Financial instruments (continued)

Risk exposures

Credit risk represents the loss that would be recognised if counterparties fail to perform as contracted. The maximum credit risk on financial assets of the Council is the carrying amount, net of any impairment. All Council investments are made with the SA Local Government Finance Authority and are guaranteed by the SA Government. Except as detailed in Notes 5 and 6 in relation to individual classes of receivables, exposure is concentrated within the Council's boundaries, and there is no material exposure to any individual debtor.

Market risk is the risk that fair values of financial assets will fluctuate as a result of changes in market prices. All of Council's financial assets are denominated in Australian dollars and are not traded on any market, and hence neither market risk nor currency risk apply.

Liquidity risk is the risk that Council will encounter difficulty in meeting obligations with financial liabilities. In accordance with the model Treasury Mangement Policy (LGA Information Paper 15), liabilities have a range of maturity dates. Council also has available a range of bank overdraft and standby borrowing facilities that it can access.

Interest rate risk is the risk that future cash flows will fluctuate because of changes in market interest rates. Council has a balance of both fixed and variable interest rate borrowings and investments. Cash flow fluctuations are managed holistically in seeking to minimise interest costs over the longer term in a risk averse manner.

Expected credit losses (ECLs)

Council uses an allowance matrix to measure expected credit losses for receivables from individual customers, which comprise a large number of small balances. As rates and annual charges are secured over subject land no allowance for such receivables is made. Impairment analysis is performed each reporting date. ECLs are based on credit history adjusted for forward looking estimates and economic conditions.

Note 14. Capital expenditure commitments

$ '000	2024	2023
Capital commitments		
Capital expenditure committed for at the reporting date but not recognised in the financial statements as liabilities:		
Buildings	437	349
Information technology	429	–
Plant and equipment	386	–
Recreation	5,900	3,743
Roads	2,708	4,535
Stormwater and drainage	62	–
Tourism	938	691
	10,860	9,318
These expenditures are payable:		
Not later than one year	8,564	7,022
Later than one year and not later than 5 years	2,296	2,296
	10,860	9,318

The Barossa Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 15. Financial indicators

$ '000	Amounts 2024	Indicator 2024	Indicators 2023	Indicators 2022
Financial Indicators overview *These Financial Indicators have been calculated in accordance with Information paper 9 - Local Government Financial Indicators prepared as part of the LGA Financial Sustainability Program for the Local Government Association of South Australia.*				
1. Operating Surplus Ratio				
Operating surplus	(1,139)	(2.5)%	2.1%	6.4%
Total operating income	46,039			
This ratio expresses the operating surplus as a percentage of total operating revenue.				
2. Net Financial Liabilities Ratio				
Net financial liabilities	17,169	37%	20%	4%
Total operating income	46,039			
Net Financial Liabilities are defined as total liabilities less financial assets (excluding equity accounted investments in Council businesses). These are expressed as a percentage of total operating revenue.				
Adjustments to Ratios *In recent years the Federal Government has made advance payments prior to 30th June from future year allocations of financial assistance grants, as explained in Note 1. These Adjusted Ratios correct for the resulting distortion in key ratios for each year and provide a more accurate basis for comparison.*				
Adjusted Operating Surplus Ratio				
Adjusted operating surplus	947	2.0%	0.5%	5.2%
Adjusted total operating income	48,125			
Adjusted Net Financial Liabilities Ratio				
Net financial liabilities	17,169	36%	25%	7%
Adjusted total operating income	48,125			
3. Asset Renewal Funding Ratio				
Asset renewals	6,940	123%	113%	89%
Infrastructure and Asset Management Plan required expenditure	5,626			

Net asset renewals expenditure is defined as net capital expenditure on the renewal and replacement of existing assets, and excludes new capital expenditure on the acquisition of additional assets.

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 16. Uniform presentation of finances

$ '000	2024	2023
The following is a high level summary of both operating and capital investment activities of the Council prepared on a simplified Uniform Presentation Framework basis.		
All Councils in South Australia have agreed to summarise annual budgets and long-term financial plans on the same basis.		
The arrangements ensure that all Councils provide a common 'core' of financial information, which enables meaningful comparisons of each Council's finances.		
Income		
Rates	37,956	35,800
Statutory charges	830	803
User charges	3,827	3,601
Grants, subsidies and contributions - operating	1,903	4,311
Investment income	217	415
Reimbursements	63	9
Other income	1,243	806
Total Income	46,039	45,745
Expenses		
Employee costs	17,817	15,897
Materials, contracts and other expenses	17,533	17,887
Depreciation, amortisation and impairment	11,010	10,553
Finance costs	771	441
Net loss - equity accounted council businesses	47	18
Total Expenses	47,178	44,796
Operating surplus / (deficit)	(1,139)	949
Net outlays on existing assets		
Capital expenditure on renewal and replacement of existing assets	(6,940)	(6,284)
Add back depreciation, amortisation and impairment	11,010	10,553
Add back proceeds from sale of replaced assets	281	257
	4,351	4,526
Net outlays on new and upgraded assets		
Capital expenditure on new and upgraded assets	(13,651)	(18,524)
Add back amounts received specifically for new and upgraded assets	1,966	3,435
	(11,685)	(15,089)
Annual net impact to financing activities (surplus/(deficit))	(8,473)	(9,614)

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 17. Leases

(i) Council as a lessee

Terms and conditions of leases

Right-of-use assets - terms and conditions
Refer to Note 1 for further details.

Land
Right-of-use assets leased include land at Angaston for a radio transmission site.

Plant and Equipment
Right-of-use assets include photocopiers, a mower and computer servers.

(a) Right-of-use assets

$ '000	Land	Plant and equipment	Total
2024			
Set out below are the carrying amounts of right-of-use assets recognised within the above asset categories and the movements during the period:			
Opening balance	1	97	98
Additions to right-of-use assets	–	–	–
Depreciation charge	(1)	(67)	(68)
Disposal carrying value	–	–	–
Balance at 30 June	–	30	30
2023			
Opening balance	1	172	173
Additions to right-of-use assets	–	–	–
Depreciation charge	–	(75)	(75)
Disposal carrying value	–	–	–
Balance at 30 June	1	97	98

(b) Lease liabilities

Set out below are the carrying amounts of lease liabilities (included under Borrowings) and the movements during the period:

$ '000	2024	2023
Balance at 1 July	99	173
Additions	–	–
Accretion of interest	1	4
Payments	(69)	(78)
Disposal liability due	–	–
Balance at 30 June	31	99
Classified as:		
Current	18	68
Non-current	13	31

The maturity analysis of lease liabilities is included in Note 13.

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 17. Leases (continued)

$ '000	2024	2023
The Council had total cash outflows for leases of $259,000 (2023: $275,000). The following are the amounts recognised in profit or loss:		
Depreciation expense of right-of-use assets	67	75
Interest expense on lease liabilities	1	4
Expenses relating to leases of low-value assets/short-term leases	190	197
Total amount recognised in profit or loss	258	276

(ii) Council as a lessor

Council owns various buildings, plant and other facilities that are available for hire or lease (on a non-cancellable basis wherever practicable) in accordance with the published revenue policy. Rentals received from such leases are included in Note 2 as Lease fees, hall or equipment hire and recreation park fees.

$ '000	2024	2023
Future minimum rentals receivable under non-cancellable operating leases as at 30 June, are as follows:		
Not later than one year	46	63
Later than one year and not later than 5 years	128	114
Later than 5 years	142	143
	316	320

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 18. Superannuation

Council makes employer superannuation contributions in respect of its employees to schemes selected by employees under "choice of fund" legislation. Council uses Statewide Super as its default superannuation fund. With Statewide Super, there are two types of membership, each of which is funded differently. Permanent and contract employees of the South Australian Local Government sector with Salarylink benefits prior to 24 November 2009 have the option to contribute to the Accumulation section and/or Salarylink. All other employees who are Statewide Super members (including casuals) have all contributions allocated to the Accumulation section (Marketlink).

Accumulation only members
Accumulation only members receive both employer and employee contributions on a progressive basis. Employer contributions are based on a fixed percentage of ordinary time earnings in accordance with superannuation guarantee legislation (11.00% in 2023/24; 10.50% in 2022/23). No further liability accrues to the Council as the superannuation benefits accruing to employees are represented by their share of the net assets of the Fund.

Salarylink (Defined Benefit Fund) members
Salarylink is a defined benefit scheme where the benefit payable is based on a formula determined by the member's contribution rate, number of years and level of contribution and final average salary. Council makes employer contributions to Salarylink as determined by the Fund's Trustee based on advice from the appointed Actuary. The rate is currently 6.3% (6.3% in 2022/23) of "superannuation" salary.

In addition, Council makes a separate contribution of 3% of ordinary time earnings for Salarylink members to their Accumulation account. Employees also make member contributions to the Salarylink section of the Fund. As such, assets accumulate in the Salarylink section of the Fund to meet the member's benefits, as defined in the Trust Deed, as they accrue.

The Salarylink section is a multi-employer sponsored plan. As the Salarylink section's assets and liabilities are pooled and are not allocated by each employer, and employees may transfer to another employer within the local government sector and retain membership of the Fund, the Actuary is unable to allocate benefit liabilities, assets and costs between employers. As provided by AASB 119.34(a), Council does not use defined benefit accounting for these contributions.

The most recent actuarial investigation was conducted by the Fund's actuary, Louise Campbell, FIAA, of Willis Towers Watson as at 30 June 2023. The Trustee has determined that the current funding arrangements are adequate for the expected Salarylink liabilities. However, future financial and economic circumstances may require changes to Council's contribution rates at some future time.

Contributions to other superannuation schemes
Council also makes contributions to other superannuation schemes selected by employees under the "choice of fund" legislation. All such schemes are of the accumulation type, where the superannuation benefits accruing to the employee are represented by their share of the net assets of the scheme, and no further liability attaches to the Council.

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 19. Interests in other entities

All joint ventures and associates are required to prepare Annual Financial Statements that comply with the SA Local Government Model Financial Statements.

$ '000	Council's share of net income 2024	Council's share of net income 2023	Council's share of net assets 2024	Council's share of net assets 2023
Council's share of net income				
Joint ventures	(47)	(18)	4,518	2,263
Total Council's share of net income	(47)	(18)	4,518	2,263

(a) Carrying amounts

$ '000	Principal activity	2024	2023
Gawler River Floodplain Management Authority	Flood mitigation	4,488	2,230
Northern and Yorke Local Government Association	Local Government regional collaboration	30	33
Total carrying amounts - joint ventures and associates		4,518	2,263

Gawler River Floodplain Management Authority
Established in 2002, this organisation is responsible for the construction, operation and maintenance of flood mitigation infrastructure in the Gawler River area.

Northern and Yorke Local Government Association
Established in 1998, this organisation is formed under Section 43 of the *Local Government Act 1999* to allow membership Councils to approach regional issues in a collaborative manner.

(b) Relevant interests

	Interest in operating result 2024	Interest in operating result 2023	Ownership share of equity 2024	Ownership share of equity 2023	Proportion of voting power 2024	Proportion of voting power 2023
Gawler River Floodplain Management Authority	10.61%	10.50%	10.61%	10.50%	15.38%	15.38%
Northern and Yorke Local Government Association	6.67%	6.67%	6.67%	6.67%	6.67%	6.67%

(c) Movement in investment in joint venture or associate

$ '000	Gawler River Floodplain Management Authority 2024	Gawler River Floodplain Management Authority 2023	Northern and Yorke Local Government Association 2024	Northern and Yorke Local Government Association 2023
Opening balance	2,230	2,240	33	41
Share in operating result	(66)	(41)	(3)	(8)
Share in other comprehensive income	2,302	–	–	–
Adjustments to equity	22	31	–	–
Council's equity share in the joint venture or associate	4,488	2,230	30	33

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 19. Interests in other entities (continued)

(d) Summarised financial information of the equity accounted business

$ '000	Gawler River Floodplain Management Authority 2024	2023	Northern and Yorke Local Government Association 2024	2023
Statement of Financial Position				
Cash and cash equivalents	41	29	486	504
Other current assets	211	91	2	91
Non-current assets	42,607	21,614	10	13
Total assets	42,859	21,734	498	608
Current trade and other payables	202	68	8	74
Current financial liabilities	353	440	–	–
Current provisions	–	–	41	13
Non-current provisions	–	–	–	21
Total liabilities	555	508	49	108
Net Assets	42,304	21,226	449	500
Statement of Comprehensive Income				
Other income	271	–	245	192
Subscriptions, grants, subsidies and other contributions	289	261	107	108
Investment Income	1	1	28	22
Total income	561	262	380	322
Employee costs	–	–	239	273
Materials, contracts & other expenses	421	249	189	167
Depreciation, amortisation and impairment	706	329	3	1
Other	56	61	–	–
Total expenses	1,183	639	431	441
Operating result	(622)	(377)	(51)	(119)
Other comprehensive income	21,699	(17)	–	–
Total comprehensive income	21,077	(394)	(51)	(119)

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 20. Contingencies and assets/liabilities not recognised in the balance sheet

The following assets and liabilities do not qualify for recognition in the Statement of Financial Position, but knowledge of those items is considered relevant to the users of the financial report in making and evaluating decisions about the allocation of scarce resources.

1. Land under roads

Council has elected not to recognise land under roads as an asset in accordance with AASB 1051 Land Under Roads. Council is of the opinion that it is not possible to attribute a value sufficiently reliably for these assets to qualify for recognition, and accordingly land under roads has not been recognised in these reports. Land acquired for road purposes during the year is initially recognised at cost, but transferred to fair value at reporting date, effectively writing off the expenditure.

At reporting date, Council controlled 991km of road reserves of average width of 20 metres.

2. Potential insurance losses

Council is a multi-purpose organisation providing a large range of building, parks infrastructure, playgrounds and other facilities accessible to the public. At any time, it is likely that claims will have been made against Council that remain unsettled.

Council insures against all known insurable risks using a range of insurance policies, each of which is subject to deductible "insurance excesses", the amount of which varies according to the class of insurance.

Council has recognised the potential losses arising from claims known at reporting date based on average historical net cost (including insurance excess) of similar types of claims. Other potential claims not reported to Council may have existed at reporting date.

3. Legal expenses

Council's Assessment Panel is the planning consent authority for its area under the *Planning, Development and Infrastructure Act 2016*. Under the Act, certain persons aggrieved by a planning decision of the Assessment Panel may appeal. It is normal practice that parties bear their own legal costs. Appeals may be conducted as a result of decisions by the Assessment Panel, or by Council on behalf of residents in relation to enforcement of use conditions, or by Council acting on behalf of the community in relation to proposed development that would adversely affect the region. There were appeals against the Barossa Assessment Panel in 2023/24.

A Judicial Review in the Supreme Court has been determined, post 1 July 2023, for an appeal received in 2021/22 to quash the decision of the Barossa Assessment Panel and costs have been awarded to the applicant. The quantum of costs against the Barossa Assessment Panel remains undetermined therefore no provision has been made in the accounts as no reliable measure of costs is available.

The Barossa Council is a party to a supreme court challenge seeking damages from Council under a contract with the company TTEG related to street lighting charges. Councils potential exposure is estimated to be $90,719.64 in damages plus costs and interest if the court rules against the Council's defence. This exposure is not disclosed in the financial accounts of Council as there is no liability that has or as at 30 June is likely to arise to any certainty that meets the relevant accounting standard.

Note 21. Events after the balance sheet date

Events that occur after the reporting date of 30 June 2024, up to and including the date when the financial statements are authorised for issue have been taken into account in preparing these statements.

Council has adopted the date of receipt of the Auditor's Report as the appropriate authorised for issue date relating to these General Purpose Financial Statements.

Council is unaware of any material or significant 'non-adjusting events' that require disclosure.

The Barossa Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 22. Related party transactions

Key management personnel

Transactions with key management personnel

The key management personnel of the Council include the Mayor, 11 Councillors, CEO, 7 employees who were part of the Executive Leadership Team or who acted in positions which met the definition of a key management personnel throughout the year, and 8 Board Members and employees of the Nuriootpa Centennial Park Authority - Total 28 (2023: 29).

All close family members of key management personnel were employed through an arm's length process. They are paid in accordance with the Award for the job they perform. The Council employs 171 (FTE) staff of which only 1 is a close family member of a key management personnel.

$'000	2024	2023
Key management personnel employee expenses for close family members	96	131
Total	96	131

$ '000	2024	2023
The compensation paid to key management personnel comprises:		
Employee Benefits	1,207	1,831
Total	1,207	1,831

Other related party transactions

Council provides work and support in-kind for accounting, governance, asset management and executive services, along with being the conduit for electricity, insurance, loans, CWMS and other services for its subsidiary Nuriootpa Centennial Park Authority. The Authority maintains a Council recreation park at Nuriootpa for community benefit purposes including various sporting activities. The Authority's information as at the reporting date has been included in the accounts within this report and any inter-company transactions have been eliminated on consolidation.

The Barossa Council

General Purpose Financial Statements
for the year ended 30 June 2024

Independent Auditor's Report - Financial Statements

The Barossa Council

General Purpose Financial Statements
for the year ended 30 June 2024

Independent Auditor's Report - Internal Controls

The Barossa Council

General Purpose Financial Statements
for the year ended 30 June 2024

Certification of Auditor Independence

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of The Barossa Council for the year ended 30 June 2024, the Council's Auditor, Galpins Accountants, Auditors and Business Consultants has maintained its independence in accordance with the requirements of the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011* made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) *Local Government (Financial Management) Regulations 2011.*

Martin McCarthy
Chief Executive Officer

Peter Brass
Presiding Member, Audit and Risk Committee

Date: **November 2024**

The Barossa Council

General Purpose Financial Statements
for the year ended 30 June 2024

Statement by Auditor

I confirm that, for the audit of the financial statements of The Barossa Council for the year ended 30 June 2024, I have maintained my independence in accordance with the requirements of APES 110 – Code of Ethics for Professional Accountants, Section 290, published by the Accounting Professional and Ethical Standards Board, in accordance with the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations* 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22 (5) *Local Government (Financial Management) Regulations 2011.*

Tim Muhlhausler
Galpins Accountants, Auditors and Business Consultants

Date: dd MMMM yyyy

Galpins
Accountants, Auditors & Business Consultants

DRAFT 2023/2024 Audit Completion Report

Barossa Council



Galpins

Barossa Council

Table of Contents

SUMMARY OF AUDIT 3
1. Status of Our Audit Work 4
2. Summary of Audit Risks and Overall Responses 5
3. Key Audit Matters 7
3.1 Valuation of Infrastructure assets 7
3.2 Valuation of Land and Buildings 8
3.3 Accounting treatment of capitalisation of assets 9
3.4 Revenue Recognition 9
3.5 Management Override of Controls 10
3.6 Other High Risk Areas 11
4. Internal Controls Opinion and Recommendations 12
5. Final Management Letter 13
6. Immaterial Uncorrected Misstatements 17
7. Corrected Adjustments 17
8. Contact Details 18
Appendix 1 – Proposed Independent Auditor's Report on the Financial Report 19
Appendix 2 – Proposed Independent Auditor's Report on the Internal Controls 21
Appendix 3 – Statement by Auditor 23
Appendix 4 – Better Practice Model (BPM) Risks 24
Appendix 5 – Risk Ratings 27
Appendix 6 – Summary of Findings Identified- Interim Audit 28

DRAFT

Galpins

Barossa Council

SUMMARY OF AUDIT

To the members of the audit committee of the Barossa Council

We are pleased to present our Audit Completion Report for the financial year ended 30 June 2024. The purpose of this document is to summarise the key accounting and audit matters that have arisen during the engagement and our audit conclusions.

We have issued the following opinions:

Intended opinions	Type of opinion	Proposed Auditor's Report
Opinion on the Financial Statements	Unmodified	Refer to Appendix 1 of this report.
Controls Opinion	Unmodified	Refer to Appendix 2 of this report.

We have included in this report the following information to ensure that councillors, management and audit committee members are aware of all significant matters relating to the audit.

Matters	Sections
Status of our audit work	Section 1
Summary of Audit Risks and Overall Responses	Section 2
Key Audit Matters	Section 3
Internal Controls Opinion and Recommendations	Section 4
Final Management Letter	Section 5
Corrected Adjustments	Section 6
Immaterial Uncorrected Misstatements	Section 7
Proposed Independent Auditor's Report on the Financial Report	Appendix 1
Proposed Independent Auditor's Report on the Internal Controls	Appendix 2
Draft Statement by Auditor	Appendix 3
Better Practice Model (BPM) Risks	Appendix 4
Risk Ratings	Appendix 5
Summary of Findings Identified – Interim Audit	Appendix 6

We confirm that for the audit of the year ended 30 June 2024 we have maintained our independence in accordance with the requirements of APES 110 – *Code of Ethics for Professional Accountants (including Independence Standards)*, Part 4A, published by the Accounting Professional and Ethical Standards Board, in accordance with the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 made under that Act.

Yours faithfully

Tim Muhlhausler CA Registered Company Auditor
Date: 21 November 2024

Galpins

Barossa Council

1. Status of Our Audit Work

Below is a summary of the status of audit activities and key documents related to the completion of our final audit.

Activities/Documents	Responsibility	Status
Final draft of the financial report	Management	Completed
Final audit visit	Audit	Completed
Final substantive procedures	Audit	Completed
Audit verification of the final draft of the financial report	Audit	Completed
Final draft of the financial report after audit verification	Management	Completed
Audit Completion Report	Audit	Completed
Final audited financial statements from the Council's subsidiaries	Management	In Progress
Final financial report after considerations from the audit committee	Management	In Progress
Signed certification of financial statements	Management	In Progress
Signed certification of auditor independence	Management	In Progress
Signed management representation letter	Management	In Progress
Signed statement by auditor	Audit	In Progress
Review of the subsequent events up to the date of the auditor's report.	Audit	In Progress
Final Independent Auditor's Report on the Internal Controls	Audit	Draft
Final Independent Auditor's Report on the Financial Report	Audit	Draft

Galpins

Barossa Council

2. Summary of Audit Risks and Overall Responses

Below, a summary of our initial audit risks identified in our audit plan presented to the audit committee, the audit approach and responses to address these risks and the final audit risks (residual risks) after the execution of our audit procedures.

Statement of Comprehensive Income – Income

Accounts	Initial Audit Risk	$ '000	Risks as per BPM – REF*	Audit Response	Residual Risk	Results
Rates and charges	High	37,956	RA1/RA2/RA3/RA4/RE1/RE2	Controls and substantive tests	Low	Fairly presented
Statutory charges	Moderate	830	US1/US2/US3/RE1/RE2	Substantive tests	Low	Fairly presented
User charges	Moderate	3,827	US1/US2/US3/RE1/RE2	Substantive tests	Low	Fairly presented
Grants	Moderate	1,903	GR1/GR2/GR3/RE1/RE2	Substantive tests	Low	Fairly presented
Investment Income	Low	217	II1	Substantive tests	Low	Fairly presented
Reimbursements	Low	63	OR1	Substantive tests	Low	Fairly presented
Other Income	Low	1,243	OR1	Substantive tests	Low	Fairly presented

Statement of Comprehensive Income - Expenses

Accounts	Initial Audit Risk	$ '000	Risks as per BPM – REF*	Audit Response	Residual Risk	Results
Employee costs	High	17,817	PA1/PA2/PA3/PA4/PA5/PA6	Controls and substantive tests	Low	Fairly presented
Materials / Contracts / Other Expenses	High	17,533	PP1/PP2/PP3/PP4/PP5/PP6 CO1/CO2/CO3 CC1/CC2/CC3	Controls and substantive tests	Low	Fairly presented
Depreciation and amortisation	High	11,010	FI4	Controls and substantive tests	Low	Fairly presented
Finance Costs	Low	771	BO1	Substantive tests	Low	Fairly presented
Equity Accounted Businesses	Low	47	OR1/OE1	Substantive tests	Low	Fairly presented

Statement of Comprehensive Income – Other Comprehensive Income

Accounts	Initial Audit Risk	$ '000	Risks as per BPM – REF*	Audit Response	Residual Risk	Results
Asset Disposals & FV Adjust	High	(2,497)	FI1/FI3	Controls and substantive tests	Low	Fairly presented
Amounts Received Specifically for New or Upgraded Assets	Moderate	2,339	GR1/GR2/GR3/RE1/RE2	Substantive tests	Low	Fairly presented
Physical Resources Received Free of Charge	Low	2,832	FI1	Substantive tests	Low	Fairly presented

Galpins Barossa Council

Statement of Financial Position – Assets

Accounts	Initial Audit Risk	$ '000	Risks as per BPM – REF*	Audit Response	Residual Risk	Results
Cash and cash equivalents	High	3,153	BA1/BA2/IN1/IN2/IN3	Controls and substantive tests	Low	Fairly presented
Trade and other receivables	Moderate	3,248	DE1/DE2/DE3/DE4/DE5/PR1	Controls and substantive tests	Low	Fairly presented
Inventories	Low	123	N/A	Substantive tests	Low	Fairly presented
Financial Assets & NC Receivables	Low	1,228	LO1	Substantive tests	Low	Fairly presented
Equity Accounted Businesses	Low	4,518	OR1/OE1	Substantive tests	Low	Fairly presented
IPPE + WIP	High	420,337	FI1/FI2/FI3/FI4/FI5	Controls and substantive tests	Low	Fairly presented

Statement of Financial Position - Liabilities

Accounts	Initial Audit Risk	$ '000	Risks as per BPM – REF*	Audit Response	Residual Risk	Results
Trade and other payables	High	5,355	AP1/AP2/AP3/AP4/AP5/TA1/AE1	Controls and substantive tests	Low	Fairly presented
Borrowings	Low	3,558	BO1/BO2/BO3/BO4	Substantive tests	Low	Fairly presented
Provisions	Moderate	3,292	EP1	Substantive tests	Low	Fairly presented
Trade and other payables - NC	High	-	AP1/AP2/AP3/AP4/AP5/TA1/AE1	Controls and substantive tests	Low	Fairly presented
Borrowings - NC	Low	11,871	BO1/BO2/BO3/BO4	Substantive tests	Low	Fairly presented
Provisions - NC	Moderate	722	EP1	Substantive tests	Low	Fairly presented

Statement of Financial Position - Equity

Accounts	Initial Audit Risk	$ '000	Risks as per BPM – REF*	Audit Response	Residual Risk	Results
Accumulated Surplus	Low	106,561	N/A	Substantive tests	Low	Fairly presented
Asset Revaluation Reserves	High	285,676	FI3	Controls and substantive tests	Low	Fairly presented
Other Reserves	Low	15,572	N/A	Substantive tests	Low	Fairly presented

Intended Audit Opinion
In our opinion, except for the effects of the matter referred to in the Basis for Qualified Opinion section of our independent auditor's report, the financial report prepared by the Council presents fairly, in all material respects, the Council's financial position as at 30 June 2024 and its financial performance for the year ended on that date.

* A list of the main risks as per the Better Practice Model (BPM) addressed during our audit and related risk references is provided in Appendix 4.

3. Key Audit Matters

Key audit matters are those matters that, in the auditor's professional judgement, were of most significance in the audit of the financial report. We address these matters in the context of our audit of the financial report as a whole, and in forming our opinion thereon, and we do not provide a separate opinion on these matters.

3.1 Valuation of Infrastructure assets

Why the matter is significant	How the matter was addressed
Infrastructure assets are valued at fair value. The fair values of these assets were based on depreciated current replacement costs which is comprised by the gross replacement cost less accumulated depreciation. Council values the gross replacement cost using the estimated average cost (unit cost) at which it could construct a substitute asset of comparable quality in the normal course of business. There was inherent subjectivity involved in making judgments in relation to assumptions used to estimate unit rates which also involved determining the: ▪ components of assets that are replaced at different times in the asset lifecycle ▪ costs required to replace these components using current prices for materials, labour, and plant costs ▪ indices for measuring subsequent changes in unit rates. The useful lives of assets and the measurement of accumulated depreciation are determined by external valuers. Significant judgement is used to determine the different useful lives for different components of assets and to calculate the depreciation that would have accumulated since original construction using these estimated useful lives. The significant professional judgments used to estimate the gross replacement cost and the accumulated depreciation are also relevant to the calculation of the annual depreciation expense of these assets.	Our audit included but was not limited to the following activities: ▪ reconciled closing balances to the asset registers ▪ reconciled the movements in note 7 to the asset register ▪ reviewed the basis for valuation used by external valuers ▪ assessed the competence of external valuers (experts) in accordance with Australian Accounting Standards ▪ reviewed the fair value hierarchy provided in note 7 for each category of asset ▪ reconciled the useful lives used to calculate the accumulated depreciation and the depreciation for the period to the revaluation reports ▪ reviewed the useful lives mentioned above for different components and compared them to other local government entities ▪ performed a recalculation of depreciation ▪ reviewed the methodology used by Council to perform componentisation of infrastructure assets and compared the methodology used to Council's actual asset management practices and to other local government entities ▪ reconciled the unit rates used for different components of infrastructure assets to the unit rates provided in the revaluation report ▪ reviewed the unit rates mentioned above and compared them to different local government entities ▪ assessed the adequacy of disclosures in the financial report.

3.2 Valuation of Land and Buildings

Why the matter is significant	How the matter was addressed
Land and buildings are valued at fair value. The basis of valuation to be used for these assets depends on a number of factors such as the nature of the asset, purpose of their use, the highest and best use of the asset, potential restrictions to the disposal of these assets among other factors. Valuation of land depends on whether the land is classified as Crown land or community land. Community land and Crown land are valued using unobservable (level 3) inputs as the allowance for the restriction on sale (requiring Ministerial consent) is usually an unobservable input, and is likely to have a significant effect on valuation. Land, where Council has an unfettered right to sell them, is usually valued at current market value based on their highest and best use. Level 2 inputs are primarily used for land during the valuation process. Valuation of buildings depends on the nature of these assets. Some Council buildings have no active market due to the specialised nature of the assets and the services they provide. For such buildings fair value is usually determined on the basis of replacement with a new building having similar service potential. Valuation techniques used to measure fair value of these buildings include significant unobservable inputs (level 3). For buildings that have an active market, buildings are assessed on market value principles which is deemed to be their fair value based on level 2 inputs. The most significant input into this valuation approach is sales transactions of comparable properties within the City, adjusted for any pertinent differences. The significant professional judgments used to estimate the value of buildings are also relevant to the calculation of the annual depreciation expense of these assets.	Our audit included but was not limited to the following activities: ▪ reconciled closing balances to the asset registers ▪ reconciled the movements in note 7 to the asset registers ▪ reviewed the basis for valuation used by external valuers ▪ assessed the competence of external valuers (experts) in accordance with Australian Accounting Standards ▪ analysed the nature of the land building assets and concluded whether the fair value hierarchy provided in note 7 for each category of asset was reasonable ▪ reconciled the useful lives used to calculate the accumulated depreciation and the depreciation for the period to the revaluation reports ▪ reviewed the useful lives mentioned above for different components and compared them to other local government entities ▪ performed a recalculation of depreciation; and ▪ assessed the adequacy of disclosures in the financial report.

Galpins Barossa Council

3.3 Accounting treatment of capitalisation of assets

Why the matter is significant	How the matter was addressed
Councils are asset intensive and highly dependent on multiple assets to deliver services to customers. Hence, there is a high volume of transactions and significant amounts involved in relation to capitalisation of assets. Due to the unique characteristics of Council's assets a number of considerations are taken into account when an expenditure is capitalised which include: ▪ whether Council is incurring capital expenditure to physical resources that are controlled by Council. Control is the most difficult of the characteristics of an asset to be defined as this usually goes beyond the legal ownership; ▪ Inclusions and exclusions of costs at initial recognition of an assets in accordance with AASB 116; ▪ Cost involved in dismantling and removing the asset and/or restoring the site under AASB 137; ▪ Borrowing costs to be capitalised into the cost of IPPE where the asset is a "qualifying asset" as per AASB 123; and ▪ accounting for subsequent costs and defining the nature of these costs as being capital or maintenance expenditure.	Our audit included but was not limited to the following activities: ▪ performed analytical procedures to define whether the amounts capitalised for the FY was in accordance with our expectation and our understanding of the entity; ▪ reviewed internal controls in place for capitalisation of assets; ▪ selected a sample of additions and performed an assessment of the nature of the addition and concluded whether the addition was recognised in accordance with Australian Accounting Standards; ▪ reviewed the WIP schedule and selected a sample of transfers out to ensure that the asset was appropriately valued and capitalised in the right account; and ▪ reviewed the WIP schedule in order to identify projects that should have been capitalised but were not.

3.4 Revenue Recognition

Why the matter is significant	How the matter was addressed
AASB 15 Revenue from Contracts with Customers and AASB 1058 Income of Not-for-Profit Entities apply to revenue recognition for SA Councils. Income from capital and other specific purpose grants needs to be assessed to determine whether it is recognised on receipt, or recognised over time as performance obligations are met (where these obligations are sufficiently specific and rise from enforceable contracts) and a liability recognised for unspent monies.	Our audit included but was not limited to the following activities: ▪ performed analytical procedures to identify any variance that would represent a risk or incorrect application of AASB 15 and AASB 1058 ▪ reviewed a sample of grant agreements and assessed whether agreements contain sufficiently specific performance obligations ▪ evaluated the accounting treatment used by Council to account for the grant agreements in place selected for our tests ▪ tested a sample of financial transactions for compliance with Australian Accounting Standards.

3.5 Management Override of Controls

Why the matter is significant	How the matter was addressed
Management is inherently in a unique position to perpetrate fraud because of management's ability to manipulate accounting records and prepare a fraudulent report by overriding controls that otherwise appear to be operating effectively. Due to the unpredictable way in which such override could occur, the risk of material misstatement due to fraud is, by default, considered a significant risk.	Our audit included but was not limited to the following activities: ▪ tested the appropriateness of journal entries recorded in the general ledger ▪ reviewed accounting estimates for biases ▪ performed final analytical procedures to conclude as to whether the financial report is consistent with our understanding of the entity ▪ requested written representation from Management ▪ reviewed IT access controls rights processes in place ▪ reviewed processes in place to ensure independent reviews of exception reports generated by Council ▪ reviewed processes in place to ensure independent reviews of audit trails of changes to master files.

DRAFT

3.6 Other High Risk Areas

The other high risk areas described in this section are account balances and/or audit areas that are not subject to a high degree of professional judgement, however we assessed their inherent risks as being high due to the materiality of the account balances, the high volume of transactions involved and other reasons outlined below:

Account balance	Why the risk is High	Overall audit response
Rates and charges	- largest revenue item - it is often used as a reference point for analysing expenditure decisions - politically sensitive – reputational risk involved if rates are raised incorrectly.	- walkthroughs and tests of effectiveness of controls from the Better Practice Model - analytical procedures - comparison of total capital values from the VG report to the total capital value recorded in the rates system - reconciliation of the rates modelling to the rates system and to the general ledger - recalculation of rates for a sample of rate payers.
Employee costs	- one of the largest expense items - high volume of transactions / data – subject to error - errors impact individuals financially.	- walkthroughs and tests of effectiveness of controls from the Better Practice Model - analytical procedures - inspection of employee files (contracts, awards, EBs) - inspection of timesheets - recalculation of a sample of individual payments.
Materials, Contracts & Other expenses	- one of the largest expense items - High volume of transactions / date – subject to error - fraud risk area (procurement, payments and credit cards) - procurement and contracting are key focus areas for ICAC and the Auditor-General's Department.	- walkthroughs and tests of effectiveness of controls from the Better Practice Model - analytical procedures - inspection of supporting documents (contracts, invoices, purchase orders, subsequent payments, etc) for a sample of expenses.
Cash and cash equivalents	- material balance - fraud risk - errors and/or fraud in cash may be indicative of broader errors - poor attitude to cash controls may be indicative of poor culture related to the entity's controls environment - public money.	- walkthroughs and tests of effectiveness of controls from the Better Practice Model - analytical procedures - bank confirmation - inspection of bank statements - verification of outstanding reconciling items - reperformance of bank reconciliations.
Trade and other payables	- one of the largest liabilities - material balance - opportunity for understatements - poor use of accrual basis of accounting may be indicative of poor culture - payments represent an opportunity for fraud.	- walkthroughs and tests of effectiveness of controls from the Better Practice Model - analytical procedures - reconciliation between subsidiary ledgers and the general ledger - inspection of subsequent payments for a sample of creditors - inspection of a sample of subsequent payments for completeness test.

Liability limited by a scheme approved under Professional Standards Legislation

Galpins Barossa Council

4. Internal Controls Opinion and Recommendations

We have performed an extensive review of the Council's financial controls for the purpose of forming our control opinion as required by section 129 of the *Local Government Act 1999* based on council's obligations under s125 of that Act.

Our controls opinion is restricted per s129 of the Act to the application of s125 as it relates to financial internal controls, specifically the controls exercised by the Council during the relevant financial year in relation to the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities.

A summary of the results of our review is provided in the table below:

Business cycles	Controls Reviewed	Operating Effectively 2024	Operating Effectively 2023	2024 Findings H	M	L	BP
Purchasing & Procurement/Contracting	7	6	6	-	-	-	-
Fixed Assets	8	7	7	1	-	-	-
General Ledger	8	5	6	-	-	1	-
Accounts Payable	8	7	8	-	1	-	-
Payroll	11	11	11	-	-	-	-
Rates / Rates Rebates	8	7	6	-	-	-	-
Credit Cards	5	5	5	-	-	-	-
Debtors	3	3	3	-	-	-	-
Banking	5	3	4	1	-	-	-
Receipting	2	2	2	-	-	-	-
Total	**65**	**56**	**58**	**2**	**6**	**1**	**-**

Overall the Council demonstrated a satisfactory level of compliance with the implementation of an internal control framework consistent with the principles within the Better Practice Model.

During our interim audit visit we found that the majority of key internal controls reviewed were in place and were operating effectively (56 out 65 core controls reviewed). Risks were rated based on an assessment of the risk of non-compliance with s125 of the Local Government Act 1999 as described in Appendix 5 – Risk Ratings.

An ***interim audit management letter*** was issued and presented to the audit committee containing our overall assessment of the council's internal controls and all the controls weaknesses identified during our review of the Council's financial controls.

A summary of all the findings included in our interim management letter is included in **Appendix 6 – Summary of Findings Identified - Interim Audit.**

In our opinion, subject to the satisfactory completion of the items described in section 1 of this report, the ***Council has complied, in all material aspects, with Section 125 of the Local Government Act 1999*** in relation to Internal Controls established by the Council in relation to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities.

5. Final Management Letter

We have identified the following additional performance improvement observations when performing our substantive procedures during our final audit:

1. Leave Entitlements	Risk: Moderate
Finding	A full-time employee accrues 152 hours of annual leave in a year. At the end of 2023-24 there are 19 (2023: 22) employees with a balance greater than two years entitlement (>304 hours). We note that in late 2022, formal communication was sent to all employees with large leave balances informing them of the requirement to implement plans to reduce their balances over a 2-3 year period.
Risk	Leave balances exceeding the allowable balances under the relevant EB. Staff not taking leave has financial implications as leave is paid at higher rates than it was accrued, and may lead to health, safety and welfare issues. Regular taking of leave also acts as a fraud prevention control.
Recommendation	Council continues to monitor leave balances and implements strategies to reduce excessive balances and prevent employees from accumulating excessive annual balances in future.
Management Response	

DRAFT

Risk: Moderate	
2. Indexation of asset values is not done in between revaluations	
Finding	The Barossa Council is not currently indexing infrastructure or building fair values in between the five-yearly revaluation cycle. The Local Government Act requires councils to comply with the Australian Accounting Standards. Accounting standard AASB 116.31 requires that '*Revaluations shall be made with sufficient regularity to ensure that the carrying amount does not differ materially from that which would be determined using fair value at the end of the reporting period*'. In the SA local government sector, it is most common to apply a 5 year revaluation cycle. A generally accepted rule of thumb for assessing materiality is that errors of greater than 10% are considered material. In periods of higher inflation, the potential growth in asset fair values (all else being equal) is expected to be greater than 10% in less than 5 years. The following table illustrates this, using the Local Government Price Index (LGPI) at various levels as an estimate of construction cost increases. *Percentage increase in unit rates (cumulative) since revaluation year (Year 0) at various levels of LGPI*

	Years since revaluation				
	Year 1	Year 2	Year 3	Year 4	Year 5
LGPI at 2.5%	2.5%	5.1%	7.7%	**10.4%**	13.1%
LGPI at 3.5%	3.5%	7.1%	**10.9%**	14.8%	18.8%
LGPI at 5.0%	5.0%	**10.3%**	15.8%	21.6%	27.6%

Indexation of unit rates (using either appropriate growth factors or internal replacement cost) can be applied in between full revaluation cycles to reduce the potential misstatement, thus extending the allowable time between revaluations.

The use of indexation is considered best practice in the local government sector, enabling a greater balance between the cost and benefits of revaluations. Local government assets are predominantly long life assets, making 5 yearly detailed revaluations (supported by ongoing data cleansing based on site inspections and review) a sensible timeframe to ensure asset data is appropriately reliable to support decision making. Indexation allows this timeframe to conform with financial reporting requirements, whilst also providing more accurate costing information between revaluations for asset management and budgeting purposes.

Note: Though useful for extending time between revaluations to provide cost savings, indexation is not a substitute for a full revaluation. Whilst indexation reduces the risk of material misstatement, a full revaluation

	considers more than just unit rates. Importantly, a comprehensive revaluation evaluates the condition of assets and asset management strategies applied to assets to estimate remaining useful lives and ensure appropriate componentisation of assets. With local governments' large inventory of buildings and infrastructure, revaluations also play an important role in data cleansing, with site inspections often resulting in found assets, non-existent assets or classification / componentisation errors.
Risk	Infrastructure and building values, and related depreciation, may be materially misstated, resulting in financial statement errors and impacting asset management and budgeting decisions.
Recommendation	Council applies indexation to asset infrastructure and building values in between comprehensive 3-5 yearly revaluations.
Management Response	

DRAFT

Galpins Barossa Council

3. NCPA - Superannuation	Risk: Moderate
Finding	Superannuation for NCPA employees in 2023-24 was paid at the incorrect rate of 10.5%, rather than 11%. The rate didn't automatically update within MYOB and wasn't double checked before the first pay run. This error was identified by NCPA staff when the financial year was rolled over into 2024-25 and super went up to 11.5%. Assistance was sought from an outsourced accountant to calculate the shortfall, interest, and penalties with the ATO. Audit notes that approximately $7,000 was paid in September 2024 to correct this oversight.
Risk	Employees not being remunerated correctly, resulting in employee expenses being understated and potentially impacting employee morale.
Recommendation	Implement controls to ensure the superannuation rate within MYOB is confirmed at the start of each financial year.
Management Response	

Risks were rated based on an assessment of the risk of non-compliance with s125 of the Local Government Act 1999 as described in the Appendix 5 – Risk Ratings.

DRAFT

6. Immaterial Uncorrected Misstatements

IUM 1 – Prior year IUM correction - Asset Disposals					
D/C	Account at FS level	Assets Increase/ (decrease) $	Liabilities (Increase)/ decrease $	Surplus/Deficit (Increase)/ decrease $	Other Comprehensive Income (Increase)/ decrease) $
C	PPE	890,452	-	-	-
D	Accumulated Depreciation	(698,945)	-	-	-
D	Revaluation Increment	-	-		191,507
Description: In 2023 we reported an IUM related to errors in the processing of asset disposals during the upgrade of the Council and Library Main Office, resulting in the written down value of assets being understated and loss on disposal overstated by $191,506.61 in 2022-23. This was corrected through asset revaluation reserve in the 2023-24 financial year, resulting in overstatement of other comprehensive income of $191,506.61.					

7. Corrected Adjustments

In addition to various minor adjustments, Audit requested the following audit adjustments that have been processed:

- Building revaluation amount (as per note 7): An adjustment was processed by council staff in relation to prior year transaction errors for assets incorrectly disposed during 2022-23 (as per the prior year IUM discussed in section 6 above). The adjustment brought the assets back onto the balance sheet, however they were brought back in at cost ($890k) rather than written down value ($191k) due to a system limitation within Assetic which does not allow accumulated depreciation on asset additions. Audit advised management to correct the balance in TechOne (general ledger) & LGS (financial statements), and note this variance with Assetic when performing the monthly reconciliation process. This variance will then resolve itself in Assetic when the next buildings external revaluation is processed in 2024-25.

- Land revaluation amount (as per note 7). After reviewing the land revaluation workings and reconciliation, it was discovered that an incorrect percentage decrement change to Level 2 land values of $222k was posted. Audit requested that the journal be reversed ($222k).

- Cash flow statement adjustments: Adjustments were requested to include GST gross-up on reported values, account for Loans made to community groups, and reallocate movements in grants in advance.

Galpins Barossa Council

8. Contact Details



Tim Muhlhausler CA, B Comm, Grad Dip. (ICAA), Registered Company Auditor, MIIA (Aust), Registered SMSF Auditor
Partner
(08) 8332 3433
(08) 8332 3466
www.galpins.com.au
3 Kensington Road Norwood SA 5067
PO Box 4067 Norwood South SA 5067



Juliano Freitas CA, B Acc, Registered Company Auditor
Audit Director
(08) 8332 3433
www.galpins.com.au
3 Kensington Road, Norwood SA
PO Box 4067 Norwood South SA 5067



Harry Mlaco CA, B. Com (Acc).
Audit Manager
SA Community Football Registrar
(08) 8332 3433
www.galpins.com.au
3 Kensington Road Norwood SA 5067
PO Box 4067 Norwood South SA 5067

Galpins

Barossa Council

Appendix 1 – Proposed Independent Auditor's Report on the Financial Report

To the members of the Barossa Council

Opinion
We have audited the accompanying financial report of the Barossa Council (the Council), which comprises the statements of financial position as at 30 June 2024, the statement of comprehensive income, statement of changes in equity and cash flow statement for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the Council Certificate of Barossa Council.

In our opinion, the accompanying financial report presents fairly, in all material aspects, the financial position of the Council as at 30 June 2024, and its financial performance and its cash flow for the year then ended in accordance with the Australia Accounting Standards, Local Government Act 1999 and Local Government (Financial Management) Regulations 2011.

Basis for Opinion
We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the Council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our ethical responsibilities in accordance with the Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Council's Responsibility for the Financial Report
Council is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations), the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011* and for such internal control as Council determines is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, Council is responsible for assessing the Council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless Council either intends to liquidate the Council or to cease operations, or has no realistic alternative but to do so. Those charged with governance are responsible for overseeing the Council's financial reporting process.

Auditor's Responsibility for the Audit of the Financial Report
Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatements, whether due to fraud or error, and to issue and auditor's report that includes our opinion. Reasonable assurance is a high level assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and

are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decision of users taken on the basis of this financial report.

As part of an audit of the financial report in accordance with Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risk of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit of the financial report in order to design procedures that are appropriate in the circumstances, but for the purpose of expressing an opinion on the effectiveness of the Council's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of Council's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Council's ability to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

GALPINS ACCOUNTANTS, AUDITORS & BUSINESS CONSULTANTS

Tim Muhlhausler CA Registered Company Auditor
Partner

Date:

DRAFT

Galpins

Barossa Council

Appendix 2 – Proposed Independent Auditor's Report on the Internal Controls

To the members of the Barossa Council

Independent Assurance Report on the Internal Controls of the Barossa Council

Opinion
We have audited the compliance of the Barossa Council (the Council) with the requirements of Section 125 of the *Local Government Act 1999* in relation only to the internal controls established by the Council to ensure that financial transactions relating to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities for the period 1 July 2023 to 30 June 2024 have been conducted properly and in accordance with the law.

In our opinion, the Barossa Council has complied, in all material respects, with Section 125 of the *Local Government Act 1999* in relation to internal controls established by the Council in relation to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities so as to provide reasonable assurance that the financial transactions of the Council have been conducted properly and in accordance with law for the period 1 July 2023 to 30 June 2024.

Basis for Opinion
We conducted our engagement in accordance with applicable Australian Standards on Assurance Engagement ASAE 3000 *Assurance Engagements Other than Audits or Reviews of Historical Financial Information* and ASAE 3150 *Assurance Engagement on Controls*, issued by the Australian Auditing and Assurance Standards Board, in order to state whether, in all material respects, the Council has complied with Section 125 of the *Local Government Act 1999* in relation only to the internal controls specified above for the period 1 July 2023 to 30 June 2024. ASAE 3000 also requires us to comply with the relevant ethical requirements of the Australian professional accounting bodies.

We believe that the evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

The Council's Responsibility for Internal Controls
The Council is responsible for implementing and maintaining an adequate system of internal controls, in accordance with Section 125 of the Local Government Act 1999 to ensure that the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities have been conducted properly and in accordance with law.

Our Independence and Quality Control
We have complied with the independence and other relevant ethical requirements relating to assurance engagements, and applied Auditing Standard ASQC 1 *Quality Control for Firms that Performs Audits and Reviews of Financial Reports and Other Financial Information, and Other Assurance Engagements* in undertaking this assurance engagement.

Auditor's responsibility

Our responsibility is to express an opinion on the Council's compliance with Section 125 of the *Local Government Act 1999* in relation only to the internal controls established by the Council to ensure that financial transactions relating to receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities, based on our procedures. Our engagement has been conducted in accordance with applicable Australian Standards on Assurance Engagements ASAE 3000 *Assurance Engagements Other than Audits or Reviews of Historical Information* and ASAE 3150 *Assurance Engagements on Controls*, issued by the Australian Auditing and Assurance Standards Board, in order to state whether, in all material respects, the Council has complied with Section 125 of the *Local Government Act 1999* in relation only to the internal controls specified above for the period 1 July 2023 to 30 June 2024. ASAE 3000 also requires us to comply with the relevant ethical requirements for the Australian professional accounting bodies.

Limitations of Controls
Because of the inherent limitations of any internal control structure it is possible that, even if the controls are suitably designed and operating effectively, the control objectives may not be achieved so that fraud, error, or non-compliance with laws and regulations may occur and not be detected.

An assurance engagement on controls is not designed to detect all instances of controls operating ineffectively as it is not performed continuously throughout the period and the tests performed are on a sample basis. Any projection of the outcome of the evaluation of controls to future periods is subject to the risk that the controls may become inadequate because of changes in conditions, or that the degree of compliance with them may deteriorate.

Limitation of Use
This report has been prepared for the members of the Council in accordance with section 129 of the *Local Government Act 1999* in relation to the internal controls specified above. We disclaim any assumption of responsibility for any reliance on this report to any persons or users other than the members of the Council, or for any purpose other than that for which it was prepared.

GALPINS ACCOUNTANTS, AUDITORS & BUSINESS CONSULTANTS

Tim Muhlhausler CA Registered Company Auditor
Partner

Date:

Galpins

Barossa Council

Appendix 3 – Statement by Auditor

I confirm that, for the audit of the financial statements of the Barossa Council for the year ended 30 June 2024, I have maintained my independence in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code), in accordance with the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011* made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22 (5) *Local Government (Financial Management) Regulations 2011*.

GALPINS ACCOUNTANTS, AUDITORS & BUSINESS CONSULTANTS

Tim Muhlhausler CA Registered Company Auditor
Partner

Date:

DRAFT

Galpins Barossa Council

Appendix 4 – Better Practice Model (BPM) Risks

The risks outlined below are the main BPM risks addressed when determining our audit approach / response as described in section 2 of this report.

Business Cycles	Risk REF	Risks
Rates	RA1	Council does not raise the correct level of rate income
	RA2	Rates and rate rebates are either inaccurately recorded or not recorded at all
	RA3	The property master file data does not remain pertinent
	RA4	Rates are not collected on a timely basis
User Pay Income / Fee for services	US1	The fee charged does not reasonably reflect the value of the services provided
	US2	Council does not apply User Pay principles consistently
	US3	User pay income is either inaccurately recorded or not recorded at all
Investment / Interest Income	II1	Investment income is either inaccurately recorded or not recorded at all
Other Revenue	OR1	Other revenue is either inaccurately recorded or not recorded at all
Grants	GR1	Council loses recurrent grant funding to provide existing services
	GR2	Grant funding is not claimed by Council on a timely basis or not claimed at all
	GR3	Grants are either inaccurately recorded or not recorded at all
Receipting	RE1	Receipts are either inaccurately recorded or not recorded at all
	RE2	Receipts are not deposited at the bank on a timely basis
Purchasing & Procurement	PP1	Council does not obtain value for money in its purchasing and procurement
	PP2	Purchase of goods and services are made from non-preferred suppliers
	PP3	Purchase orders are either recorded inaccurately or not recorded at all
	PP4	Purchase orders are made for unapproved goods and services
	PP5	Supplier master file data does not remain pertinent and/or unauthorised changes are made to the supplier master file
Payroll	PA1	Payroll expense is inaccurately calculated
	PA2	Payroll disbursements are made to incorrect or fictitious employees
	PA3	Time and/or attendance data is either invalid, inaccurately recorded or not recorded at all
	PA4	Payroll master file does not remain pertinent and/or unauthorised changes are made to the payroll master file.
	PA5	Voluntary and statutory payroll deductions are inaccurately processed or without authorisation
	PA6	Employees termination payments are not in accordance with statutory and enterprise agreements
Credit cards	CC1	Credit cards are issued to unauthorised employees
	CC2	Credit cards are used for purchases of a personal nature

Liability limited by a scheme approved under Professional Standards Legislation

Galpins Barossa Council

Business Cycles	Risk REF	Risks
	CC3	Credit card limits are set at inappropriate levels
Other Expenses	OE1	Other expenses are invalid, inaccurately recorded or not recorded at all
Contracting	CO1	Council is not able to demonstrate that all probity issues have been addressed in the Contracting process
	CO2	Council does not obtain value for money in relation to its Contracting
	CO3	Commitments are made for unapproved goods and services
Banking	BA1	Banking transactions are either inaccurately recorded or not recorded at all
	BA2	Fraud (i.e. misappropriation of funds)
Investments	IN1	Council makes poor investment decisions
	IN2	Investment transactions are either not recorded or are recorded inaccurately
	IN3	Investment income is inaccurately calculated or not recorded in the appropriate period
Debtors	DE1	Debtors are either inaccurately recorded or not recorded at all
	DE2	Rebates and credit notes to debtors are either inaccurately recorded or not recorded at all
	DE3	An appropriate provision for doubtful debts is not recorded
	DE4	Debtors are either not collected on a timely basis or not collected at all
	DE5	The Debtors master file data does not remain pertinent.
Fixed Assets	FI1	Fixed asset acquisitions, disposals and write-offs are fictitious, inaccurately recorded or not recorded at all. Fixed Asset Register (FAR) does not remain pertinent
	FI2	Fixed assets are inadequately safeguarded
	FI3	Fixed assets are not valued correctly initially or on subsequent revaluation
	FI4	Depreciation charges are either invalid, not recorded at all or are inaccurately recorded which includes inappropriate useful lives and residuals
	FI5	Fixed asset maintenance and/or renewals are inadequately planned
Prepayments	PR1	Prepayments are either inaccurately recorded or not recorded at all
Loans to Community groups	LO1	Loans to community groups are inaccurately recorded or not recorded at all
Accounts Payable	AP1	Accounts payable amounts and disbursements are either inaccurately recorded or not recorded at all
	AP2	Credit notes and other adjustments to accounts payable are either inaccurately recorded or not recorded at all
	AP3	Disbursements are not authorised properly
	AP4	Accounts are not paid on a timely basis
	AP5	Supplier master file data does not remain pertinent and/or unauthorised changes are made to the supplier master file
Accrued Expenses	AE1	Accrued Expenses are either inaccurately recorded or not recorded at all

Galpins Barossa Council

Business Cycles	Risk REF	Risks
Borrowings	BO1	Borrowings are either not recorded or are recorded inaccurately
	BO2	Loans are taken out without appropriate approval
	BO3	Loans are not repaid in accordance with agreed terms
	BO4	Loan repayments are not recorded at all or are recorded inaccurately
Employee Provisions	EP1	Employee provisions are either inaccurately recorded or not recorded at all
Taxation	TA1	Tax liabilities are either inaccurately recorded or not recorded at all

DRAFT

Liability limited by a scheme approved under Professional Standards Legislation

Galpins Barossa Council

Appendix 5 – Risk Ratings

The audit findings identified during our interim audit documented in our interim management letter and in section 4 of this report were rated as follows:

Category	Description
Potential Material Weaknesses	The issue described could lead to a material weakness in the council's internal controls and non-compliance with s125 of the Local Government Act.
Moderate Weaknesses	The issue described does not represent a material weakness due to the existence of compensating controls. However, the failure of the compensating controls or the existence of any other moderate weakness within the same business cycle may lead to a material weakness in the council's internal controls and non-compliance with s125 of the Local Government Act.
Low Risk Weaknesses	The issue described is a low risk weakness due to the existence of compensating controls and/or the failure or absence of the internal controls does not impact significantly on the council's financial risk. However, multiple low-level risk weakness within the same business cycle may lead to a material weakness in the council's internal controls and non-compliance with s125 of the Local Government Act.
Better Practice Weaknesses	The issue described has been included in this report as an opportunity for better practice.

DRAFT

Galpins

Barossa Council

Appendix 6 – Summary of Findings Identified- Interim Audit

Business Cycle	Findings	Risk
Purchase & Procurement / Contracting	2.1.1 Instance of exemption from procurement policy not being properly executed	M
Fixed Assets	2.2.1 Councils Infrastructure Asset Management Plan does not include sufficient renewal plans	H
General Ledger	2.3.1 A list of IT users with access to key finance modules in CiA cannot currently be exported or reviewed by Finance Management	M
	2.3.2 Some key IT policies / procedures are not up to date	M
	2.3.3 No documented policy / procedure in place for approval of manual journals	L
Accounts Payable	2.4.1 Accounts Payable staff are not following up with changes in the supplier master file via phone call	M
Rates	2.5.1 No formal review of Pathway user access and excessive Administrator users	M
Credit cards	Audit did not find any issue that would represent a risk of non-compliance with s125 of the Local Government Act	N/A
Debtors	Audit did not find any issue that would represent a risk of non-compliance with s125 of the Local Government Act	N/A
Banking	2.6.1 Delays in matching a large volume of miscellaneous reconciling items	H
	2.6.2 'Authorised Financial Signatories Register' not updated to reflect staffing changes	M
Payroll	Audit did not find any issue that would represent a risk of non-compliance with s125 of the Local Government Act	N/A
Receipting	Audit did not find any issue that would represent a risk of non-compliance with s125 of the Local Government Act	N/A

DRAFT

Reference: 24/109630

21 November 2024

Mr Tim Muhlhausler
Partner
Galpins Accountants Auditors and Business Consultants
PO Box 546
Kent Town SA 5071

Dear Tim,

This representation letter is provided in connection with your audit of the financial report of **Nurioopta Centennial Park Authority** (the Authority) for the year ended 30 June 2024 for the purpose of expressing an opinion as to whether the financial report presents fairly in accordance with the Australian Accounting Standards, *Local Government Act 1999* and *Local Government (Financial Management) Regulations 2011*.

I confirm that *(to the best of the Authority's knowledge and belief, having made such enquiries as we considered necessary for the purpose of appropriately informing ourselves):*

FINANCIAL REPORT

- The Authority has fulfilled our responsibilities, as set out in the terms of the audit engagement letter, for the preparation of the financial report in accordance with Australian Accounting Standards, *Local Government Act 1999* and *Local Government (Financial Management) Regulations 2011*; in particular the financial report presents fairly in accordance therewith.
- The Authority acknowledges its responsibility for the design, implementation and maintenance of internal control for the preparation of the financial report in accordance with Australian Accounting Standards, *Local Government Act 1999* and *Local Government (Financial Management) Regulations 2011*.
- Significant accounting policies adopted in the preparation of the financial report are fully and fairly described in the financial report.
- Significant assumptions used by us in making accounting estimates, including those measured at fair value, are reasonable.
- Related party relationships and transactions have been appropriately accounted for and disclosed in accordance with the requirements of Australian Accounting Standards. Such transactions with related party may include:
  - sales, purchases, loans, transfers of assets / liabilities/ services, leasing arrangements, guarantees etc.
  - all balances due to or from related party at year end.
- All events subsequent of the date of the financial report for which Australian Accounting Standards require adjustment or disclosure have been adjusted or disclosed.

(08) 8563 8444 | barossa@barossa.sa.gov.au | barossa.sa.gov.au
43-51 Tanunda Road (PO Box 867), Nuriootpa SA 5355 | ABN: 47 749 871 215

- The effects of uncorrected misstatements are immaterial, both individually and in the aggregate, to the financial report as a whole. A list of uncorrected misstatements is attached to the representation letter.

OWNERSHIP

- The Authority has good title (or lease interest) in all assets recorded in the accounts.

VALUATION

- The Authority have no plans and intentions that may affect materially the carrying value, or classification, of Authority's assets and liabilities.
- The fair value of land and buildings as determined by the external valuer is reasonable.
- Adequate provisions have been recorded in the accounts for all anticipated losses.
- Depreciation rates for capital and other assets have been reviewed having regard to such factors as asset usage and obsolescence. Any adjustment to reflect the most recent assessment of the useful lives of all capital and other assets has been recognised and disclosed in the financial report.
- The carrying amount of capital and other assets does not materially differ from its fair value at the reporting date.

Information Provided

- The Authority has provided you with:
    - access to all information of which we are aware that is relevant to the preparation of the financial report such as records, documentation and other matters;
    - additional information that you have requested from us for the purpose of the audit; and
    - unrestricted access to persons within the Authoruity from whom you determined it necessary to obtain audit evidence.
- All transactions have been recorded in accounting records and are reflected in the financial report.
- The Authority acknowledges its responsibility for the design, implementation and maintenance of internal control to prevent and detect fraud.
- The Authority has disclosed to you the results of our assessment of the risk that the financial report may be materially misstated as a result of fraud.
- The Authority has disclosed to you all information in relation to fraud or suspected fraud that we are aware of and that affects the Authority and involves:
    - management;
    - employees who have significant roles in internal control; or
    - others where the fraud could have a material effect on the financial report.
- The Authority has disclosed to you all information in relation to allegations of fraud, suspected fraud, affecting the Authority financial report communicated by employees, former employees, analysts, regulators or others.
- The Authority has disclosed to you all known instances of non-compliance or suspected non-compliances with laws and regulations including all covenants, conditions or other requirements of outstanding debts, whose effects should be considered when preparing the financial report.

(08) 8563 8444 | barossa@barossa.sa.gov.au | barossa.sa.gov.au
43-51 Tanunda Road (PO Box 867), Nuriootpa SA 5355 | ABN: 47 749 871 215

- The Authority has disclosed to you all known actual or possible litigation and claims whose effects should be considered when preparing the financial report; and accounted for and disclosed in accordance with the applicable financial reporting framework.
- The Authority has disclosed to you all known unusual commitments or contractual obligations that were not in the ordinary course of business whose effects should be considered when preparing the financial report.
- The Authority has disclosed to you the identity of the Authority related parties and all the related party relationships and transactions of which we are aware.

COMPLETENESS

- All assets owned or controlled by the Authority have been recorded in the accounts.
- All services rendered prior to the year-end have been recorded in the correct financial year.
- Inventory does not include items not paid for and for which no liability has been recorded in the accounts at year-end.
- All charges to capital assets (and additions under capital leases) during the year represent actual additions and no expenditure of a capital nature have been charged to expenses during the year.
- All capital assets sold or dismantled during the year have been properly accounted for in the accounts.
- Capital and other assets with a limited life are being depreciated, amortised, or otherwise written off as a charge to income over their estimated useful lives in a systematic and rational manner.
- All liabilities of the Authority at year-end have been recorded in the accounts (including provisions for such items as salaries and wages, employee benefits, professional services and long term debts).

ELECTRONIC PUBLICATION OF FINANCIAL REPORT

- The Authority acknowledges its responsibility for the electronic presentation of the audited financial report and independent auditor's report on the internet is identical to the signed hard copy version.
- The Authority acknowledges its responsibility to clearly differentiate between audited and unaudited information in the construction of the Authority website as we understand the risk of potential misrepresentation.
- The Authority acknowledges its responsibility for the design, implementation and internal control to ensure the security and integrity of the data published on the internet.
- The Authority acknowledges its responsibility to only publish the independent auditor's report when the full financial report is presented on the website.

OTHER

- The Authority Minute book provided to you contains complete and authentic minutes of all meetings and committees held throughout the year to the most recent meetings.
- The Authority believes that it will be able to meet its financial commitments when they fall due.

Yours sincerely

Martin McCarthy
Chief Executive Officer

(08) 8563 8444 | barossa@barossa.sa.gov.au | barossa.sa.gov.au
43-51 Tanunda Road (PO Box 867), Nuriootpa SA 5355 | ABN: 47 749 871 215

DEBATE REPORT

2.2 2023-24 ANNUAL FINANCIAL STATEMENTS - NURIOOTPA CENTENNIAL PARK AUTHORITY

Author: Manager Financial Services
24/109497

PURPOSE

The purpose of this report is to present the Annual Financial Statements for the 2023-24 financial year for the Nuriootpa Centennial Park Authority for review and endorsement for Council adoption.

RECOMMENDATION

That the Audit and Risk Committee

(1) Receives and notes the Draft Audit Report for the Nuriootpa Centennial Park Authority from Council's external auditor Mr Tim Muhlhausler of Galpins Accountants, Auditors and Business Consultants for the year ended 30 June 2024.

(2) Receives and notes the Management Representation Letter, which was provided to Mr Tim Muhlhausler of Galpins Accountants, Auditors and Business Consultants for the year ended 30 June 2024.

(3) Notes the draft Certificate of Audit Independence attached as part of the 2023-24 Annual Financial Statements which will be signed by Mr Tim Muhlhausler of Galpins Accountants, Auditors and Business Consultants.

(4) Having reviewed the Nuriootpa Centennial Park Authority 2023-24 Annual Financial Statements for the year ended 30 June 2024, consider the statements present fairly the state of affairs of the Nuriootpa Centennial Park Authority.

(5) Recommends the Certificate of Auditor Independence be signed by the Chair of the Nuriootpa Centennial Park Authority Audit and Risk Committee.

REPORT

Background

The 2023-24 Annual Financial Statements and accompanying notes have been prepared in accordance with Section 127 of the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011*.

Regulation 13 of the *Local Government (Financial Management) Regulations 2011* requires that the Financial Statements of a council subsidiary be prepared in accordance with the requirements set out in the Model Financial Statements.

Section 126(4)(a) of the *Local Government Act 1999* requires that the functions of an Audit and Risk Committee include reviewing annual financial statements to ensure that they present fairly the state of affairs of the council.

Introduction

The independent audit of the 2023-24 Annual Financial Statements was undertaken by Galpins Accountants, Auditors and Business Consultants. They have provided clearance on the financial statements and have provided their draft report.

Key results of the Nuriootpa Centennial Park Authority 2023-24 Annual Financial Statements include:

- 2023-24 operating deficit of $38,330 compared to $16,420 surplus for 2022-23.
- 2023-24 net deficit after capital adjustments of $60,108 (2022-23 $2,624,351 surplus).
- Net assets decreased to $13.087 million as at 30 June 2024 from $14.461 million as at 30 June 2023.
- Cash and cash equivalents at 30 June 2024 totalled $318,674 (2023 $404,706).
- Total borrowings (including lease liabilities) have decreased by $232,706 from $856,994 to $624,288 at 30 June 2024.

Discussion

Total income increased by $175,495 or 6.65% for 2023-24. This is predominately due to increased site activity resulting in a $134,847 increase in cabin fees and an $18,764 increase in site fees.

Total expenditure increased by $230,245 or 9.61% for 2023-24. This is due to the following:

- A $170,863 increase in employee costs associated with general increases
- A $42,407 increase in depreciation costs associated with $2.918 million in new and upgraded assets acquired during 2022-23 and $64,081 in new and upgraded assets acquired during 2023-24.

Physical resources received free of charge decreased significantly in 2023-24 from $2.612 million in 2022-23 to $2,122 in 2023-24. In 2022-23 the Nuriootpa Centennial Park Authority received significant 'gifted' assets from the Barossa Council as a result of capital works completed under The Big Project.

Land assets categorised as level 3 in the fair value hierarchy under *AASB 13 Fair Value Measurement* were revalued as at 1 July 2023 using values provided by the Valuer-General. This resulted in a $1.318 million decrease in the value of the Nuriootpa Centennial Park Authority's community land.

Net assets decreased to $13.087 million as at 30 June 2024 from $14.461 million as at 30 June 2023, a decrease of $1.374 million. This is due to:

- A $1.702 million decrease in infrastructure, property, plant and equipment assets largely due to the $1.318 million revaluation decrement to community land and $552,214 in depreciation expenses, offset by $188,376 in additions throughout the year.
- A $185,716 increase in capital works in progress largely relating to the Barossa soccer precinct.
- A decrease to total liabilities of $229,257 from $14.461 million to $13.087 million. This is due to a $232,706 decrease in borrowings (including lease liabilities) from

$856,994 to $624,288 at 30 June 2024 largely resulting from $226,820 in loan repayments being made throughout the year.

A copy of the Management Representation Letter for the year ended 30 June 2024, which has been provided to Galpins Accountants, Auditors and Business Consultants, has also been attached for your information and noting.

Summary and Conclusion

The 2023-24 Annual Financial Statements for the Nuriootpa Centennial Park Authority are presented for review.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1	Draft 2023-24 Financial Statements (Audit Clearance Version from Galpins) - Nuriootpa Centennial Park Authority
Attachment 2	2023-24 Galpins Draft Audit Report on Financial Statements - Nuriootpa Centennial Park Authority (NCPA)
Attachment 3	2023-24 Management Representation Letter to Galpins - Nuriootpa Centennial Park Authority (NCPA)

Supporting references

Nil.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

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

Legislative Requirements

Section 126(4) of the Local Government Act 1999
Local Government (Financial Management) Regulations 2011

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial
All known financial and resourcing requirements as at 30 June 2024 have been included in the annual financial reports.

Risk Management
Risk management issues are considered by management throughout the financial year and communicated to Council as required.

COMMUNITY ENGAGEMENT

No separate consultation is required under Council's Public Consultation Policy. The Financial Statements are public documents, accessible to the community via Council's website after Council adoption.



DRAFT

Nuriootpa Centennial Park Authority

GENERAL PURPOSE FINANCIAL STATEMENTS

for the year ended 30 June 2024

Nuriootpa Centennial Park Authority

General Purpose Financial Statements

for the year ended 30 June 2024

Contents

	Page
Authority Certificate	2
Principal Financial Statements	
Statement of Comprehensive Income	3
Statement of Financial Position	4
Statement of Changes in Equity	5
Statement of Cash Flows	6
Notes to and forming part of the Financial Statements	7
Independent Auditor's Report – Financial Statements	30
Certificates of Audit Independence	
Authority Certificate of Audit Independence	32
Audit Certificate of Audit Independence	33

DRAFT

Nuriootpa Centennial Park Authority

General Purpose Financial Statements

for the year ended 30 June 2024

Certification of Financial Statements

We have been authorised by the Authority to certify the financial statements in their final form.

In our opinion:

- the accompanying financial statements comply with the *Local Government Act 1999, Local Government (Financial Management) Regulations 2011* and Australian Accounting Standards,
- the financial statements present a true and fair view of the Authority's financial position at 30 June 2024 and the results of its operations and cash flows for the financial year,
- internal controls implemented by the Authority provide a reasonable assurance that the Authority's financial records are complete, accurate and reliable and were effective throughout the financial year,
- the financial statements accurately reflect the Authority's accounting and other records.

DRAFT

Guy Martin
CHAIR

Date:

Tanya Pumpa
BUSINESS MANAGER

Date:

Nuriootpa Centennial Park Authority

Statement of Comprehensive Income
for the year ended 30 June 2024

$	Notes	2024	2023
Income			
User charges	2a	2,568,978	2,408,701
Grants, subsidies and contributions - operating	2c	13,423	–
Investment income	2b	5,576	3,781
Total income		2,587,977	2,412,482
Expenses			
Employee costs	3a	1,120,737	949,874
Materials, contracts and other expenses	3b	934,350	907,537
Depreciation and amortisation	3c	552,214	509,807
Finance costs	3d	19,006	28,844
Total expenses		2,626,307	2,396,062
Operating surplus / (deficit)		(38,330)	16,420
Physical resources received free of charge	2d	2,122	2,611,632
Asset disposal and fair value adjustments	4	(23,900)	(3,701)
Net surplus / (deficit)		(60,108)	2,624,351
Other comprehensive income			
Amounts which will not be reclassified subsequently to operating result			
Change in revaluation surplus - infrastructure, property, plant and equipment		(1,313,561)	–
Impairment (expense) / recoupments offset to asset revaluation reserve		–	(4,071)
Total other comprehensive income		(1,313,561)	(4,071)
Total comprehensive income		(1,373,669)	2,620,280

The above Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

DRAFT

Nuriootpa Centennial Park Authority

Financial Statements 2024

Statement of Financial Position
as at 30 June 2024

$	Notes	2024	2023
ASSETS			
Current assets			
Cash and cash equivalent assets	5a	318,674	404,706
Trade and other receivables	5b	28,534	31,205
Inventories	5c	3,410	1,139
Total current assets		350,618	437,050
Non-current assets			
Trade and other receivables	6a	2	2
Other non-current assets	6b	277,519	91,803
Infrastructure, property, plant and equipment	7	13,325,808	15,028,018
Total non-current assets		13,603,329	15,119,823
TOTAL ASSETS		13,953,947	15,556,873
LIABILITIES			
Current liabilities			
Trade and other payables	8	196,684	173,536
Borrowings	8	98,816	232,706
Provisions	8	45,310	64,953
Total current liabilities		340,810	471,195
Non-current liabilities			
Borrowings	8	525,472	624,288
Provisions	8	476	532
Total non-current liabilities		525,948	624,820
TOTAL LIABILITIES		866,758	1,096,015
Net assets		13,087,189	14,460,858
EQUITY			
Accumulated surplus		7,138,708	7,198,816
Asset revaluation reserve	9	5,948,481	7,262,042
Total equity		13,087,189	14,460,858

DRAFT

The above Statement of Financial Position should be read in conjunction with the accompanying notes.

Page 4

Nuriootpa Centennial Park Authority

Statement of Changes in Equity
for the year ended 30 June 2024

$	Notes	Accumulated surplus	Asset revaluation reserve	Total equity
2024				
Balance as at 1 July		7,198,816	7,262,042	14,460,858
Net surplus / (deficit) for year		(60,108)	–	(60,108)
Other comprehensive income				
Gain (loss) on revaluation of infrastructure, property, plant and equipment		–	(1,313,561)	(1,313,561)
Other comprehensive income		–	(1,313,561)	(1,313,561)
Total comprehensive income		(60,108)	(1,313,561)	(1,373,669)
Balance at the end of period		7,138,708	5,948,481	13,087,189
2023				
Balance as at 1 July		4,574,465	7,266,113	11,840,578
Net surplus / (deficit) for year		2,624,351	–	2,624,351
Other comprehensive income				
Gain (loss) on revaluation of infrastructure, property, plant and equipment		–	–	–
Impairment (expense) / recoupments offset to asset revaluation reserve	7a	–	(4,071)	(4,071)
Other comprehensive income		–	(4,071)	(4,071)
Total comprehensive income		2,624,351	(4,071)	2,620,280
Balance at the end of period		7,198,816	7,262,042	14,460,858

The above Statement of Changes in Equity should be read in conjunction with the accompanying notes.

DRAFT

Nuriootpa Centennial Park Authority

Statement of Cash Flows
for the year ended 30 June 2024

$	Notes	2024	2023
Cash flows from operating activities			
Receipts			
User charges		2,820,875	2,635,761
Grants, subsidies and contributions		13,423	–
Investment receipts		5,576	3,781
Other receipts		(245,723)	(230,237)
Payments			
Payments to employees		(1,157,473)	(943,069)
Payments for materials, contracts and other expenses		(899,853)	(1,054,563)
Finance payments		(19,092)	(28,929)
Net cash provided by (or used in) operating activities	10b	517,733	382,744
Cash flows from investing activities			
Receipts			
Sale of replaced assets		909	–
Payments			
Expenditure on renewal/replacement of assets		(318,794)	(11,270)
Expenditure on new/upgraded assets		(53,174)	(249,514)
Net cash provided (or used in) investing activities		(371,059)	(260,784)
Cash flows from financing activities			
Payments			
Repayments of loans		(226,820)	(224,866)
Repayment of principal portion lease liabilities		(5,886)	(6,970)
Net cash provided by (or used in) financing activities		(232,706)	(231,836)
Net increase (decrease) in cash held		(86,032)	(109,876)
plus: cash & cash equivalents at beginning of period		404,706	514,582
Cash and cash equivalents held at end of period	10a	318,674	404,706
Plus: investments on hand – end of year	6b	2	2
Total cash, cash equivalents and investments		318,676	404,708

The above Statement of Cash Flows should be read in conjunction with the accompanying notes.

DRAFT

Nuriootpa Centennial Park Authority

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Contents of the Notes accompanying the General Purpose Financial Statements

Note	Details	Page
1	Summary of Material Accounting Policies	8
2	Income	13
3	Expenses	14
4	Asset disposal and fair value adjustments	15
5	Current assets	15
6	Non-current assets	16
7	Infrastructure, property, plant & equipment and investment property	17
8	Liabilities	19
9	Reserves	20
10	Reconciliation to Statement of Cash Flows	20
11(a)	Functions	21
11(b)	Components of functions	22
12	Financial instruments	22
13	Financial indicators	25
14	Uniform presentation of finances	26
15	Leases	27
16	Related party transactions	29

DRAFT

Nuriootpa Centennial Park Authority

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 1. Summary of Material Accounting Policies

The principal accounting policies adopted by the Nuriootpa Centennial Park Authority (the Authority) in the preparation of these financial statements are set out below.

These policies have been consistently applied to all the years presented, unless otherwise stated.

(1) Basis of preparation

1.1 Compliance with Australian Accounting Standards
This general purpose financial report has been prepared on a going concern basis using the historical cost convention (except as stated below) in accordance with Australian Accounting Standards as they apply to not-for-profit entities, other authoritative pronouncements of the Australian Accounting Standards Board, Interpretations and relevant South Australian legislation.

In the current year, the Authority adopted all of the new and revised Standards and Interpretations issued by the Australian Accounting Standards Board (AASB) that are relevant to its operations and effective for the current reporting period. The adoption of the new and revised Standards and Interpretations has not resulted in any material changes to the Authority's accounting policies.

The financial report was authorised for issue by certificate under Regulation 14 of the *Local Government (Financial Management) Regulations 2011*.

1.2 Critical accounting estimates
The preparation of financial statements in conformity with Australian Accounting Standards requires the use of certain critical accounting estimates, and requires management to exercise its judgement in applying the Authority's accounting policies. The areas involving a higher degree of judgement or complexity, or areas where assumptions and estimates are significant to the financial statements are specifically referred to in the relevant sections of these Notes.

1.3 Rounding
All amounts in the financial statements have been rounded to the nearest dollar.

(2) The reporting entity

The Authority is a subsidiary of The Barossa Council (the Council) pursuant to Section 42 of the *Local Government Act 1999*. The Authority's principal place of business is located at Penrice Road Nuriootpa and it has been established with the following objects and purposes:

- To promote and market the Authority precinct;
- To position the Authority precinct in a way that sustains retail, business and economic growth and supports economic viability for the region;
- To enhance and sustain the commercial aspects of the Authority precinct to ensure ongoing competitiveness;
- To provide positive and productive engagement and partnership with key stakeholders of the Authority and the Authority precinct to achieve ongoing sustainability;
- The development and success for the Authority and the Authority precinct;
- To prepare a strategic management plan for the Authority precinct;
- To refine and redefine the strategic management framework for the Authority precinct in response to changing circumstances;
- To promote the Authority precinct and to encourage its use by sporting bodies, residents, tourists, visitors and the community in general;
- To make recommendations to Council in relation to the maintenance and upgrade of the Authority precinct's existing infrastructure and physical appearance to ensure it is maintained to a high standard;
- To monitor that aspect of the annual budget approved by Council relating to the Authority's financial and general performance;
- Report regularly to Council on the Authority's financial and general performance;
- To promote and co-ordinate strategic management actions in a way that will ensure ongoing participation and commitment from stakeholders and the Council; and
- Ensure that information provided to the Council is accurate and that Council is kept informed of the solvency of the Authority as well as any material developments that may affect the operating capacity and financial affairs of the Authority.

(3) Income recognition

Income is measured at the fair value of the consideration received or receivable. Income is recognised when the Authority obtains control over the assets comprising the income, or when the amount due constitutes an enforceable debt, whichever occurs first.

continued on next page ...

DRAFT

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 1. Summary of Material Accounting Policies (continued)

Where grants, contributions and donations recognised as income during the reporting period were obtained on the condition that they be expended in a particular manner or used over a particular period, and those conditions were undischarged as at the reporting date, the amounts subject to those undischarged conditions are included in these notes.

(4) Cash, cash equivalents and other financial instruments

Cash assets include all amounts readily convertible to cash on hand at the Authority's option with an insignificant risk of changes in value with a maturity of three months or less from the date of acquisition.

All receivables are reviewed as at the reporting date and adequate allowance made for amounts the receipt of which is considered doubtful.

All financial instruments are recognised at fair value at the date of recognition. A detailed statement of the accounting policies applied to financial instruments forms part of Note 12.

(5) Inventories

Inventories held in respect of stores have been valued at cost after adjustment for loss of service potential. Inventories held in respect of business undertakings have been valued at the lower of cost and net realisable value.

(6) Infrastructure, property, plant and equipment

6.1 Initial recognition
All assets are initially recognised at cost. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition.

All non-current assets purchased or constructed are capitalised as the expenditure is incurred and depreciated as soon as the asset is held "ready for use". Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition, including architect and engineering design fees and all other costs incurred. The cost of non-current assets constructed by the Authority includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overhead.

Capital works still in progress at balance date are recognised as other non-current assets and transferred to infrastructure, property, plant and equipment when completed and ready for use.

6.2 Materiality
Assets with an economic life in excess of one year are only capitalised where the cost of acquisition exceeds materiality thresholds established by the Authority for each type of asset. In determining (and in annually reviewing) such thresholds, regard is had to the nature of the asset and its estimated service life. Capitalisation thresholds applied during the year are as follows (no capitalisation threshold is applied to the acquisition of land or interests in land). Any new or upgrade work below these threshold amount(s) will be expensed as maintenance.

Buildings *
- Buildings (including Toilets) $20,000
- Sheds, Pergolas, Cabins, Carports and Other Structures $10,000
- Buildings at Componentisation $50,000

Infrastructure $5,000
Plant and Equipment $5,000
Right-of-Use Assets $15,000
All Other Assets $5,000

* These assets are capitalised when replacing/renewing assets that are >10% of the Depreciable Replacement Value

6.3 Subsequent recognition
All material asset classes are revalued on a regular basis such that the carrying values are not materially different from fair value. For infrastructure and other asset classes where no active market exists, fair value is determined to be the current replacement cost of an asset less, where applicable, accumulated depreciation calculated on the basis of such cost to reflect the already consumed or expired future economic benefits of the asset. Further detail of existing valuations, methods and valuers are provided at Note 7.

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 1. Summary of Material Accounting Policies (continued)

6.4 Depreciation of non-current assets
Other than land, all infrastructure, property, plant and equipment assets recognised are systematically depreciated over their useful lives on a straight-line basis which, in the opinion of the Authority, best reflects the consumption of the service potential embodied in those assets.

Depreciation methods, useful lives and residual values of classes of assets are reviewed annually.

Major depreciation periods for each class of asset are shown in the following table. Depreciation periods for infrastructure assets have been estimated based on the best information available to the Authority, but appropriate records covering the entire life cycle of these assets are not available, and extreme care should be used in interpreting financial information based on these estimates.

Depreciation periods per class of asset

Buildings	Complete	20 to 100 years
	Substructure	40 to 300 years
	Superstructure	20 to 300 years
	Roof structure	40 to 60 years
	Internal fit out	20 to 25 years
	Services	20 to 100 years
Infrastructure	Other	15 to 100 years
Plant and equipment	Plant and machines	3 to 20 years
	Right of use assets	Term of lease
	Vehicles	3 to 33 years
	Computer equipment	5 to 33 years

DRAFT

6.5 Impairment
Assets whose future economic benefits are not dependent on the ability to generate cash flows, and where the future economic benefits would be replaced if the Authority were deprived thereof, are not subject to impairment testing.

Other assets that are subject to depreciation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount (which is the higher of the present value of future cash inflows or value in use).

Where an asset that has been revalued is subsequently impaired, the impairment is first offset against such amount as stands to the credit of that class of assets in the asset revaluation reserve, any excess being recognised as an expense.

(7) Payables

7.1 Goods & Services
Creditors are amounts due to external parties for the supply of goods and services and are recognised as liabilities when the goods and services are received. Creditors are normally paid 30 days after the month of invoice. No interest is payable on these amounts.

7.2 Payments received in advance
Amounts received from external parties in advance of service delivery, and security deposits held against possible damage to the Authority's assets, are recognised as liabilities until the service is delivered or damage reinstated, or the amount is refunded as the case may be.

(8) Borrowings

Loans are carried at their principal amounts which represent the present value of future cash flows associated with servicing the debt. Interest is accrued over the period to which it relates, and is recorded as part of payables.

(9) Employee benefits

9.1 Salaries, Wages & Compensated Absences
Liabilities for employees entitlements to salaries, wages and compensated absences expected to be paid or settled within 12 months of reporting date are accrued at nominal amounts (including payroll based oncosts) measured in accordance with AASB 119.

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 1. Summary of Material Accounting Policies (continued)

Liabilities for employee benefits not expected to be paid or settled within 12 months are measured as the present value of the estimated future cash outflows (including payroll based oncosts) to be made in respect of services provided by employees up to the reporting date. Present values are calculated using Government guaranteed securities rates with similar maturity terms.

Weighted average discount rate: 4.08% (2023: 5.5%)
Weighted average settlement period: 0.42 years (2023: 0.19 years)

No accrual is made for sick leave as the Authority's experience indicates that, on average, sick leave taken in each reporting period is less than the entitlement accruing in that period, and this experience is expected to recur in future reporting periods. The Authority does not make payment for untaken sick leave.

9.2 Superannuation
The Authority makes employer superannuation contributions in respect of its employees to the default fund Hostplus and also to other superannuation schemes selected by employees under the choice of fund legislation. All such schemes are of the accumulation type, where the superannuation benefits accruing to the employee are represented by their share of the net assets of the scheme, and no further liability attaches to the Authority.

(10) Leases

The Authority assesses at contract inception whether a contract is, or contains, a lease. That is, if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration.

10.1 The Authority as a lessee

The Authority recognises lease liabilities to make lease payments and right-of-use assets representing the right to use the underlying assets.

i) Right-of-Use-Assets

The Authority recognises right-of-use assets at the commencement date of the lease. Right-of-use assets are measured at cost, less any accumulated depreciation and impairment losses, and adjusted for any remeasurement of lease liabilities. The cost of right-of-use assets includes the amount of lease liabilities recognised, initial direct costs incurred, lease payments made at or before the commencement date less any lease incentives received and the estimate of costs to be incurred to restore the leased asset. Right-of-use assets are depreciated on a straight-line basis over the shorter of the lease term and the estimated useful lives of the assets - refer note 6.4 for details.

The right-of-use assets are also subject to impairment - refer to note 6.5 for details.

ii) Lease Liabilities

At the commencement date of the lease, the Authority recognises lease liabilities measured at the present value of lease payments to be made over the lease term. In calculating the present value of lease payments, the Authority uses its incremental borrowing rate or the interest rate implicit in the lease.

iii) Short-term leases and leases of low-value assets

The Authority applies the short-term lease recognition exemption to its short-term leases of plant and equipment (i.e., those leases that have a lease term of 12 months or less from the commencement date). It also applies the low-value assets recognition exemption to leases of equipment that are considered to be low value. Lease payments on short-term leases and leases of low-value assets are recognised as expense on a straight-line basis over the lease term.

(11) GST implications

In accordance with AASB Interpretation UIG Abstract 1031 "Accounting for the Goods and Services Tax":

- Receivables and Creditors include GST receivable and payable.
- Except in relation to input taxed activities, revenues and operating expenditures exclude GST receivable and payable.
- Non-current assets and capital expenditures include GST net of any recoupment.
- Amounts included in the Statement of Cash Flows are disclosed on a gross basis.

(12) New accounting standards and UIG interpretations

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 1. Summary of Material Accounting Policies (continued)

New accounting standards, amendments to existing standards and UIG Interpretations

The Authority applied for the first time certain new standards and amendments to existing standards, which are effective for annual periods beginning on or after 1 January 2023. The Authority has not early adopted any other standard, interpretation or amendment that has been issued but is not yet effective.

AASB 2021-2 Amendments to Australian Accounting Standards – Disclosure of Accounting Policies and Definition of Accounting Estimates

The Authority adopted AASB 2021-2, which makes some small amendments to a number of standards including the following: AASB 7, AASB 101, AASB 108, AASB 134 and AASB Practice Statement 2.

AASB 2022-6: Amendments to Australian Accounting Standards – Non-current Liabilities with Covenants

The Authority adopted AASB 2022-6, which introduces specific disclosure requirements for loan liabilities. These requirements apply when the right to defer settlement for at least twelve months from the reporting date is subject to conditions in the arrangement.

AASB 2022-7: Editorial Corrections to Australian Accounting Standards and Repeal of Superseded and Redundant Standards

AASB 2022-7 makes various editorial corrections to a number of standards effective for reporting periods beginning on of after 1 January 2023.

The Authority has adopted all amendments mentioned above required for the year ended 30 June 2024. The adoption of these amendments did not have a material impact on the financial statements.

Standards issued by the AASB not yet effective

The AASB has issued new and amended Australian Accounting Standards and Interpretations that are not effective as of 30 June 2024. These standards have not yet been adopted by the Authority and will be incorporated into the financial statements upon their effective dates. The following list identifies all applicable new and amended Australian Accounting Standards and Interpretations that were issued but are not yet effective as of 30 June 2024.

Effective for annual report periods beginning on or after 1 January 2024

AASB 2020-1: *Amendments to Australian Accounting Standards – Classification of Liabilities as Current or Non-current*
AASB 2022-5: *Amendments to Australian Accounting Standards – Lease Liability in a Sale and Leaseback*
AASB 2022-10: *Amendments to Australian Accounting Standards – Fair Value Measurement of Non-Financial Assets of Not-for-Profit Public Sector Entities.*

Effective for annual report periods beginning on or after 1 January 2025.

AASB 2014-10: *Amendments to Australian Accounting Standards – Sale or Contribution of Assets between an investor and its Associate or Joint Venture*

The Authority has assessed the impact of new and changed Australian Accounting Standards and Interpretations not yet effective and concluded that they will not have a material impact on the financial statements.

(13) Comparative figures

To ensure comparability with the current reporting period's figures, some comparative period line items and amounts may have been reclassified or individually reported for the first time within these financial statements and/or the notes.

(14) Disclaimer

Nothing contained within these statements may be taken to be an admission of any liability to any person under any circumstance.

DRAFT

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 2. Income

$	2024	2023
(a) User charges		
Caravan park cabin fees	1,280,172	1,145,325
Caravan park permanent van fees	67,584	65,803
Caravan park site fees	1,081,785	1,063,021
Caravan park other user charges	100,113	100,747
Recreation park fees	13,091	7,139
Lease fees	20,957	17,635
Sports function centre fees	5,276	9,031
Total user charges	2,568,978	2,408,701
(b) Investment income		
- Banks and other	5,576	3,781
Total investment income	5,576	3,781
(c) Grants, subsidies and contributions		
Operating grants, subsidies and contributions		
Other grants, subsidies and contributions	13,423	–
Total other grants, subsidies and contributions - operating	13,423	–
The functions to which these grants relate are shown in Note 11.		
Total grants, subsidies and contributions	13,423	–
(i) Sources of grants		
State Government	–	–
Other	13,423	–
Total	13,423	–
(d) Physical resources received free of charge		
Land and improvements	2,122	2,611,632
Total physical resources received free of charge	2,122	2,611,632

DRAFT

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 3. Expenses

$	2024	2023
(a) Employee costs		
Salaries and wages	1,009,800	853,723
Employee leave expense	(19,698)	(2,602)
Superannuation - defined contribution plan contributions	102,235	77,639
Workers' compensation insurance	28,400	21,114
Total operating employee costs	1,120,737	949,874
Total number of employees (full time equivalent at end of reporting period)	9.5	8.9
(b) Materials, contracts and other expenses		
(i) Prescribed expenses		
Auditor's remuneration		
- Auditing the financial reports	3,060	1,643
Lease expense - low value assets / short term leases	2,094	2,212
Subtotal - prescribed expenses	5,154	3,855
(ii) Other materials, contracts and expenses		
Contractors	265,939	244,911
Energy	172,528	171,861
Legal expenses	8,785	1,946
Levies - other	5,328	5,500
Parts, accessories and consumables	142,025	161,354
Professional services	2,950	–
Sundry	78,731	74,329
Bank Charges	22,537	22,776
Communications and Information Technology	10,195	8,536
Water	77,101	66,176
Advertising	32,372	43,953
Insurance	57,012	53,165
Subscriptions and Memberships	53,493	49,175
Contributions and Donations	200	–
Subtotal - Other material, contracts and expenses	929,196	903,682
Total materials, contracts and other expenses	934,350	907,537
(c) Depreciation and amortisation		
(i) Depreciation and amortisation		
Buildings and other structures	323,336	323,269
Infrastructure	176,507	140,828
Right-of-use assets	6,633	7,959
Plant and equipment	45,738	37,751
Subtotal	552,214	509,807
Total depreciation and amortisation	552,214	509,807

DRAFT

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 3. Expenses (continued)

$	2024	2023
(d) Finance costs		
Interest on loans	19,006	28,844
Total finance costs	19,006	28,844

Note 4. Asset disposal and fair value adjustments

$	2024	2023
Infrastructure, property, plant and equipment		
(i) Assets renewed or directly replaced		
Proceeds from disposal	909	–
Less: carrying amount of assets sold	(17,049)	–
Gain (loss) on disposal	(16,140)	–
(ii) Assets surplus to requirements		
Less: carrying amount of assets sold	(7,760)	(3,701)
Gain (loss) on disposal	(7,760)	(3,701)
Net gain (loss) on disposal or revaluation of assets	(23,900)	(3,701)

Note 5. Current assets

$	2024	2023
(a) Cash and cash equivalent assets		
Cash on hand and at bank	38,769	60,877
Deposits at call	279,905	343,829
Total cash and cash equivalent assets	318,674	404,706
(b) Trade and other receivables		
Accrued revenues	10,934	10,664
Debtors - general	2,774	8,750
Prepayments	14,755	11,720
Community Store Bonus	71	71
Subtotal	28,534	31,205
Total trade and other receivables	28,534	31,205
(c) Inventories		
Stores and materials	3,410	1,139
Total inventories	3,410	1,139

DRAFT

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 6. Non-current assets

$	2024	2023
(a) Trade and other receivables		
Other financial assets (investments)		
Community Store Shares	2	2
Total other financial assets (investments)	2	2
Total financial assets	2	2
(b) Other non-current assets		
Capital work in progress	277,519	91,803
Total other non-current assets	277,519	91,803

DRAFT

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 7. Infrastructure, property, plant & equipment and investment property

Infrastructure, property, plant and equipment

		as at 30/06/23				Asset movements during the reporting period							as at 30/06/24			
$	Fair Value Level	At Fair Value	At Cost	Accumulated Depreciation	Carrying amount	Asset Additions New / Upgrade	Asset Additions Renewals	WDV of Asset Disposals	Depreciation Expense (Note 3c)	Impairment Reversal (Loss) Equity (ARR) (Note 9)	Revaluation Decrements to Equity (ARR) (Note 9)	Revaluation Increments to Equity (ARR) (Note 9)	At Fair Value	At Cost	Accumulated Depreciation	Carrying amount
Land - community	3	3,340,000	–	–	3,340,000	–	–	–	–	–	(1,318,000)	–	2,022,000	–	–	2,022,000
Land - other	2	220,000	–	–	220,000	–	–	–	–	–	–	–	220,000	–	–	220,000
Buildings and other structures	3	12,015,660	1,244,357	(6,104,765)	7,155,192	35,174	64,299	(17,049)	(351,436)	–	–	–	11,951,848	1,343,829	(6,381,399)	6,914,278
Buildings and other structures	2	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Infrastructure	3	3,148,554	2,592,032	(1,809,575)	3,931,011	6,845	41,996	(7,760)	(170,507)	–	–	4,439	3,193,866	2,610,877	(2,004,719)	3,800,024
Right-of-use assets		–	23,877	(17,244)	6,633	–	–	–	(6,633)	–	–	–	–	23,877	(23,877)	–
Plant and equipment		–	755,835	(380,453)	375,182	22,062	18,000	–	(45,738)	–	–	–	–	789,146	(419,640)	369,506
Total infrastructure, property, plant and equipment		18,724,154	4,615,901	(8,312,037)	15,028,018	64,081	124,295	(24,809)	(552,214)	–	(1,318,000)	4,439	17,387,714	4,767,729	(8,829,635)	13,325,808
Comparatives		18,766,554	1,677,802	(7,840,927)	12,603,429	2,918,259	58,909	(38,670)	(509,907)	(4,071)	–	–	18,724,154	4,615,991	(8,312,037)	15,028,018

DRAFT

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 7. Infrastructure, property, plant & equipment and investment property (continued)

Valuation of infrastructure, property, plant & equipment and investment property

Valuation of assets
The fair value of assets and liabilities must be estimated in accordance with various Accounting Standards for either recognition and measurement requirements or for disclosure purposes.

AASB 13 Fair Value Measurement requires all assets and liabilities measured at fair value to be assigned to a "level" in the fair value hierarchy as follows:

Level 1:
Unadjusted quoted prices in active markets for identical assets or liabilities that the entity can access at the measurement date.

Level 2:
Inputs other than quoted prices included with Level 1 that are observable for the asset or liability, directly or indirectly.

Level 3:
Inputs for the asset or liability that are not based on observable market data (unobservable inputs).

Refer to the previous page for the disclosure of the fair value levels of infrastructure, property, plant and equipment assets.

Information on valuations
Certain land, and the buildings and structures thereon, are shown above as being based on fair value hierarchy level 2 valuation inputs. They are based on prices for similar assets in an active market, with directly or indirectly observable adjustments for specific advantages or disadvantages attaching to the particular asset.

Valuations of Crown land, community land and land subject to other restrictions on use or disposal, shown above as being based on fair value hierarchy level 3 valuation inputs, are based on prices for similar assets in an active market, but include adjustments for specific advantages or disadvantages attaching to the particular asset that are not directly or indirectly observable in that market, or the number and / or amount of observable adjustments of which are so great that the valuation is more fairly described as being based on level 3 valuation inputs.

There is normally no known market for the Authority's buildings, infrastructure and other assets (with the exception of the properties at level 2 valued using Market Fair Value inputs). These assets are valued at depreciated current replacement cost. This method involves the determination of the cost to construct the asset (or its modern engineering equivalent) using current prices for materials and labour, the quantities of each being estimated based on recent experience of this Authority, or on industry construction guides where these are more appropriate.

Other information
Upon revaluation, the current new replacement cost and accumulated depreciation are re-stated such that the difference represents the fair value of the asset determined in accordance with AASB 13 Fair Value Measurement: accumulated depreciation is taken to be the difference between current new replacement cost and fair value. In the case of land, current replacement cost is taken to be the fair value.

Highest and best use
All of the Authority's non financial assets are considered as being utilised for their highest and best use.

Transition to AASB 13 - Fair Value Measurement
The requirements of AASB 13 Fair Value Measurement have been applied to all valuations undertaken since 1 July 2013 as shown by the valuation dates by individual asset classes below.

Land & Land Improvements
- Basis of valuation: Fair Value Level 3, Market Value Level 2; additions are recognised at cost
- Date of valuation: Level 3: 1 July 2023, Level 2: 1 July 2019
- Valuer: Level 3: Desktop valuation using Valuer-General values, Level 2: JLL Public Sector Valuations

Buildings & Other Structures
- Basis of valuation: Fair Value Level 3, Market Value Level 2; additions are recognised at cost
- Date of valuation: 1 July 2020
- Valuer: JLL Public Sector Valuations and Barossa Council in-house staff expertise using Rawlinsons Australian Construction Handbook Edition 37, 2019

continued on next page ...

DRAFT

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 7. Infrastructure, property, plant & equipment and investment property (continued)

Infrastructure
- Basis of valuation: Written down current replacement cost; additions are recognised at cost
- Date of valuation: 1 July 2020
- Valuer: JLL Public Sector Valuations and Barossa Council in-house staff expertise using Rawlinsons Australian Construction Handbook Edition 37, 2019

Plant & Equipment
- Basis of valuation: At cost

Note 8. Liabilities

$	2024 Current	2024 Non Current	2023 Current	2023 Non Current
(a) Trade and other payables				
Goods and services	104,788	–	74,855	–
Payments received in advance	837	–	369	–
Accrued expenses - employee entitlements	13,846	–	28,043	–
Accrued expenses - finance costs	560	–	646	–
Accrued expenses - other	52,648	–	36,805	–
Other (including GST payable)	24,005	–	32,818	–
Total trade and other payables	196,684	–	173,536	–

Amounts included in trade and other payables that are not expected to be settled within 12 months of reporting date are disclosed in Note 12

(b) Borrowings					
Loans		98,816	525,472	226,821	624,288
Lease liabilities	15b	–	–	5,885	–
Total Borrowings		98,816	525,472	232,706	624,288

All interest bearing liabilities are secured over the future revenues of the Authority as a subsidiary of Council

(c) Provisions				
Employee entitlements (including oncosts)	45,310	476	64,953	532
Total provisions	45,310	476	64,953	532

DRAFT

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 9. Reserves

$	as at 30/06/23 Opening Balance	Increments (Decrements)	Transfers	Impairments	as at 30/06/24 Closing Balance
Asset revaluation reserve					
Land - community	2,516,000	(1,318,000)	–	–	1,198,000
Buildings and other structures	3,909,688	–	–	–	3,909,688
Infrastructure	840,425	4,439	–	–	844,864
Plant and equipment	(4,071)	–	–	–	(4,071)
Total asset revaluation reserve	7,262,042	(1,313,561)	–	–	5,948,481
Comparatives	7,266,113	–	–	(4,071)	7,262,042

Asset revaluation reserves
The asset revaluation reserve is used to record increments and decrements arising from changes in fair value of non current assets (less any subsequent impairment losses, where applicable).

Note 10. Reconciliation to Statement of Cash Flows

$	Note	2024	2023
(a) Reconciliation of cash			
Cash Assets comprise highly liquid investments with short periods to maturity subject to insignificant risk of changes of value. Cash at the end of the reporting period as shown in the Statement of Cash Flows is reconciled to the related items in the Balance Sheet as follows:			
Total cash and equivalent assets	5a	318,674	404,706
Balances per Statement of Cash Flows		318,674	404,706
(b) Reconciliation of Operating Result			
Net surplus/(deficit)		(60,108)	2,624,351
Non-cash items in income statements			
Depreciation, amortisation and impairment		552,214	509,807
Physical resources received free of charge		(2,122)	(2,611,632)
Net (gain)/loss on disposals		23,900	3,701
		513,884	526,227
Add (less): changes in net current assets			
Net (increase)/decrease in receivables		2,671	(12,319)
Net (increase)/decrease in inventories		(2,271)	454
Net increase/(decrease) in trade and other payables		23,148	(129,017)
Net increase/(decrease) in unpaid employee benefits		(19,699)	(2,601)
Net cash provided by (or used in) operations		517,733	382,744
(c) Financing arrangements			
Unrestricted access was available at balance date to the following lines of credit:			
Bank overdrafts		50,000	50,000
Corporate credit cards		4,000	4,000

DRAFT

Nuriootpa Centennial Park Authority

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 11(a). Functions

Income, Expenses and Assets have been directly attributed to the following Functions / Activities. Details of these Functions/Activities are provided in Note 11(b).

$	OPERATING INCOME 2024	OPERATING INCOME 2023	OPERATING EXPENSES 2024	OPERATING EXPENSES 2023	OPERATING SURPLUS (DEFICIT) 2024	OPERATING SURPLUS (DEFICIT) 2023	GRANTS INCLUDED IN OPERATING INCOME 2024	GRANTS INCLUDED IN OPERATING INCOME 2023	TOTAL ASSETS HELD (CURRENT AND NON-CURRENT) 2024	TOTAL ASSETS HELD (CURRENT AND NON-CURRENT) 2023
Functions/Activities										
Recreation - sporting reserve	26,514	7,140	478,423	319,953	(451,909)	(312,813)	13,423	–	8,188,111	9,325,411
Recreation - Coulthard Reserve	–	–	86,341	99,680	(86,341)	(99,680)	–	–	186,832	405,453
Recreation - sports function centre	5,276	9,031	103,743	112,296	(98,467)	(103,265)	–	–	758,269	787,631
Other	–	–	–	–	–	–	–	–	(2)	(4,072)
Business undertakings - caravan park	2,556,187	2,396,311	1,957,800	1,864,133	598,387	532,178	–	–	4,820,737	5,042,450
Total Functions/Activities	2,587,977	2,412,482	2,626,307	2,396,062	(38,330)	16,420	13,423	–	13,953,947	15,556,873

Revenues and expenses exclude net gain (loss) on disposal or revaluation of assets, amounts received specifically for new or upgraded assets and physical resources received free of charge.

DRAFT

Nuriootpa Centennial Park Authority

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 11(b). Components of functions

The activities relating to the Authority's functions are as follows:

Business undertakings
Caravan parks

Recreation
Parks and gardens, sports facilities – indoor, sports facilities – outdoor, swimming centres – outdoor and other recreation

Other

Note 12. Financial instruments

Recognised financial instruments

Bank, deposits at call, short term deposits

Accounting Policy:
Carried at lower of cost and net realisable value; Interest is recognised when earned

Terms & Conditions:
Deposits are returning fixed interest rates between 1.35% and 4.55% (2023: 4.30% and 4.90%).

Carrying Amount:
Approximates fair value due to the short term to maturity.

Receivables - fees and other charges

Accounting Policy:
Initially recognised at fair value and subsequently measured at amortised cost. An impairment provision is recognised using the expected credit loss method.

Terms & Conditions:
Unsecured, and do not bear interest. The Authority is not materially exposed to any individual debtor, credit risk exposure is concentrated within the Authority's boundaries.

Carrying Amount:
Approximates fair value (after deduction of any allowance).

Liabilities - creditors and accruals

Accounting Policy:
Liabilities are recognised for amounts to be paid in the future for goods and services received, whether or not billed to the Authority.

Terms & Conditions:
Liabilities are normally settled on 30 day terms.

Carrying Amount:
Approximates fair value.

continued on next page ...

DRAFT

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 12. Financial instruments (continued)

Liabilities - interest bearing borrowings

Accounting Policy:
Initially recognised at fair value and subsequently at amortised cost using the effective interest rate.

Terms & Conditions:
Secured over future revenues. Fixed borrowings are repayable by equal 6 monthly instalments of principal and interest; variable borrowings are payable on a quarterly basis for interest only at the current Local Government Finance Authority cash advance debenture rate; interest is charged at fixed or variable rates between 6.05% and 6.15% (2023: 2.05% and 6.05%).

Carrying Amount:
Approximates fair value.

Liabilities - leases

Accounting Policy:
Accounted for in accordance with AASB 16 as stated in Note 16.

DRAFT

$	Due < 1 year	Due > 1 year and ≤ 5 years	Due > 5 years	Total Contractual Cash Flows	Carrying Values
Financial assets and liabilities					
2024					
Financial assets					
Cash and cash equivalents	318,674	–	–	318,674	318,674
Receivables	13,779	–	–	13,779	13,779
Other financial assets	2	–	–	2	–
Total financial assets	332,455	–	–	332,455	332,453
Financial liabilities					
Payables	195,847	–	–	195,847	195,847
Current borrowings	111,110	–	–	111,110	98,816
Non-current borrowings	–	444,439	111,110	555,549	525,472
Lease liabilities	–	–	–	–	–
Total financial liabilities	306,957	444,439	111,110	862,506	820,135
Total financial assets and liabilities	639,412	444,439	111,110	1,194,961	1,152,588
2023					
Financial assets					
Cash and cash equivalents	404,706	–	–	404,706	404,706
Receivables	19,485	–	–	19,485	19,485
Other financial assets	–	2	–	2	–
Total financial assets	424,191	2	–	424,193	424,191
Financial liabilities					
Payables	173,167	–	–	173,167	173,167
Current borrowings	244,750	–	–	244,750	226,821
Non-current borrowings	–	444,439	222,220	666,659	624,288
Lease liabilities	6,012	–	–	6,012	5,885
Total financial liabilities	423,929	444,439	222,220	1,090,588	1,030,161
Total financial assets and liabilities	848,120	444,441	222,220	1,514,781	1,454,352

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 12. Financial instruments (continued)

The following interest rates were applicable to Council's borrowings at balance date:

	2024		2023	
$	Weighted Avg Interest Rate	Carrying Value	Weighted Avg Interest Rate	Carrying Value
Other variable rates	6.10%	–	4.66%	130,000
Fixed interest rates	2.05%	624,288	2.05%	726,994
		624,288		856,994

Net fair value
All carrying values approximate fair value for all recognised financial instruments. There is no recognised market for the financial assets of the Authority.

Risk exposures

Credit Risk represents the loss that would be recognised if counterparties fail to perform as contracted. The maximum credit risk on financial assets of the Authority is the carrying amount, net of any allowance for doubtful debts. All the Authority's investments are made with the National Australia Bank. Except as detailed in Notes 5 and 6 in relation to individual classes of receivables, exposure is concentrated within the Authority's boundaries, and there is no material exposure to any individual debtor.

Market Risk is the risk that fair values of financial assets will fluctuate as a result of changes in market prices. All of the Authority's financial assets are denominated in Australian dollars and are not traded on any market, and hence neither market risk nor currency risk apply.

Liquidity Risk is the risk that the Authority will encounter difficulty in meeting obligations with financial liabilities. In accordance with the model Treasury Management Policy (LGA Information Paper 15), liabilities have a range of maturity dates. The Authority also has available a range of bank overdraft and standby borrowing facilities that it can access.

Interest Rate Risk is the risk that future cash flows will fluctuate because of changes in market interest rates. The Authority has a balance of both fixed and variable interest rate borrowings and investments. Cash flow fluctuations are managed holistically in seeking to minimise interest costs over the longer term in a risk averse manner.

Expected credit losses (ECL)

The Authority uses an allowance matrix to measure expected credit losses. Due to the operational activity and setup of the bookings arrangements, no credit losses are expected.

DRAFT

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 13. Financial indicators

$	Amounts 2024	Indicator 2024	Indicators 2023	2022	2021
Financial Indicators overview *These Financial Indicators have been calculated in accordance with Information paper 9 - Local Government Financial Indicators prepared as part of the LGA Financial Sustainability Program for the Local Government Association of South Australia.*					
1. Operating Surplus Ratio					
Operating surplus	(38,330)	(1.5)%	0.7%	3.1%	2.6%
Total operating income	2,587,977				
This ratio expresses the operating surplus as a percentage of total operating revenue.					
2. Net Financial Liabilities Ratio					
Net financial liabilities	519,548	20%	27%	46%	59%
Total operating income	2,587,977				
Net Financial Liabilities are defined as total liabilities less financial assets. These are expressed as a percentage of total operating revenue.					
3. Asset Renewal Funding Ratio					
Asset renewals	318,794				
Infrastructure and Asset Management Plan required expenditure	–	0	0	0	0

DRAFT

Net asset renewals expenditure is defined as net capital expenditure on the renewal and replacement of existing assets, and excludes new capital expenditure on the acquisition of additional assets.

A substantial amount of 'Upgraded' asset work completed each year is partly renewing components of existing assets. For normal work cycles, components of these assets would need to be replaced when the depreciation or consumption of them had reduced their remaining life to zero, but as they are being upgraded to a better service level, they are effectively replacing asset components that would normally need to be replaced as/when due.

The calculation to compile the Asset Renewal Funding Ratio does not include any upgrade costs as it is not considered to be 'renewal/replacement'. This is then effectively understating the expenditure for asset replacement and the ratio is not then reflecting the true actual net asset renewals

Infrastructure and Asset Management Plan (IAMP) required expenditure is sourced from the Authority's adopted plan. IAMP's were reviewed in 2020 and adopted in 2021. It is expected the renewal spend information will be more accurate when the four year review of the IAMP's is undertaken and the improvement plans from that work provides these projections pa.

The required IAMP renewal expenditure relies on the Authority asset lives and replacement intervals as they are due each year. The Authority's asset base is relatively small and does not have the benefit of vast ranging assets with continual overlapping replacement interval periods. Some high value renewed assets could be purchased and grouped together in a year causing an unusual spike in renewal expenditure, whereas depreciation is the flattened average consumption/use of all assets. Depreciation is not used in the calculation of the asset Renewal Funding Ratio. Therefore this indicator is not necessarily relevant for the Authority but has been included as it is a reporting requirement for the General Purpose Financial Statements.

Nuriootpa Centennial Park Authority

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 14. Uniform presentation of finances

$	2024	2023

The following is a high level summary of both operating and capital investment activities of the Authority prepared on a simplified Uniform Presentation Framework basis.

All Councils in South Australia have agreed to summarise annual budgets and long-term financial plans on the same basis.

The arrangements ensure that all Councils provide a common 'core' of financial information, which enables meaningful comparisons of each Council's finances.

Income		
User charges	2,568,978	2,408,701
Grants, subsidies and contributions - operating	13,423	–
Investment income	5,576	3,781
Total Income	2,587,977	2,412,482
Expenses		
Employee costs	1,120,737	949,874
Materials, contracts and other expenses	934,350	907,537
Depreciation, amortisation and impairment	552,214	509,807
Finance costs	19,006	28,844
Total Expenses	2,626,307	2,396,062
Operating surplus / (deficit)	(38,330)	16,420
Net outlays on existing assets		
Capital expenditure on renewal and replacement of existing assets	(318,794)	238,245
Add back depreciation, amortisation and impairment	552,214	509,807
Add back proceeds from sale of replaced assets	909	–
	234,329	748,052
Net outlays on new and upgraded assets		
Capital expenditure on new and upgraded assets	(53,174)	(499,029)
	(53,174)	(499,029)
Annual net impact to financing activities (surplus/(deficit))	142,825	265,443

DRAFT

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 15. Leases

(i) Council as a lessee

Terms and conditions of leases

Refer to Note 1 for further details.

Plant and Equipment
Right-of-use asset leased is a mower.

Set out below are the carrying amounts of right-of-use assets recognised within the above asset category and the movements during the period:

(a) Right of use assets

$	Plant and Equipment	Total
2024		
Opening balance	6,633	6,633
Depreciation charge	(6,633)	(6,633)
Balance at 30 June	–	–
2023		
Opening balance	14,592	14,592
Depreciation charge	(7,959)	(7,959)
Balance at 30 June	6,633	6,633

DRAFT

(b) Lease liabilities

Set out below are the carrying amounts of lease liabilities (included under Borrowings) and the movements during the period:

$	2024	2023
Balance at 1 July	5,885	12,854
Additions	–	–
Accretion of interest	127	244
Payments	(6,012)	(7,213)
Balance at 30 June	–	5,885
Classified as:		
Current	–	5,885
Non-current	–	–

The maturity analysis of lease liabilities is included in Note 12.

The Authority had total cash outflows for leases of $12,716.
The following are the amounts recognised in profit or loss:

Depreciation expense of right-of-use assets	6,633	7,959
Interest expense on lease liabilities	127	244
Expense relating to leases of low-value assets	1,968	1,968
Total amount recognised in profit or loss	8,728	10,171

continued on next page ...

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 15. Leases (continued)

$	2024	2023
Future minimum rentals receivable under non-cancellable operating leases as at 30 June, are as follows:		
Not later than one year	8,832	9,044
Later than one year and not later than 5 years	18,367	17,719
	27,199	26,763

DRAFT

Nuriootpa Centennial Park Authority

Notes to and forming part of the Financial Statements
for the year ended 30 June 2024

Note 16. Related party transactions

Key management personnel

Transactions with key management personnel

The key management personnel of the Authority are the seven Board Members and two Employees.

$	2024	2023
The compensation paid to key management personnel comprises:		
Employee Benefits	124,803	101,194
Total	124,803	101,194

Amounts paid as direct reimbursement of expenses incurred on behalf of the Authority have not been included.

No compensation was paid to Board Members.
There were no related party payments incurred this year.

Other Related Party Transactions

The Barossa Council provides work and support in-kind for accounting, governance, asset management and executive services, along with being the conduit for electricity, insurance, loans, CWMS and other services. The Authority maintains a Council recreation park at Nuriootpa for community benefit purposes including various sporting activities.

DRAFT

Nuriootpa Centennial Park Authority

General Purpose Financial Statements
for the year ended 30 June 2024

Independent Auditor's Report - Financial Statements

DRAFT

continued on next page ...

Nuriootpa Centennial Park Authority

General Purpose Financial Statements
for the year ended 30 June 2024

Independent Auditor's Report - Financial Statements (continued)

You have not selected a PDF for printing.

DRAFT

Nuriootpa Centennial Park Authority

General Purpose Financial Statements

for the year ended 30 June 2024

Certification of Auditor Independence

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of Nuriootpa Centennial Park Authority for the year ended 30 June 2024, the Authority's Auditor, Galpins has maintained its independence in accordance with the requirements of the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011* made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) *Local Government (Financial Management) Regulations 2011.*

CHIEF EXECUTIVE OFFICER

PRESIDING MEMBER, AUDIT COMMITTEE

Chair

Presiding Member, Audit Committee

Date

DRAFT

Nuriootpa Centennial Park Authority

General Purpose Financial Statements
for the year ended 30 June 2024

Statement by Auditor

I confirm that, for the audit of the financial statements of Nuriootpa Centennial Park Authority for the year ended 30 June 2024, I have maintained my independence in accordance with the requirements of APES 110 – Code of Ethics for Professional Accountants, Section 290, published by the Accounting Professional and Ethical Standards Board, in accordance with the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations* 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22 (5) *Local Government (Financial Management) Regulations 2011.*

DRAFT

Auditor's Name
Audit Firm Name

Date: dd MMMM yyyy

INDEPENDENT AUDITOR'S REPORT

To the members of the Nurioopta Centennial Park Authority

Opinion

We have audited the accompanying financial report of the Nurioopta Centennial Park Authority (the Authority), which comprises the statement of financial position as at 30 June 2024, the statement of comprehensive income, statement of changes in equity and cash flow statement for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the Certification of the Financial Statements.

In our opinion, the accompanying financial report presents fairly, in all material aspects, the financial position of the Nurioopta Centennial Park Authority as at 30 June 2024, and its financial performance and its cash flow for the year then ended in accordance with the Australia Accounting Standards, Local Government Act 1999 and Local Government (Financial Management) Regulations 2011.

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the Authority in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110: *Code of Ethics for Professional Accountants (Including Independence Standards)* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our ethical responsibilities in accordance with the Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Management's responsibility for the financial report

Management is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations), the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011* and for such internal control as the committee and management determines is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

In preparing the financial report, management is responsible for assessing the Authority's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Authority or to cease operations, or has no realistic alternative but to do so. Those charged with governance are responsible for overseeing the Authority's financial reporting process.

Auditor's responsibility for the audit of the financial report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit of the financial report in accordance with Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Authority's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Authority to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

GALPINS ACCOUNTANTS, AUDITORS & BUSINESS CONSULTANTS

Tim Muhlhausler CA, Registered Company Auditor
Partner

21 November 2024

DRAFT

Reference: 24/109630

21 November 2024

Mr Tim Muhlhausler
Partner
Galpins Accountants Auditors and Business Consultants
PO Box 546
Kent Town SA 5071

Dear Tim,

This representation letter is provided in connection with your audit of the financial report of **Nurioopta Centennial Park Authority** (the Authority) for the year ended 30 June 2024 for the purpose of expressing an opinion as to whether the financial report presents fairly in accordance with the Australian Accounting Standards, *Local Government Act 1999* and *Local Government (Financial Management) Regulations 2011*.

I confirm that *(to the best of the Authority's knowledge and belief, having made such enquiries as we considered necessary for the purpose of appropriately informing ourselves):*

FINANCIAL REPORT

- The Authority has fulfilled our responsibilities, as set out in the terms of the audit engagement letter, for the preparation of the financial report in accordance with Australian Accounting Standards, *Local Government Act 1999* and *Local Government (Financial Management) Regulations 2011*; in particular the financial report presents fairly in accordance therewith.
- The Authority acknowledges its responsibility for the design, implementation and maintenance of internal control for the preparation of the financial report in accordance with Australian Accounting Standards, *Local Government Act 1999* and *Local Government (Financial Management) Regulations 2011*.
- Significant accounting policies adopted in the preparation of the financial report are fully and fairly described in the financial report.
- Significant assumptions used by us in making accounting estimates, including those measured at fair value, are reasonable.
- Related party relationships and transactions have been appropriately accounted for and disclosed in accordance with the requirements of Australian Accounting Standards. Such transactions with related party may include:
  - sales, purchases, loans, transfers of assets / liabilities/ services, leasing arrangements, guarantees etc.
  - all balances due to or from related party at year end.
- All events subsequent of the date of the financial report for which Australian Accounting Standards require adjustment or disclosure have been adjusted or disclosed.

(08) 8563 8444 | barossa@barossa.sa.gov.au | barossa.sa.gov.au
43-51 Tanunda Road (PO Box 867), Nuriootpa SA 5355 | ABN: 47 749 871 215

- The effects of uncorrected misstatements are immaterial, both individually and in the aggregate, to the financial report as a whole. A list of uncorrected misstatements is attached to the representation letter.

OWNERSHIP

- The Authority has good title (or lease interest) in all assets recorded in the accounts.

VALUATION

- The Authority have no plans and intentions that may affect materially the carrying value, or classification, of Authority's assets and liabilities.
- The fair value of land and buildings as determined by the external valuer is reasonable.
- Adequate provisions have been recorded in the accounts for all anticipated losses.
- Depreciation rates for capital and other assets have been reviewed having regard to such factors as asset usage and obsolescence. Any adjustment to reflect the most recent assessment of the useful lives of all capital and other assets has been recognised and disclosed in the financial report.
- The carrying amount of capital and other assets does not materially differ from its fair value at the reporting date.

Information Provided

- The Authority has provided you with:
    - access to all information of which we are aware that is relevant to the preparation of the financial report such as records, documentation and other matters;
    - additional information that you have requested from us for the purpose of the audit; and
    - unrestricted access to persons within the Authoruity from whom you determined it necessary to obtain audit evidence.
- All transactions have been recorded in accounting records and are reflected in the financial report.
- The Authority acknowledges its responsibility for the design, implementation and maintenance of internal control to prevent and detect fraud.
- The Authority has disclosed to you the results of our assessment of the risk that the financial report may be materially misstated as a result of fraud.
- The Authority has disclosed to you all information in relation to fraud or suspected fraud that we are aware of and that affects the Authority and involves:
    - management;
    - employees who have significant roles in internal control; or
    - others where the fraud could have a material effect on the financial report.
- The Authority has disclosed to you all information in relation to allegations of fraud, suspected fraud, affecting the Authority financial report communicated by employees, former employees, analysts, regulators or others.
- The Authority has disclosed to you all known instances of non-compliance or suspected non-compliances with laws and regulations including all covenants, conditions or other requirements of outstanding debts, whose effects should be considered when preparing the financial report.

(08) 8563 8444 | barossa@barossa.sa.gov.au | barossa.sa.gov.au
43-51 Tanunda Road (PO Box 867), Nuriootpa SA 5355 | ABN: 47 749 871 215

- The Authority has disclosed to you all known actual or possible litigation and claims whose effects should be considered when preparing the financial report; and accounted for and disclosed in accordance with the applicable financial reporting framework.
- The Authority has disclosed to you all known unusual commitments or contractual obligations that were not in the ordinary course of business whose effects should be considered when preparing the financial report.
- The Authority has disclosed to you the identity of the Authority related parties and all the related party relationships and transactions of which we are aware.

COMPLETENESS

- All assets owned or controlled by the Authority have been recorded in the accounts.
- All services rendered prior to the year-end have been recorded in the correct financial year.
- Inventory does not include items not paid for and for which no liability has been recorded in the accounts at year-end.
- All charges to capital assets (and additions under capital leases) during the year represent actual additions and no expenditure of a capital nature have been charged to expenses during the year.
- All capital assets sold or dismantled during the year have been properly accounted for in the accounts.
- Capital and other assets with a limited life are being depreciated, amortised, or otherwise written off as a charge to income over their estimated useful lives in a systematic and rational manner.
- All liabilities of the Authority at year-end have been recorded in the accounts (including provisions for such items as salaries and wages, employee benefits, professional services and long term debts).

ELECTRONIC PUBLICATION OF FINANCIAL REPORT

- The Authority acknowledges its responsibility for the electronic presentation of the audited financial report and independent auditor's report on the internet is identical to the signed hard copy version.
- The Authority acknowledges its responsibility to clearly differentiate between audited and unaudited information in the construction of the Authority website as we understand the risk of potential misrepresentation.
- The Authority acknowledges its responsibility for the design, implementation and internal control to ensure the security and integrity of the data published on the internet.
- The Authority acknowledges its responsibility to only publish the independent auditor's report when the full financial report is presented on the website.

OTHER

- The Authority Minute book provided to you contains complete and authentic minutes of all meetings and committees held throughout the year to the most recent meetings.
- The Authority believes that it will be able to meet its financial commitments when they fall due.

Yours sincerely

Martin McCarthy
Chief Executive Officer

(08) 8563 8444 | barossa@barossa.sa.gov.au | barossa.sa.gov.au
43-51 Tanunda Road (PO Box 867), Nuriootpa SA 5355 | ABN: 47 749 871 215

2024/24

MINUTES OF THE MEETING OF AN SPECIAL AUDIT AND RISK COMMITTEE

held on Monday 25 November 2024 commencing at 5.00pm
in the Peramangk Room (Committee Room), 43-51 Tanunda Road, Nuriootpa.

M I N U T E S

Welcome by Mr Peter Brass declared the meeting open at 5.03pm.

1. ATTENDANCE RECORD

1.1 Members Present

Mr Peter Brass, Ms Ellen Ewing, Mr Ian Swan, and Cr John Angas

Apologies

Cr Heidi Thompson

Not Present

Nil

Leave of Absence

Nil

2. DEBATE REPORT

2.1 2023-24 ANNUAL FINANCIAL STATEMENTS - THE BAROSSA COUNCIL 24/109496

2024/25

MOVED Ms Ewing

That the Audit and Risk Committee:

(1) Receives and notes the Draft Audit Report for the Barossa Council from Council's external auditor Mr Tim Muhlhausler of Galpins Accountants, Auditors and Business Consultants for the year ended 30 June 2024.

(2) Receives and notes the Management Representation Letter, which was provided to Mr Tim Muhlhausler of Galpins Accountants, Auditors and Business Consultants for the year ended 30 June 2024.

(3) Notes the Draft Audit Certificate of Audit Independence as part of the 2023-24 Annual Financial Statements which will be provided by Mr Tim Muhlhausler of Galpins Accountants, Auditors and Business Consultants.

(4) Having reviewed the Barossa Council 2023-24 Annual Financial Statements for the year ended 30 June 2024 consider the statements present fairly the state of affairs of the Barossa Council.

(5) Notes the analysis contained within this report comparing the audited 2023-24 Financial Statements with the 2023-24 original adopted budget and the audited 2022-23 Financial Statements.

(6) Receives and, including as necessary any further minor and non-material adjustments, endorses for adoption by Council the Barossa Council 2023-24 Annual Financial Statements for the year ended 30 June 2024

(7) Authorises the Audit and Risk Committee Chairperson to sign the Certification of Auditor Independence.

SECONDED Mr Swan **CARRIED AC 2022-26/28**

PURPOSE

The purpose of this report is to present the Annual Financial Statements for the 2023-24 financial year for the Barossa Council for review and endorsement for Council adoption.

REPORT

Background

The 2023-24 Annual Financial Statements and accompanying notes have been prepared in accordance with Section 127 of the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011*.

Regulation 13 of the *Local Government (Financial Management) Regulations 2011* requires that the Financial Statements of a Council be prepared in accordance with the requirements set out in the Model Financial Statements.

2024/26

Section 126(4)(a) of the *Local Government Act 1999* requires that the functions of an Audit and Risk Committee include reviewing annual financial statements to ensure that they present fairly the state of affairs of the council.

Regulation 10 of the *Local Government (Financial Management) Regulations 2011* requires a report showing the audited financial results of each item shown in the statement of comprehensive income and balance sheet of the budgeted financial statement compared with the estimated financial results set out in the budget.

Introduction

Key results of the Barossa Council 2023-24 Annual Financial Statements include:

- 2023-24 operating deficit of $1.139 million compared to $0.949 million operating surplus for 2022-23.
- 2023-24 adjusted and true underlying operating surplus (adjusting for the advanced payment of 2023-24 financial) assistance grants of $2.086M paid in he 2022-23 financial year of $0.947M and for comparison the adjusted and true underlying operating surplus for 2022-23 was $0.247M).
- 2023-24 net surplus after capital adjustments of $1.535 million (2022-23 $8.403 million net surplus).
- 2023-24 total comprehensive income after changes in revaluation surplus and share of other comprehensive income of equity accounted council businesses of $4.306 million surplus (2022-23 $3.685 million surplus).
- Net assets increased to $407.809 million as at 30 June 2024 from $403.503 million as at 30 June 2023.
- Cash and cash equivalents at 30 June 2024 were $3.153 million (2023 $4.618 million).
- Total borrowings have increased by $6.471 million from $8.958 million to $15.429 million at 30 June 2024.
- There was a $469,000 increase to the revaluation surplus for infrastructure, property, plant and equipment recognised in 2023-24 in addition to $2.302 million recognised for the Barossa Council's share of other comprehensive income of equity accounted council businesses.
- Future commitments for capital expenditure are recorded at Note 14 of the Annual Financial Statements and totalled $10.860 million.

Discussion

The tables below compare the 2023-24 audited financial result to both the 2023-24 adopted original budget and the 2022-23 audited financial result.

- Table 1 – Statement of Comprehensive Income
- Table 2 – Statement of Financial Position
- Table 3 – Financial Indicators

Table 4 – Asset Revaluation, has been included to briefly explain the asset revaluation reserve movements.

Table 1: Statement of Comprehensive Income	2023/24 Actual $'000	2023/24 Budget $'000	Variance to Budget $'000	Variance to Budget %	Notes	2024/27 2022/23 Actual $'000	Variance to actual $'000	Variance to actual %	Notes
Income									
Rates	37,956	37,892	64	0%		35800	2,156	6%	A1
Statutory charges	830	828	2	0%		803	27	3%	
User charges	3,827	3,927	-100	-3%		3601	226	6%	A2
Grants, subsidies and contributions - operating	1,903	1,471	432	29%	B1	4311	-2,408	-56%	A3
Investment income	217	152	65	43%		415	-198	-48%	A4
Reimbursements	63	62	1	2%		9	54	600%	
Other income	1,243	772	471	61%	B2	806	437	54%	A5
Total income	46,039	45,014	1,025	2%		45745	294	1%	
Expenses									
Employee costs	17,817	17,478	339	2%		15897	1,920	12%	A6
Materials, contracts and other expenses	17,533	18,426	-893	-5%	B3	17887	-354	-2%	
Depreciation, amortisation and impairment	11,010	10,170	840	8%	B4	10553	457	4%	
Finance costs	771	1,285	-514	-40%	B5	441	330	75%	A7
Net loss - equity accounted council businesses	47	0	47	-		18	29	161%	
Total expenses	47,178	47,359	-181	0%		44796	2,382	5%	
Operating surplus / (deficit)	-1,139	-2,345	1,206	-51%		949	-2,088	-220%	
Physical resources received free of charge	2,832	0	2,832	-	B6	3131	-299	-10%	A8
Asset disposal and fair value adjustments	-2,497	-854	-1,643	192%		-1097	-1,400	128%	A9
Amounts received specifically for new or upgraded assets	2,339	2,838	-499	-18%		5420	-3,081	-57%	A10
Net surplus / (deficit)	1,535	-361	1,896	-525%		8403	-6,868	-82%	
Other comprehensive income									
Increase/(decrease) in asset revaluation surplus	469	0	469	-		-4714	5,183	-110%	A11
Share of other comprehensive income - equity accounted council businesses	2,302	0	2,302	-		0	2,302	-	A12
Inmpairment Expense	0	0	0	-		-4	4	-100%	
Total Other Comprehensive Income	2,771	0	2,771	-		-4718	7,489	-159%	
Total Comprehensive Income	4,306	-361	4,667	-1293%		3685	621	17%	

Where the variation is greater than +/- 5% and +/- $100,000, a comment is provided below.

Notes	Explanation
B1	95% of Financial Assistance Grant for 2023-24 was received in June 2023, actual amount received in 2023-24 was higher than initial budget. Also received unbudgeted Bushgardens grant.
B2	Variance primarily relates to unbudgeted contributions received from other councils for project work and unbudgeted amounts received from insurance, eg. income protection and workers compensation
B3	Variance is primarily due to lower than anticipated spend in contractors and consultants ($963,000 favourable), slightly offset by higher than budgeted energy and water costs ($198,000 unfavourable).
B4	The increase is attributable to revaluation of assets and increases in the unit rates for CWMS, bridges, footpaths, kerb and gutter and transport asset classes in 2022-23 with the impact only being know after 2023-24 original budget was set.
B5	Borrowing costs lower than original budget due to lower capital spend throughout the year.
B6	Physical resources received free of charge are not budgeted for and amount to assets transferred at land division.
A1	The increase is represented by: · A general rate increase of 3.28% · A budgeted growth in rateable properties of 0.91% · Waste, recycling and green organics collection service charge increase of 2.5% · CWMS service charge increase of 7.3%.
A2	Nuriootpa Centennial Park site activity growth on 2022-23 resulting in additional income for cabins and site fees. Also increase in sale of CWMS reuse water.
A3	2023-24 Financial Assistance Grant and Local Roads grant paid in 2022-23.

2024/28

A4 Reduced interest received from investing activities due to less cash available for investing with increased capital spend.

A5 Largely due to a $307,000 increase in contributions and a $92,000 increase in insurance and other recoveries.

A6 Due to overall salary and superannuation rate increases in enterprise agreements and superannuation law changes, insourcing of works and approved organisational growth.

A7 The variance is primarily due to the following: increased average interest through the year on variable borrowings as well as increased borrowing (CAD Facility) to fund capital projects.

A8 The variance is predominately due to less transport assets received from development this year compared to last year.

A9 Increased disposals for replaced assets in major projects for 2023-24, the asset class breakdown is as follows: Bridges $98,000, Buildings $945,000, CWMS $95,000, Land $255,000, Plant $126,000, Recreation Infrastructure $462,000 and Transport Infrastructure $723,000.

A10 Variance is primarily due to a number of grants for projects received in 2022-23 and not received in 2023-24 including: Local roads and community infrastructure program, Barossa rugby precinct and Tanunda Recreation Park.

A11 The difference is predominately related to the Transport asset class revaluation. In 2022-23, an assessment of both the unit rates and condition was undertaken with the condition assessment outcome unfavourable resulting in a write down of the overall value of the Transport asset class. This is compared to only land being revalued in 2023-24.

A12 Move in Gawler River Floodplain Management Authority revaluation surplus resulting in an increase in equity share.

2024/29

Table 2: Statement of Financial Position	2023/24 Actual $'000	2023/24 Budget $'000	Variance to Budget $'000	Variance to Budget %	Notes	2022/23 Actual $'000	Variance to actual $'000	Variance to actual %	
ASSETS									
Current assets									
Cash and cash equivalent assets	3,153	902	2,251	250%	B1	4618	-1,465	-32%	A1
Trade and other receivables	3,248	2703	545	20%	B2	2946	302	10%	A2
Inventories	123	391	-268	-69%	B3	245	-122	-50%	A3
Total current assets	6,524	3996	2,528	63%		7809	-1,285	-16%	
Non-current assets									
Trade and other receivables	1,228	1212	16	1%		1312	-84	-6%	
Equity accounted investments in council	4,518	2281	2,237	98%	B4	2263	2,255	100%	A4
Other non-current assets	5,724	0	5,724	-	B5	15893	-10,169	-64%	A5
Infrastructure, property, plant and equipr	414,613	439067	-24,454	-6%	B6	394340	20,273	5%	A6
Total non-current assets	426,083	442560	-16,477	-4%		413808	12,275	3%	
TOTAL ASSETS		446556				421617			
LIABILITIES									
Current liabilities									
Trade and other payables	5,355	5429	-74	-1%		5116	239	5%	
Borrowings	3,558	22644	-19,086	-84%	B7	1945	1,613	83%	A7
Provisions	3,292	3035	257	8%	B8	3358	-66	-2%	A8
Total current liabilities	12,205	31108	-18,903	-61%		10419	1,786	17%	
Non-current liabilities									
Borrowings	11,871	2380	9,491	399%	B7	7013	4,858	69%	A7
Provisions	722	1073	-351	-33%	B8	682	40	6%	A8
Total non-current liabilities	12,593	3453	9,140	265%		7695	4,898	64%	
TOTAL LIABILITIES	24,798	34561	-9,763	-28%		18114	6,684	37%	
Net assets	407809	411995	-4,186	-1%		403503			
EQUITY									
Accumulated surplus	106561	105899	662	1%		105026	1,535	1%	
Asset revaluation reserve	285676	293089	-7,413	-3%		282905	2,771	1%	
Other reserves	15572	13007	2,565	20%	B9	15572	-	0%	
Total equity	407809	411995				403503			

Where the variation is greater than +/- 5% and +/- $100,000, a comment is provided below.

Notes	Explanation
B1	The budget assumed greater cash outflows for investing activities and upgraded assets.
B2	Due to budget assumptions associated with repayments of loans to community and level of predicted rates debtors.
B3	Inventories lower due to no rubble crush in 2023-24, rubble inventory was reduced to a very minor amount as at end of June 2024.
B4	Move in Gawler River Floodplain Management Authority revaluation surplus resulting in an increase in equity share.
B5	No budget allocated for Works in Progress (WIP).
B6	Approximately $11 million carried forward to 2023-24. The budget assumed $27.1 million expenditure on new and upgraded assets whereby actuals were $13.6 million.
B7	Lower than anticipated borrowings in 2023-24 due to timing of capital expenditure on major projects being later than budgeted. Borrowing to occur in 2024-25.
B8	Overall provision variance is within tolerance this is purely a difference in current vs non-current.
B9	Budget included a decrease in CWMS reserves due to high capital spend however actual capital spend was lower than anticipated with a portion being carried forward to 2024-25.
A1	Reduced cash year on year with lower investment balance and increased borrowing CAD facilities due to nature of current capital project work.

2024/30

A2 The variance is predominately due to the outstanding rates balance which has increased ($350,000 higher as at 30 June 2024).

A3 Inventories lower due to no rubble crush in 2023-24, rubble inventory was reduced to a very minor amount as at end of June 2024

A4 Move in Gawler River Floodplain Management Authority revaluation surplus resulting in an increase in equity share.

A5 The variance is mainly due to the following: major projects sitting as WIP at the end of 2022-23 including: Mt Pleasant Caravan Park $2.1 million, Barossa Rugby $1.5 million, Tanunda Recreation Park $6.6 million and Moculta Road $2.1 million. Most of these were completed in 2023-24. The majority of WIP in 2023-24 relates to: Nuriootpa Soccer $2 million, Lyndoch Recreation Park $0.8 million and Creative Industries $0.4 million.

A6 The following significant movements in infrastructure, property, plant and equipment occurred during 2023-24: additions related to renew/replaced assets $9.9 million, capital additions related to found/gifted/new assets $23.6 million, depreciation $11 million, and disposals $2.8 million.

A7 Overall current and non-current borrowings have increased in order to fund major capital projects, this is primarily an increase in cash advance borrowing.

A8 Overall provision variance is within tolerance this is purely a difference in current vs non-current split.

Table 3: Financial Indicators	Notes	2023-24 Actual	2023/24 Budget	2022-23 Actual	Adopted Target
Operating Surplus Ratio	1	(2.5%)	(5.2%)	2.1%	(2%) – 10%
Adjusted Operating Surplus Ratio	1a	2.0%	(5.2%)	0.5%	(2%) – 10%
Net Financial Liabilities Ratio	2	37%	66.1%	20%	0% - 100%
Adjusted Net Financial Liabilities Ratio	2a	36%	66.1%	25%	0% - 100%
Asset Renewal Funding Ratio	3	123%	116.8%	113%	80% - 110%

Notes	Explanation
1	Operating Surplus Ratio outside of the adopted target range but exceeded budget expectations.
1a	True and underlying operating surplus ratio meets performance target.
2	Net Financial Liabilities Ratio exceeded budget expectations due to less than budgeted borrowings and meets performance target.
2a	True and underlying net financial liabilities ratio meets target.
3	Asset Renewal Funding Ratio is higher than budgeted and outside of the adopted target range due to additional spending on asset renewals.

Asset Revaluations

Land assets classified as level 3 in the fair value hierarchy were revalued in 2023-24 based on a desktop valuation using values supplied by the Valuer-General as at 1 July 2023. Table 4 below explains the revaluation movements as reported in note 9(a).

Table 4 – Asset Revaluations

Asset Class	Increment/ (Decrement)	Explanation

2024/31

	$'000	
Land (community)	$37,000	Revalued based on values supplied by the Valuer-General as at 1 July 2023. Revaluation increments totalled $1.144 million, and revaluation decrements totalled $1.107 million resulting in an overall net revaluation increment to the asset revaluation reserve of $37,000.

Other adjustments were made to the asset revaluation reserve for assets that were 'found' during the year. These adjustments totalled $432,000.

A $2.302 million increment to the asset revaluation reserve was also recognised for the Council's 10.61% interest in the other comprehensive income of the Gawler River Floodplain Management Authority.

Management Representation Letter

A copy of the management representation letter for the year ended 30 June 2024, which has been provided to Galpins Accountants, Auditors and Business Consultants, has also been attached for your information and noting.

Summary and Conclusion

The 2023-24 Annual Financial Statements of the Barossa Council are presented for review.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Draft 2023-24 Annual Financial Statements (Audit Clearance Version to Audit and Risk Committee) - Barossa Council
Attachment 2 Galpins Draft Audit Report on Financial Statements - Barossa Council
Attachment 3 2023-24 Management Representation Letter to Galpins - Barossa Council

Supporting references

Nil.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

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

Legislative Requirements

Section 126(4) of the Local Government Act 1999
Local Government (Financial Management) Regulations 2011

2024/32

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial

All known financial and resourcing requirements as at 30 June 2024 have been included in the annual financial reports.

Risk Management

Risk management issues are considered by management throughout the financial year and communicated to Council as required.

COMMUNITY ENGAGEMENT

No separate consultation is required under Council's Public Consultation Policy. The Financial Statements are public documents, accessible to the community via Council's website after Council adoption.

2.2 2023-24 ANNUAL FINANCIAL STATEMENTS - NURIOOTPA CENTENNIAL PARK AUTHORITY
24/109497

The CEO outlined that the change to land valuations is suspected to be related to the prior residential land purchased for the soccer development moving from residential valued land to community land and that would be confirmed post meeting and inserted in the minutes. The CEO has confirmed this is the cause of the major variation related to the valuation decrease to land.

MOVED Cr Angas

That the Audit and Risk Committee

(1) Receives and notes the Draft Audit Report for the Nuriootpa Centennial Park Authority from Council's external auditor Mr Tim Muhlhausler of Galpins Accountants, Auditors and Business Consultants for the year ended 30 June 2024.

(2) Receives and notes the Management Representation Letter, which was provided to Mr Tim Muhlhausler of Galpins Accountants, Auditors and Business Consultants for the year ended 30 June 2024.

(3) Notes the draft Certificate of Audit Independence attached as part of the 2023-24 Annual Financial Statements which will be signed by Mr Tim Muhlhausler of Galpins Accountants, Auditors and Business Consultants.

(4) Having reviewed the Nuriootpa Centennial Park Authority 2023-24 Annual Financial Statements for the year ended 30 June 2024, consider the statements present fairly the state of affairs of the Nuriootpa Centennial Park Authority.

(5) Recommends the Certificate of Auditor Independence be signed by the Chair of the Nuriootpa Centennial Park Authority Audit and Risk Committee.

2024/33

SECONDED Mr Swan **CARRIED AC 2022-26/29**

PURPOSE

The purpose of this report is to present the Annual Financial Statements for the 2023-24 financial year for the Nuriootpa Centennial Park Authority for review and endorsement for Council adoption.

REPORT

Background

The 2023-24 Annual Financial Statements and accompanying notes have been prepared in accordance with Section 127 of the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011*.

Regulation 13 of the *Local Government (Financial Management) Regulations 2011* requires that the Financial Statements of a council subsidiary be prepared in accordance with the requirements set out in the Model Financial Statements.

Section 126(4)(a) of the *Local Government Act 1999* requires that the functions of an Audit and Risk Committee include reviewing annual financial statements to ensure that they present fairly the state of affairs of the council.

Introduction

The independent audit of the 2023-24 Annual Financial Statements was undertaken by Galpins Accountants, Auditors and Business Consultants. They have provided clearance on the financial statements and have provided their draft report.

Key results of the Nuriootpa Centennial Park Authority 2023-24 Annual Financial Statements include:

- 2023-24 operating deficit of $38,330 compared to $16,420 surplus for 2022-23.
- 2023-24 net deficit after capital adjustments of $60,108 (2022-23 $2,624,351 surplus).
- Net assets decreased to $13.087 million as at 30 June 2024 from $14.461 million as at 30 June 2023.
- Cash and cash equivalents at 30 June 2024 totalled $318,674 (2023 $404,706).
- Total borrowings (including lease liabilities) have decreased by $232,706 from $856,994 to $624,288 at 30 June 2024.

Discussion

Total income increased by $175,495 or 6.65% for 2023-24. This is predominately due to increased site activity resulting in a $134,847 increase in cabin fees and an $18,764 increase in site fees.

Total expenditure increased by $230,245 or 9.61% for 2023-24. This is due to the following:

- A $170,863 increase in employee costs associated with general increases
- A $42,407 increase in depreciation costs associated with $2.918 million in new and upgraded assets acquired during 2022-23 and $64,081 in new and upgraded assets acquired during 2023-24.

2024/34

Physical resources received free of charge decreased significantly in 2023-24 from $2.612 million in 2022-23 to $2,122 in 2023-24. In 2022-23 the Nuriootpa Centennial Park Authority received significant 'gifted' assets from the Barossa Council as a result of capital works completed under The Big Project.

Land assets categorised as level 3 in the fair value hierarchy under *AASB 13 Fair Value Measurement* were revalued as at 1 July 2023 using values provided by the Valuer-General. This resulted in a $1.318 million decrease in the value of the Nuriootpa Centennial Park Authority's community land.

Net assets decreased to $13.087 million as at 30 June 2024 from $14.461 million as at 30 June 2023, a decrease of $1.374 million. This is due to:

- A $1.702 million decrease in infrastructure, property, plant and equipment assets largely due to the $1.318 million revaluation decrement to community land and $552,214 in depreciation expenses, offset by $188,376 in additions throughout the year.
- A $185,716 increase in capital works in progress largely relating to the Barossa soccer precinct.
- A decrease to total liabilities of $229,257 from $14.461 million to $13.087 million. This is due to a $232,706 decrease in borrowings (including lease liabilities) from $856,994 to $624,288 at 30 June 2024 largely resulting from $226,820 in loan repayments being made throughout the year.

A copy of the Management Representation Letter for the year ended 30 June 2024, which has been provided to Galpins Accountants, Auditors and Business Consultants, has also been attached for your information and noting.

Summary and Conclusion

The 2023-24 Annual Financial Statements for the Nuriootpa Centennial Park Authority are presented for review.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1	Draft 2023-24 Financial Statements (Audit Clearance Version from Galpins) - Nuriootpa Centennial Park Authority
Attachment 2	2023-24 Galpins Draft Audit Report on Financial Statements - Nuriootpa Centennial Park Authority (NCPA)
Attachment 3	2023-24 Management Representation Letter to Galpins - Nuriootpa Centennial Park Authority (NCPA)

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),

2024/35

activity report (outputs), a range of statutory reporting (e.g. public health, tax, superannuation), financial reporting

Legislative Requirements

Section 126(4) of the Local Government Act 1999
Local Government (Financial Management) Regulations 2011

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial
All known financial and resourcing requirements as at 30 June 2024 have been included in the annual financial reports.

Risk Management
Risk management issues are considered by management throughout the financial year and communicated to Council as required.

COMMUNITY ENGAGEMENT

No separate consultation is required under Council's Public Consultation Policy. The Financial Statements are public documents, accessible to the community via Council's website after Council adoption.

3. URGENT OTHER BUSINESS

4. NEXT MEETING

30 January 2025

5. CLOSURE

Mr Brass declared the meeting closed at 5:41pm.

Confirmed at Audit and Risk Committee Meeting on 30 January 2025

Date:..... Chairperson.....

MATTERS FOR INFORMATION

6.6 STATE GOVERNMENT HOUSING ROADMAP - INITIATIVES

Author: Manager Development Services
24/110986

Following the release of the Housing Roadmap in June 2024, the Hon Nick Champion MP has written to Council to advise of initiatives to support councils and the private sector to bring rezoned land to market faster. A copy of the letter is contained in Attachment 1. Three new initiatives are announced in the nature of:

1. Release of the new Code Amendments landing page and Code Amendment Register on 24 October 2024. The Register is the first step in delivering transparent tracking of code amendments as outlined in the South Australian Housing Roadmap. The Register can be accessed directly online at https://plan.sa.gov.au/have_your_say/code-amendments/code_amendment_register.

2. Delivery of faster code amendment process for straightforward proposals. From 22 November 2024, Code Amendments may be eligible for a 'streamlined' process.

3. Amendments to Practice Direction 18 – Outline Consent 2023, to link the code amendment process with an outline consent for site-specific rezonings that facilitate a development outcome. Outline Consents are an important tool to enable applicants to obtain an early 'outline' approval, before committing substantial resources to a project. The amendments seek to reduce the overall assessment time needed to receive development approval.

Further information regarding the Roadmap initiatives including the updated Practice Direction (2), the Chief Executive's Policy, templates and factsheets are available on the Portal's Code Amendment Toolkit page at https://plan.sa.gov.au/have_your_say/code-amendments/code-amendment-toolkit.

ATTACHMENTS

Attachment 1 Advice from Hon Nick Champion MP - State Government Housing Roadmap - Initiatives ⇩

SUPPORTING REFERENCES

Planning, Development & Infrastructure Act 2017

Hon Nick Champion MP

Government of South Australia

Minister for Housing and Urban Development

Minister for Housing Infrastructure

Minister for Planning

GPO Box 11032
ADELAIDE SA 5001

T: (08) 8235 5580

E: ministerchampion@sa.gov.au

24EXT0417

Mr Martin McCarthy
Chief Executive Officer
The Barossa Council

By email: barossa@barossa.sa.gov.au

Dear Mr McCarthy

On 25 June 2024, the Premier of South Australia, the Hon Peter Malinauskas MP released the State Government's Housing Roadmap. The Roadmap seeks to address land supply, housing diversity and housing affordability across the State to help tackle the current housing supply crisis.

One of the key planning processes identified in supporting the supply of land and housing was the rezoning process. While the State's rezoning process is already fast by national standards, the Roadmap identifies projects to support councils and the private sector to bring rezoned land to market faster.

Code Amendment Dashboard

Navigating code amendments has been made easier following the release of the new Code Amendments landing page and Code Amendment Register on 24 October 2024. The Register can be accessed directly online at https://plan.sa.gov.au/have_your_say/code-amendments/code_amendment_register.

The PlanSA Portal changes are the first step in delivering transparent tracking of code amendments outlined in the South Australian Housing Roadmap and includes the following features:

- A landing page with key code amendment details and the ability to search and view code amendments and their status.
- An enhanced overview page which includes resources, templates and documents for each stage of the code amendment process.
- The new Code Amendment Register which includes a record of all code amendments which can be filtered by the code amendment title, type, stage, local government area, or initiation date.
- Easy access to make a submission on a code amendment currently on consultation.
- An overview page for each code amendment including documentation for each stage, key dates and progress information.

SOUTH AUSTRALIA

Building on the delivery of the Code Amendment Register, the Code Amendment Dashboard will launch in December 2024 which will improve the availability of data to the community in relation to the number of code amendments in progress and processing timeframes.

A new online submission form will also be available on the Portal in December and integrated into the Code Amendment Tracking System (CATS), enabling Planning and Land Use Services (PLUS) to conduct Code Amendment assessments more efficiently.

In the first quarter of 2025, the CATS will be expanded to enable proponents to login, track progress, respond to requests for information, pay fees and generally interact with the Code Amendment through a single system.

Streamlined Code Amendment Process

The Roadmap identifies an opportunity to deliver a faster code amendment process for straightforward proposals. From 22 November 2024, Code Amendments may be eligible for a 'streamlined', process with submissions reaching me, as the Minister for Planning, for an initiation decision within 15 business days of verification.

A Code Amendment will be eligible for the streamlined process where it meets the requirements of *Practice Direction 2 – Preparation and Amendment of Designated Instruments* (Practice Direction 2); aligns with strategic directions of the State and is not 'complex' (in accordance with the Chief Executive policy).

Amendments have been made to Practice Direction 2 and the *Chief Executive's Policy – Service Standards and Code Amendment Fees 2024* (Chief Executive policy) to support the streamlined Code Amendment process. Combined, the changes to Practice Direction 2 and the Chief Executive policy will reduce processing times by 8 to 10 weeks on average.

For reference, Practice Direction 2 is accessible via the Portal online at https://plan.sa.gov.au/resources/planning/practice_directions/practice_direction_2_-_consultation_on_the_preparation_or_amendment_of_a_designated_instrument.

Combined Code Amendment and Outline Consent

The Housing Roadmap recognises the introduction of the outline consent assessment pathway by the State Planning Commission in early 2024 as an important tool to enable applicants to obtain an early 'outline' approval, before committing substantial resources to a project.

Building on this early work, further amendments have been made to *Practice Direction 18 – Outline Consent 2023* (Practice Direction 18), linking the code amendment process with an outline consent for site-specific rezonings that facilitate a development outcome. The aim is to reduce the overall assessment time needed to receive development approval.

For reference, Practice Direction 18 is accessible via the Portal online at https://plan.sa.gov.au/resources/planning/practice_directions/practice-direction-18-outline-consent-2023.

The benefits of concurrently assessing a development application (in the form of an outline consent) and a code amendment are:

- *Formal discussions* **-** Enabling developers to engage in formal discussions with referral agencies and the Commission on the proposed development against proposed policy before the final determination of a code amendment.
- *Improved timeframes* **-** Accelerating the assessment timeframes of a subsequent planning application.
- *Community understanding* **-** Helping the community better understand the development outcome being achieved through the amendment to the planning policy.

This change has the potential to reduce the assessment timeframes of a subsequent planning application from 70 business days to less than 20 business days, with an estimated saving of 8 to 10 weeks.

Further information regarding the Roadmap initiatives including updated Practice Direction(s), Chief Executive's Policy, templates and factsheets are available on the Portal's Code Amendment Toolkit page at https://plan.sa.gov.au/have_your_say/code-amendments/code-amendment-toolkit.

Should you have any further questions, please contact PlanSA on 1800 752 664 or by email to: PlanSA@sa.gov.au.

I trust this information is of assistance.

Yours sincerely



Hon Nick Champion MP
Minister for Planning

22 November 2024

MATTERS FOR INFORMATION

6.7 INITIATION OF THE AFFORDABLE HOUSING CODE AMENDMENT

Author: Manager Development Services
24/111178

The Chair of the State Planning Commission, Mr Craig Holden, has recently written to The Barossa Council to advise the State Planning Commission has initiated the Affordable Housing Overlay Code Amendment. A copy of the letter is contained in Attachment 1.

The Code Amendment supports the Government's recommendations of the Expert Panel for the Planning System Implementation Review in relation to the Affordable Housing Overlay. A copy of the Proposal to Initiate is contained in Attachment 2. The Code Amendment will:

- Extend the Affordable Housing Overlay across neighbourhood-type (ie. residential) zones and activity centre zones;
- Review the threshold for the application of affordable housing policy, to a level where it will be financially viable to incorporate affordable housing (and not otherwise be avoided);
- Review current affordable housing incentive policy to encourage increased uptake of affordable housing.

The Commission has also made mention of the Government's exploration of a new Affordable Housing Off-set Scheme that would allow payment into an offset fund in lieu of affordable housing provision. The Code Amendment will, as necessary, be developed in conjunction with this scheme.

Public consultation will be undertaken in relation to the Code Amendment in accordance with the Community Engagement in due course. It is proposed that a further report will be brought to Council for opportunity to endorse a draft submission in respect to this Code Amendment, prior to close of the consultation period.

ATTACHMENTS

Attachment 1 Advice from State Planning Commission - Initiation of the Affordable Housing Code Amendment ⇩

Attachment 2 Signed Proposal to Initiate the Affordable Housing Code Amendment ⇩

SUPPORTING REFERENCES

Planning, Development and Infrastructure Act 2016

OFFICIAL

22119622

STATE PLANNING COMMISSION

83 Pirie Street
Adelaide SA 5000

GPO Box 1815
Adelaide SA 5001

08 7109 7466
saplanningcommission@sa.gov.au

29 November 2024

Mayor Michael Lange
The Barossa Council

By email: mayor.lange@barossa.sa.gov.au

Dear Mayor Lange

Initiation of the Affordable Housing Code Amendment

I write to advise you that the State Planning Commission has initiated the Affordable Housing Overlay Code Amendment under section 73(2)(a) of the *Planning, Development and Infrastructure Act 2016* (the Act).

The Code Amendment will action the Government's support for recommendations of the Expert Panel for the Planning System Implementation Review in relation to the Affordable Housing Overlay. It will:

- extend the Affordable Housing Overlay across neighbourhood-type (i.e. 'residential') zones and activity centre zones
- review the threshold for the application of affordable housing policy, to a level where it will be financially viable to incorporate affordable housing (and not otherwise avoided)
- revise current affordable housing incentive policy to encourage increased uptake of affordable housing.

In doing so, the Code Amendment will also action commitments set out by the Government's Housing Roadmap.

The Commission is aware of the Government's exploration of a new Affordable Housing Off-set Scheme that would allow payment into an offset fund in lieu of affordable housing provision. The Code Amendment will, as necessary, be developed in conjunction with this scheme.

A copy of the signed Proposal to Initiate is enclosed for your reference.

Public consultation will be undertaken in accordance with the Community Engagement Charter in due course.

OFFICIAL

Should you require further information, please contact Mr Jason Bailey from Planning and Land Use Services within the Department for Housing and Urban Development on 08 7133 2299 or via email at: Jason.Bailey@sa.gov.au.

Yours sincerely



Craig Holden
Chair

Encl Signed Proposal to Initiate the Affordable Housing Code Amendment

Cc Mr Martin McCarthy, Chief Executive Officer, The Barossa Council - mmccarthy@barossa.sa.gov.au

OFFICIAL

PROPOSAL TO INITIATE AN AMENDMENT TO THE PLANNING & DESIGN CODE

Affordable Housing Overlay Code Amendment

By the State Planning Commission (the Designated Entity)

Contact details

Email:
saplanningcommission@sa.gov.au

Phone: 1800 752 664



_____ (Signature)

CHAIR, STATE PLANNING COMMISSION

Date: 29/10/2024

This Proposal to Initiate document forms the basis for the preparation of a proposed amendment to the Planning and Design Code for the purpose of section 73(2)(a) of the *Planning, Development and Infrastructure Act 2016*.

STATE PLANNING COMMISSION

Government of South Australia
Department for Housing and Urban Development

OFFICIAL

Contents

1. INTRODUCTION 2
1.1. Designated Entity for Undertaking the Code Amendment 2
1.2. Rationale for the Code Amendment 3
2. SCOPE OF THE CODE AMENDMENT 3
2.1. Affected Area 3
2.2. Scope of Proposed Code Amendment 4
3. STRATEGIC PLANNING OUTCOMES 5
3.1. Alignment with State Planning Policies 5
3.2. Alignment with Regional Plans 7
3.3. Alignment with Other Relevant Documents 10
4. INVESTIGATIONS AND ENGAGEMENT 14
4.1. Investigations Already Undertaken 14
4.2. Further Investigations Proposed 14
4.3. Engagement Already Undertaken 15
4.4. Further Engagement Proposed 16
5. CODE AMENDMENT PROCESS 16
5.1. Engagement Plan 16
5.2. Engagement Report 17

OFFICIAL

1. INTRODUCTION

The State Planning Commission (the Commission) is an independent body providing advice and leadership on all aspects of planning and development in South Australia. A key role of the Commission ensures the maintenance the Planning and Design Code (the Code), to continue to reflect contemporary values relevant to planning while remaining responsive to emerging trends and issues.

The Commission proposes to initiate an amendment to the Code relating to the whole of South Australia.

The Affordable Housing Overlay Code Amendment (the Code Amendment) seeks to expand the Affordable Housing Overlay to cover more parts of South Australia, and to review policies to better facilitate the delivery of affordable housing.

The Commission seeks to amend the Code pursuant to section 73(2)(a) of the *Planning, Development and Infrastructure Act 2016* (the Act). This 'Proposal to Initiate' details the scope, relevant strategic and policy considerations, nature of investigations to be carried out and information to be collected, supporting the proposed code amendment. It also details the process to be followed in undertaking the Code Amendment.

The Commission is the 'designated entity' responsible for conducting this Code Amendment process, required to undertake consultation in accordance with the Community Engagement Charter and make final recommendations to the Minister for Planning (the Minister) assisting consideration of whether to adopt, alter or refuse the Code Amendment.

1.1. Designated Entity for Undertaking the Code Amendment

In accordance with section 73(2)(a) of the Act, the Commission will be the Designated Entity responsible for undertaking the Code Amendment process.

As a result:

- The Commission acknowledges that it will be responsible for undertaking the Code Amendment in accordance with the requirements Act.
- The Commission intends to undertake the Code Amendment by utilising professional expertise of employees of the Planning and Land Use Services (PLUS) division of the Department for Housing and Urban Development including:
    - Planning officers
    - Communications staff
    - Staff responsible for the technical management and operation of the online Planning and Design Code.

1.2. Rationale for the Code Amendment

When the Code was first established, the Affordable Housing Overlay (the Overlay) was created to transition affordable housing policies from development plans. The Overlay was spatially applied to locations where equivalent development plan policy sought a minimum 15% affordable housing be provided in developments for 20 or more allotments/dwellings.

This transitional application of the Overlay, where it is linked to historical development plan policy, means that there are cases where the same zone in different council areas may have the Overlay applied differently.

In March 2023, the Expert Panel completed the Planning System Implementation Review and released its Final Report and Recommendations (Final Report and Recommendations 2023 - Expert Panel for the Planning System Implementation Review). Its purpose was to ensure South Australia's planning system remains contemporary and effective.

Recommendation 55 of the Final Report recommended:

"The Affordable Housing Overlay should apply to all residential, neighbourhood and activity centre zones."

In addition, the Expert Panel recommended:

- consideration be given to revising the threshold for application of the affordable housing policy (currently set at 20 or more residential allotments or dwellings)
- coupling a lower affordable housing threshold with an off-set scheme or similar
- revising current policy incentives to provide affordable housing (currently limited to dispensation on allotment sizes, building heights and number of car parks) to provide a genuine value proposition to developers.

In response to the Expert Panel review, the Government of South Australia (the government) released its response in March 2024 (Response of the South Australian Government to the Final Report and Recommendations of the Expert Panel for the Planning System Implementation Review).

The government endorsed expanding the Overlay to ensure a greater portion of Greater Adelaide is subject to the affordable housing policies. It was also agreed there is more work to be done to ensure affordable housing is being provided and is not otherwise being avoided. The government undertook to investigate what mechanisms may be available to it to facilitate this goal, including considering available incentives, lowering the affordable housing threshold, and introducing an Affordable Housing Offset Scheme.

2. SCOPE OF THE CODE AMENDMENT

2.1. Affected Area

The proposal seeks to expand application of the Affordable Housing Overlay generally within Greater Adelaide but has the capacity to expand application across regional areas and review affordable housing policy applying to the whole of South Australia.

2.2. Scope of Proposed Code Amendment

<table>
<tr><td>Current Policy</td><td>
The Affordable Housing Overlay currently applies to locations where equivalent development plan policy sought a minimum 15% affordable housing be provided in developments of 20 or more allotments/dwellings. Generally, this means the Overlay applies to ‘neighbourhood-type’ zones or zones which envisage residential development where affordable housing is anticipated, or where rezoning anticipates an increase in housing diversity or urban growth.

The Overlay promotes an integration of affordable housing with residential and mixed-use development, catering for a variety of household structures.

The Overlay expects 15% affordable housing to be provided as a part of development for 20 or more dwellings or residential allotments.

The Overlay contains policies allowing dispensations for typical planning requirements such as minimum site areas, car parking or building heights where affordable housing is proposed.

Development for the purposes of the provision of affordable housing is referred to the Minister responsible for administering the SAHT Act, to provide direction on the conditions required to secure the provision of dwellings or allotments for affordable housing.

The Affordable Housing Overlay works in conjunction with a Land Use Definition of affordable housing in Part 7 of the Code:
<table>
<tr><th>Land Use Term (Column A)</th><th>Definition (Column B)</th></tr>
<tr><td>Affordable housing</td><td>Means housing that meets the relevant criteria for ‘affordable housing’ as determined by the Minister responsible for the South Australian Housing Trust Act 1995 under Regulation 4 of the South Australian Housing Trust Regulations 2010.</td></tr>
</table>
Zones call up the relevant Affordable Housing Overlay policy through Classification/Assessment Tables.
</td></tr>
<tr><td>Amendment Outline</td><td>
The Code Amendment seeks to:
• expand application of the Affordable Housing Overlay to apply to neighbourhood-type (i.e. ‘residential’) zones and activity centre zones
• review the threshold for the application of affordable housing policy, to a level where it will be
</td></tr>
</table>

	financially viable to incorporate affordable housing (and not otherwise avoided) • revise current affordable housing incentive policy to encourage increased uptake of affordable housing. While not forming part of this Code Amendment, it is anticipated the Code Amendment will work in conjunction with a potential new Affordable Housing Off-set Scheme. This may be an important mechanism in cases where the provision of affordable housing is less economically viable. This would allow payment into an offset fund that will be used to deliver more social housing where it is needed most. In summary, the Code Amendment seeks to facilitate the delivery of more affordable housing across South Australia.
Intended Policy	The Affordable Housing Overlay is intended to apply to all neighbourhood and activity centre zones where residential development is anticipated. A reduction in the 20 dwelling / allotment threshold in PO/DTS/DPF 1.1 and 1.2 of the Affordable Housing Overlay will be investigated. Additional incentive policy is anticipated, in addition to review of the existing incentive policy in the Affordable Housing Overlay, to encourage the delivery of more affordable housing. A review of related policies and rules in the Code will be undertaken with a view to facilitate the provision of more affordable housing in appropriate locations.

3. STRATEGIC PLANNING OUTCOMES

Code Amendments occur within a state, regional and local strategic setting, which includes:

- State Planning Policies (SPPs)
- Regional Plans
- Other relevant strategic documents.

3.1. Alignment with State Planning Policies

The State Planning Policies (SPPs) set out the State's overarching goals and requirements for the planning system. Under section 66(3)(f) of the Act, the Code must comply with any principle prescribed by a SPP.

The Code Amendment should be initiated because the strategic planning outcomes sought to be achieved through the Code Amendment align with or seek to implement the following SPPs:

OFFICIAL

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
SPP 6 – Housing Supply and Diversity Objective: To promote the development of well-serviced and sustainable housing and land choices where and when required 6.1 A well-designed, diverse and affordable housing supply that responds to population growth and projections and the evolving demographic, social, cultural and lifestyle needs of our current and future communities. 6.3 Develop healthy neighbourhoods that include diverse housing options; enable access to local shops, community facilities and infrastructure; promote active travel and public transport use; and provide quality open space, recreation and sporting facilities. 6.6 A diverse range of housing types within residential areas that provide choice for different household types, life stages and lifestyle choices. 6.7 Facilitate the provision of Affordable Housing through incentives such as planning policy bonuses or concessions (e.g. where major re-zonings are undertaken that increase development opportunities). 6.8 Ensure a minimum of 15% of new housing in all significant developments that meets the criteria for affordable housing. **The Planning and Design Code** should implement zoning that supports Affordable Housing outcomes, housing choice and diversity and enables best practice adaptable housing design. Code policies should provide an enabling policy environment for housing within residential zones, including the provision of small lot housing and aged care accommodation.	Consistent with SPP 6, the proposed Code Amendment seeks to enhance the state's affordable housing supply to respond to demands. This will be sought to be achieved in a way that develops healthy neighbourhoods, contributing to housing diversity and accommodation choices to cater for different household types. A review of affordable housing incentive policy will be undertaken in the context of SPP 6.7. The Code Amendment will enhance compliance with of SPP 6.8, ensuring a minimum 15% of new housing in more locations deliver affordable housing. Expanding application of the Affordable Housing Overlay should complement underlying zoning to support affordable housing outcomes.

3.2. Alignment with Regional Plans

As with the SPPs, the directions set out in Regional Plans provide the long-term vision as well as setting the spatial patterns for future development in a region. This includes consideration of land use integration, transport infrastructure and the public realm.

The proposed Code Amendment generally applies in a Greater Adelaide context, and therefore the 30-Year Plan for Greater Adelaide (2017 Update) is most relevant.

Regional Plan Identified Priorities or Targets	**Code Amendment Alignment with Regional Plan**
The 30-Year Plan for Greater Adelaide (2017 Update)	
Housing mix, affordability and competitiveness: Provide affordable and diverse housing choices for our different household types and lifestyles **P37.** Facilitate a diverse range of housing types and tenures (including affordable housing) through increased policy flexibility in residential and mixed-use areas, including: • … small lot housing types • … in-fill housing and renewal opportunities.	The Code Amendment seeks to facilitate more affordable housing choices in Greater Adelaide. The desire for increased policy flexibility could be realised through the proposed Code Amendment's review of incentive policies for affordable housing.
P42. Provide for the integration of affordable housing with other housing to help build social capital.	The proposed Code Amendment will continue to seek integration of affordable housing with other housing through policies in the Overlay.
P43. Increase the supply of affordable housing through the provision of 15 per cent affordable housing in all new significant developments. These developments include surplus and residential government land projects; declared major developments and projects; and rezoned land that increases	The Affordable Housing Overlay currently captures 'significant developments' as those comprising of 20 or more allotments / or residential developments allotments. Significant developments trigger a 15% affordable housing minimum to meet Deemed to Satisfy criteria. This threshold will be reviewed through the Code Amendment investigations.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
dwelling yield (including all new growth areas).	
P44. Enable and encourage the provision of affordable housing through linking incentives, including the benefits of re-zoning such as planning policy bonuses or concessions to new affordable housing supply.	Further initiatives are proposed to be investigated through the Code Amendment to encourage further affordable housing developments to market.
P45. Promote affordable housing in well located areas close to public transport and which offers a housing mix (type and tenure) and quality-built form that is well integrated into the community.	Applying the Affordable Housing Overlay to neighbourhood and activity centre zones will focus affordable housing in locations that are generally well-located close to public transport and facilities. A review of affordable housing incentive policy will seek to maintain quality built form and focus incentives in locations close to public transport.
A26. Enable existing mechanisms (and facilitate the development of new mechanisms) to support the delivery of affordable housing in State Government legislation and regulations.	A variety of mechanisms are being explored as part of the proposed Code Amendment, including: • applying the Overlay to all neighbourhood and activity centre zones • consider available incentives to encourage developers to invest in affordable housing options • lowering the affordable housing threshold • coupling the Overlay with an Affordable Housing Off-set Scheme.

Other Regional Plans (generally)	
Principle: Provide residential land and diverse, affordable and sustainable housing to meet current and future needs **Policy**: • Provide at least 15 per cent affordable housing, including five per cent for high needs housing, in all new significant housing developments • Encourage affordable housing through innovative products, funding arrangements and joint ventures between the not-for-profit and private sectors.	The Code Amendment seeks to enhance the provision of affordable housing to meet current and future needs.

Updated Regional Plans Program

The Commission initiated the preparation of a new set of Regional Plans for the State's proclaimed planning regions (including Greater Adelaide). These are to be progressed over the remainder of 2024 and into 2025.

A Discussion Paper for the new Greater Adelaide Regional Plan (GARP) (replacing *the 30-Year Plan for Greater Adelaide*) was released for community and stakeholder engagement in late 2023. More than 380 submissions, received as part of the Greater Adelaide Regional Plan Discussion paper, highlighted issues relating to housing availability and affordability. Of these, key topics included:

- rising cost of rental and housing costs and their impact on living standards
- rate and variety of affordable housing falling short of meeting people's needs
- the importance of the Adelaide CBD to provide a range of housing options close to employment and study.

The draft GARP was released for community and stakeholder engagement on 23 September 2024. The draft objectives on Housing Diversity and Affordability seek to facilitate affordable housing through a range of measures, including incentives such as density and height bonuses. An action seeks to apply the Affordable Housing Overlay to all zones that envisage residential development, including neighbourhood, township, settlement, and activity centre type zones.

Preparation of the Code Amendment will be cognisant of any strategic directions resulting from current Regional Plans program.

3.3. Alignment with Other Relevant Documents

Additional documents may relate to broader land use intent within the scope of this proposed Code Amendment and, therefore, are identified for consideration in the preparation of this Code Amendment.

The following table identifies other documents relevant to the proposed Affordable Housing Overlay Code Amendment:

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
Expert Panel for the Planning System Implementation Review – Final Report and Recommendations (March 2023)	*Recommendation 55 - The Affordable Housing Overlay should apply to all residential, neighbourhood and activity centre zones.* The proposed Code Amendment will investigate the following recommendations to encourage increased development of affordable housing: • extend the Affordable Housing Overlay to all residential, neighbourhood and activity centre zones • take a more uniform approach to the application of affordable housing policy • review incentives to further encourage developers to provide affordable housing (i.e. dispensation on allotment sizes, building heights provisions, and number of car parks allowances) • consideration be given to revising the threshold for application of the affordable housing policy • investigate coupling a lower affordable housing threshold with an off-set scheme or similar, whereby developers can contribute to an Affordable Housing Fund rather than provide the same.
Transforming our Planning System – Response from the South Australian Government to the Final Report and Recommendations of the Expert Panel for the Planning System Implementation Review (March 2024)	In response to the Expert Panel Report, the Government, supporting recommendation 55, has stated the Affordable Housing Overlay should apply to all residential, neighbourhood and activity centre zones. As a result, the proposed Code Amendment intends to implement the following strategies: • expand the Affordable Housing Overlay in the Code and ensure a greater portion of areas developed for residential purposes is subject to the affordable housing policies • ensure affordable housing is being provided and is not otherwise being avoided

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
	• investigate what mechanisms may be available to it to facilitate this goal, including considering available incentives, lowering the affordable housing threshold, and introducing an Affordable Housing Offset Scheme.
South Australian Government's Housing Roadmap (June 2024)	The 2024 Housing Roadmap identifies the following initiatives related to affordable housing policy in the Code: • To increase affordable housing supply, the Affordable Housing Overlay will be applicable to more residential areas. It was noted the Overlay currently only applies to approximately 55 per cent of residential areas within the Greater Adelaide Region. • This government will seek to amend the Planning and Design Code to broaden the application of the Affordable Housing Overlay to all residential areas in the Greater Adelaide region and develop options for an accompanying Affordable Housing Offset Scheme to increase the supply of affordable and social housing. The proposed Code Amendment directly progresses these aims.

Phase Two (Rural Areas): Planning and Design Code Amendment Engagement Report - Pursuant to Section 73(7) of the *Planning, Development and Infrastructure Act 2016*	Phase Two of the Planning and Design Code Amendment Engagement Report summarised feedback received on the draft Affordable Housing Overlay, including:
	• Affordable housing incentives such as reduced site area and car parking should be:
	  ○ more generous to offset costs associated with delivering affordable housing
	  ○ available outside of the overlay to encourage affordable housing to be delivered in other locations.
	• the Affordable Housing Overlay had not been applied to zones or policy areas where objectives and principles of development controls required affordable housing.
	From this, the Commission committed to further consider how affordable housing incentives could be applied more broadly (for example, as a general

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
	module) to allow them to be utilised outside the overlay. This Code Amendment will further progress this work by expanding spatial application of the Overlay, as well as reviewing incentive policies to further encourage affordable housing.
Phase Three (Urban Areas): Planning and Design Code Amendment Engagement Report – Pursuant to Section 73(7) of the *Planning, Development and Infrastructure Act 2016*	Phase Three of the Planning and Design Code Amendment Engagement Report identified a range of feedback regarding the Affordable Housing Overlay and how the policy may be improved. Relevant feedback included: • Incentives should be made available outside of the overlay to encourage affordable housing to be delivered in other locations. • It was suggested in some responses that the 20% decrease in site area bonus be amended to allow a 40% site area decrease for affordable housing. Conversely, other submissions suggested that this particular incentive be removed entirely. In response, the Commission noted that it will further consider how affordable housing incentives could be applied more broadly as a general module to allow them to be utilised outside the overlay as part of subsequent 'generations' of the Code. This Code Amendment will progress that subsequent work by expanding spatial application of the Overlay (as opposed to introducing a general policy). In relation to requests to increase or remove incentives allowing a reduction in minimum allotment size, the Commission at the time considered that the 20% reduction in site area in DTS/DPF 3.1 was appropriate, noting that other policy within the overlay requires that affordable housing provides a high standard of occupant amenity and complements the character of development in the area. This Code Amendment will review the suitability of the 20% site area/density discount, as well as other appropriate incentives. Regarding spatial application of the Affordable Housing Overlay, the Engagement Report acknowledged that the Overlay was spatially

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
	applied to areas where a minimum 15% affordable housing was expressly sought in Development Plans.
People and Neighbourhoods - Discussion Paper, September 2019	The Discussion Paper preceded implementation of the Phase Three (Urban Areas) Code and its public consultation. The Paper identified the following relevant matters: • the application of affordable housing policy is inconsistent, particularly in relation to incentives. • the Affordable Housing Overlay will be transitioned to the Code and will standardise incentives such as density, height and car parking bonuses. • the Affordable Housing Overlay will clearly define the areas of the state where a 15% provision of affordable housing in residential development applications for 20 or more dwellings is sought • it will be applied to locations currently identified in Development Plans • the new Overlay also contains policies with incentives to help facilitate the provision of affordable housing, such as reduced minimum site areas, car parking or increased building heights.
Local Affordable Housing Plans (LAHPs)	LAHPs can be a key support for the South Australian Government's strategy to provide affordable housing outcomes. In co-operation with all partners involved in the planning, financing and delivery of affordable housing and related services, LAHPs are identified for consideration in preparing this Code Amendment.
National Housing Accord	Relevant commitments/outputs for South Australia include: States and territories to deliver up to 10,000 affordable homes – South Australia allocation of around 700 homes. • Definition of well-located homes and measures of progress. • Undertake expedited zoning, planning and land release to deliver the joint commitment on social and affordable housing in well located areas.

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
	• Ensure achievement of targets for social and affordable housing are met. The Code Amendment will seek to assist in meeting these commitments.
National Planning Reform Blueprint	Measure 6 of the National Planning Reform Blueprint seeks to: "Create accelerated development pathways and streamline approval processes for eligible development types, particularly in well-located areas, including to support the rapid delivery of social and affordable housing." The proposed review of affordable housing policy should assist in the delivery of more affordable housing, focused in well-located areas through appropriate incentive policies.
A Better Housing Future (February 2023)	The Plan seeks to increase affordable housing, which is a direct aim of this Code Amendment.

4. INVESTIGATIONS AND ENGAGEMENT

4.1. Investigations Already Undertaken

The table below identifies investigations already undertaken in support of the proposed Code Amendment.

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
Preliminary review of the spatial extent of the Affordable Housing Overlay	Compare the spatial extent of the Overlay with that of several neighbourhood-type zones to which it would reasonably be expected the Overlay would apply.	A number of discrepancies and inconsistencies in how the Affordable Housing Overlay is applied between different council areas was noted. This inconsistency is historic, reflecting different approaches to affordable housing policy in former council development plans.

4.2. Further Investigations Proposed

In addition to completed investigations (identified above), the below table outlines additional investigations to support the Code Amendment.

Further Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
Determine zones/subzones that suit application of the Affordable Housing Overlay (e.g. what comprises a neighbourhood, residential or activity centre zone)	Spatial review of applicable zones in the Code will inform a business rule about how the Affordable Housing Overlay will be applied through this Code amendment, and how it will be applied in the future (e.g. through future rezonings). To do this, an investigation will be undertaken into zones where the Affordable Housing Overlay currently applies, while identifying all residential, neighbourhood and activity centre type zones, and mapping potential areas and zones where the Overlay is expected to apply but currently does not. This will be followed by a comparison of these spatial directions against current strategic documents to ensure consistency.
Review of interstate approaches to affordable housing (including any recent planning reforms)	A review will be undertaken to identify how interstate jurisdictions facilitate and incentivise affordable housing through their planning schemes. The review will also consider any new initiatives or plans to improve these affordable housing policies/schemes.
Evaluate interaction of Affordable Housing Overlay policy with a potential future off-set scheme	Understand how the coupling of the Affordable Housing Overlay to an Affordable Housing Offset Scheme may best be implemented, and the impact of the proposal on key stakeholders, including developers, the market and suppliers.
Alignment with reforms to enhance housing density and diversity and land availability	The Code Amendment investigations will consider how/whether the Affordable Housing Overlay policy applies to new forms of dwellings/accommodation proposed through the Future Living Code Amendment and the Accommodation Diversity Code Amendment.
Phase-in arrangements	Investigate appropriate phase-in arrangements of the proposed Code Amendment (linked to a potential Affordable Housing Offset Scheme) that will minimise the impact of any changes on the feasibility of current projects.

4.3. Engagement Already Undertaken

Engagement with stakeholders and the community was undertaken by the Expert Panel for the Planning System Implementation Review in 2022. This consultation informed the recommendations which are being progressed through this Code Amendment.

4.4. Further Engagement Proposed

In addition to engagement already undertaken (identified above), the below table outlines additional engagement to be undertaken to support the Code Amendment.

Further Engagement Proposed	Explanation of how the further engagement propose to address an identified issue or question
Liaise with South Australian Housing Trust (SAHT)	Discuss how the objectives of the Code Amendment can be best achieved. Ensure alignment and consistency with the SAHT Act and the functions of the SAHT.
Notification and meeting with developers and providers of affordable housing developments	Understand the current challenges faced in the delivery of affordable housing and identify opportunities to deliver effective and appropriate policy and system improvements.
Community consultation	Broader community consultation to provide an opportunity for any interested community members to comment on the proposed outcomes of the Code Amendment.
Consultation with any person or body specified by the Commission under section 73(6)(e) of the Act.	The Engagement Plan will outline the specific method and nature of consultation.

5. CODE AMENDMENT PROCESS

5.1. Engagement Plan

The Code Amendment process will accord with the Community Engagement Charter and *Practice Direction 2 – Consultation on the Preparation or Amendment of a Designated Instrument* (Practice Direction 2).

The Designated Entity will prepare an Engagement Plan prior to commencement of engagement on the proposed Code Amendment. The Engagement Plan will include below mandatory consultation requirements (which may be in addition to engagement outlined in this Proposal to Initiate):

- Given the proposal's relevance to councils, the Local Government Association must be notified in writing and consulted on the proposed Code Amendment
- Consultation must also occur with any person or body specified by the State Planning Commission under section 73(6)(e) of the Act.

OFFICIAL

5.2. Engagement Report

Once engagement on the Code Amendment is complete, the Designated Entity will prepare an Engagement Report under section 73(7) of the Act.

The Designated Entity must ensure a copy of the Engagement Report is furnished on the Minister and published on the SA Planning Portal, in accordance with Practice Direction 2.

The Commission will also provide a report to the Environment, Resources and Development Committee of Parliament under section 74(3) of the Act. The Commission's report will inform the reason for the Code Amendment, consultation undertaken on the Code Amendment and any other information considered relevant by the Commission.

MATTERS FOR INFORMATION

6.8 NORTHERN AND YORKE LOCAL GOVERNMENT ASSOCIATION MINUTES OF MEETINGS

Author: Chief Executive Officer
24/111182

The minutes of the Northern and Yorke Local Government Association of its meeting of 29 November 2024 are hereby tabled for Council information.

The minutes of the Northern and Yorke Local Government Association of its special meeting of 9 December 2024 are hereby tabled for Council information.

ATTACHMENTS

Attachment 1 Minutes of 29 November 2024
Attachment 2 Minutes of 9 December 2024

SUPPORTING REFERENCES

Nil

DRAFT NORTHERN AND YORKE LOCAL GOVERNMENT ASSOCIATION Minutes

Ordinary Meeting 29 November 2024

Kadina Council Chambers Copper Coast Council

OPENING OF MEETING

The President Mayor Rodney Reid opened the meeting at 10.30 am and welcomed Bridget Ransome the new CEO.

ACKNOWLEDGEMENT OF COUNTRY & WELCOME

The Copper Coast Council Mayor Roslyn Talbot provide an acknowledgement of Country and spoke about the many communities who make up the Copper Coast Council. This included their 3 main centres and Port Hughes and how they all have their own sense of identity. The Council has seen significant growth with a focus on controlled growth although issues around infrastructure continue especially with SA Water. There is a review occurring on Yorke Peninsula Health. The region is gearing up to triple its population during the peak tourism season. The Copper Coast economy is underpinned by a fertile agriculture sector and tourism industry. The Cornish History has a strong influence and the progress for Worl Heritage Listing continues and provides great links to our councils in the region. The Council has completed its new strategic plan 2024-2034 and this was provided for all members.

BRIDGET RANSOME, the new N&YLGA CEO, provided an overview of her experience.

1 ADMINISTRATIVE MATTERS

Present:
Mayor Roslyn Talbot, Mayor Ken Anderson, Mayor Mark Wasley, Mayor Stephen McCarthy, Mayor Grant Chapman, Mayor Allan Aughey OAM, Mayor Bill Gebhardt, Mayor Sue Scarman, Mayor Bill O'Brien, Mayor Leonie Kerley, Mayor Rodney Reid, Mayor Darren Braund, Mayor Bim Lange OAM and Mayor Leon Stephens. CEOs Dylan Strong, David Stevenson, Richard Dodson, Martin Borgas, Paul Simpson, Mark Austin and Darren Starr. Others N&YLGA CEO Simon Millcock and Bridget Ransome. Tony Fox GM Northern and Yorke Landscape Board, Daniel Willson CEO RDA Yorke Mid North and Angela Ruddenklau PIRSA.

1.1 Barunga West Membership

The N&YLGA CEO provided a report with the agenda.

Motion: That the Northern and Yorke Local Government Association receives and accepts the decision by the Barunga West Council to reverse their withdrawal of membership and accepts that they continue as a member of the Northern and Yorke Local Government Association.

Moved: Mayor Scarman Seconded: Mayor Lange CARRIED

1.2 Apologies

Mayor Ruth Whittle OAM, MPs Fraser Ellis, Ashton Hurn, Geoff Brock, Tony Piccolo and Penny Pratt, CEOs Andrew Cameron, Peter Ackland, Kelly Westell, James Miller, Sean Holden, Andrew Aitken, Maree Wauchope and Martin McCarthy.

1.3 Leave of Absence Nil

1.4 Conflict of Interest Nil

Unconfirmed

1.5 Previous meeting minutes Northern and Yorke LGA

The minutes of the Ordinary Meeting held on 30 August 2024 had been distributed.

Motion: That the minutes of the Northern and Yorke Local Government Association Ordinary Meeting held on 30 August 2024 be confirmed as a true and correct record.

Moved: Mayor Kerley Seconded: Mayor McCarthy CARRIED

The minutes of the N&YLGA Special Meeting held on 23 October 2024 were distributed to all Mayors as they are in confidence until 7 June 2025.

Motion: That the minutes of the Northern and Yorke Local Government Association Special Meeting held on 23 October 2024 be confirmed as a true and correct record.

Moved: Mayor Wasley Seconded: Mayor McCarthy CARRIED

1.6 N&YLGA Action List

The N&YLGA CEO provided a report with the agenda.

Motion: That the Northern and Yorke Local Government Association receives and notes the report.

Moved: Mayor Scarman Seconded: Mayor O'Brien CARRIED

1.7 Deferred / Adjourned Items Nil

2 PRESENTATIONS / PETITIONS / DEPUTATIONS

2.1 Mayor Leon Stephens LGA Update

Key points: Native Vegetation, LGA Strategic Plan, Coordinator Generals Office, Local Govt Accord, Defibrillator Bill, Rating Equity re Power Generators, Cost Shifting and Support Guidelines re Council Sustainability. Mayor Stephens acknowledged the role of Mayor Reid on SAROC.

2.2 Daniel Willson CEO RDA Yorke Mid North

Key points: Board Appointments, Funding, Staffing, move of office in Port Pirie, Industry Insights – including the softening of outlook of the region. Current work includes Housing – lack of infrastructure (highlight SA Water), Childcare – work of Orroroo Carrieton, Workforce and Tourism Destination Management Zone pilot. Issue that continues are Connectivity, Regional Leadership, Drought and Business Cash Flow.

3 REPORTS FOR INFORMATION

3.1 Committee minutes

The N&YLGA CEO provided a report with attachments of committee minutes with the agenda.

Motion: That the Northern and Yorke Local Government Association receives and notes the Audit and Risk Management Committee minutes.

Moved: Mayor Gebhardt Seconded: Mayor Chapman CARRIED

Unconfirmed

3.2 Business Plan Update

The N&YLGA CEO provided a report with the agenda.

Motion: That the Northern and Yorke Local Government Association notes the report.

Moved: Mayor Kerley Seconded: Mayor Talbot CARRIED

3.3 Auditors report

The N&YLGA CEO provided a report with the agenda.

Motion: That the Northern and Yorke Local Government Association notes the report.

Moved: Mayor McCarthy Seconded: Mayor Anderson CARRIED

4 REPORTS FOR DECISIONS

4.1 Financial Reports 2024/2025

The N&YLGA CEO provided a report and attachments with the agenda.

Motion: That the Northern and Yorke Local Government Association:

1. **Receives the report and that pursuant to Section 123(13) of the Local Government Act 1999 and Section 7 of the Local Government (Financial Management) Regulations 2011 the Legatus Group notes the contents of the Statutory Finance Reports for the period ending 31 October 2024.**

Moved: Mayor Kerley Seconded: Mayor Stephens CARRIED

4.2 Corporate Credit Card

The N&YLGA CEO provided a report and attachments with the agenda.

Motion: That the Legatus Group receives the report and:
1. Notes the payments made for August – October 2024 and that in the future the current policy Credit Card of the Northern and Yorke Local Government Association is sufficient for reporting purposes.
2. Notes that in accordance with the credit policy a specific report on the monthly expenditure will not come to the board.
3. Approves the closure of the Bendigo Bank Credit Card from 31 December 2024.
4. Approves the opening of a Bank SA Freedom account (Visa Debit Card) to replace the Bendigo Bank Credit Card and that Bridget Ransome is added as the signatory for this account.

Moved: Mayor Anderson Seconded: Mayor Stephens CARRIED

4.3 Signatories for Bank

The N&YLGA CEO provided a report with the agenda.

Motion: That the Northern and Yorke Local Government Association receives the report and approves the removal of Simon Millcock as a signatory for the Bank SA Society Cheque Account Number 021140940 from 31 December 2024 and that Bridget Ransome is approved to be added as a signatory for this account.

Moved: Mayor Scarman Seconded: Mayor Aughey CARRIED

Unconfirmed

4.4 Committees

The N&YLGA CEO provided a report with the agenda.

Motion: That the board receives and notes the report and:
1. Appoints Stephen Rufus as Chair of the Northern and Yorke Local Government Association Audit and Risk Management Committee.
2. That the Northern and Yorke Local Government Association progress with the Northern and Yorke Local Government Association Audit and Risk Management Committee via the current members and seeks to fill the vacancy.
3. Approves Mayor Bim Lange, Andre Kompler, Lee Wallis, Steven Kaesler, Stuart Roberts, Tim Neuman and Mitchell Foote as members of the Northern and Yorke Local Government Association Road Transport and Infrastructure Advisory Committee for a period of 2 years.
4. Requests the CEO to extend a further expression of interest for the vacancies of committees.

Moved: Mayor O'Brien Seconded: Mayor McCarthy CARRIED

4.5 Road and Transport Plan and Special Local Roads Program

The N&YLGA CEO provided a report with the agenda.

Motion: That the board receives and notes the report and confirms as per the budget an amount of 0.64 % will be set of successful Councils with SLRP funding as the levy for this year.

Moved: Mayor Braund Seconded: Mayor Gebhardt CARRIED

5 MOTIONS AND QUESTIONS

5.1 Motions of which Notice has been given Assistance Drought Affected Regions

Mayor Leonie Kerley Barunga West Council provided a letter with the agenda and discussed at the meeting.

Motion: That the Northern and Yorke Local Government Association urges consideration by all fifteen member councils and the Northern and Yorke LGA to advocate to the State and Federal Governments for financial assistance to support drought-affected regions.

Moved: Mayor Kerley Seconded: Mayor Anderson CARRIED

5.2 Motions without Notice

That NYLGA in advocating to the State and Federal Govt include an expression of our gratitude and thank them for allocating $18m funding and look forward to ongoing support for recovery in the future to assist our farming communities and local businesses.

Moved; Mayor Kerley Seconded: Mayor Aughey CARRIED

5.3 Questions with Notice Nil

5.4 Questions without Notice

Mayor Stephens – Port Pirie Regional Council sought responses from members on their approach to Minister Local Govt for review of the Councils ability to have online meetings and discussions held.

Mayor Braund – New traffic work requirements and impacted costs to Councils to consider advocacy in the future – to be agenda item for the next board meeting.

Unconfirmed

6 MEMBERS COMMUNICATION

6.1 Chairperson's Report November 2024

Mayor Rodney Reid Chairperson of N&YLGA provided a report with the agenda and acknowledged that at the recent LGA AGM Mayor Ruth Whittle was recognised for 40 years' service and former Mayor Cr Kathie Bowman for 30 years. He also congratulated the District Council of Orroroo Carrieton for the Minister's Excellence in Public Health Awards and Barunga West Council CEO Maree Wauchope for the Joy Baluch Award. Plus, Mayor O'Brien for his contribution to SAROC and Mayor Talbot for now being on the SAROC Board. Acknowledged also the cohesion and harmony of the N&YLGA Board. Mayor Scarman - discussion held on services via LGA re workshop on wellbeing support for Mayor's and members to consider a workshop before next meeting. Board acknowledged the role of Mayor Reid in the Chairing of the N&YLGA.

Motion: That the chairperson's report for November 2024 be received and noted.

Moved: Mayor Stephens Seconded: Mayor Aughey CARRIED

6.2 Member Updates

Chairperson invited members to provide updates

6.2.1 Mayor Scarman provided a verbal update on the 5 Nations Committee meeting and is conduit between N&YLGA and letter between N&YLGA and the 5 Nations on projects being worked on.
6.2.2 Mayor Gebhardt - Community Passenger Network Tender by DHS across the State – David Stevenson provided an update including support from the others regional council CEOs and waiting on outcomes in the new year. Possible agenda item for consideration at future board meeting.

6.2.3 Mayor Gebhardt - LGA "in-house" legal counsel – concerns re costs to be considered as agenda item at future board meeting before progressing to SAROC and through to LGA Board.

6.2.4 Mayor Wasley - Court of Disputed Returns matter regarding the 2022 periodic election still in court and commissioner reviewing the costs associated with the process.

Mayor Reid acknowledged and thanked outgoing CEO Simon Millcock who provided a brief overview of his time with the N&YLGA.

8 CLOSE / DATE FOR NEXT MEETING

Closed at: 1.06pm

Next Meeting: Friday 28 February 2025 10.30am to be hosted by the Adelaide Plains Council

Unconfirmed

Unconfirmed

DRAFT NORTHERN AND YORKE LOCAL GOVERNMENT ASSOCIATION
Minutes

Special Meeting 9th December 2024

Online

OPENING OF MEETING

The President Mayor Rodney Reid opened the meeting at 4.30 pm and welcomed all attendees.

ACKNOWLEDGEMENT OF COUNTRY & WELCOME

1 ADMINISTRATIVE MATTERS

Present:
Mayor Roslyn Talbot, Mayor Ken Anderson, Mayor Mark Wasley, Mayor Grant Chapman, Mayor Allan Aughey OAM, Mayor Leonie Kerley, Mayor Rodney Reid, Mayor Bim Lange OAM. Others N&YLGA CEO Bridget Ransome.

1.1 Apologies

Mayor Stephen McCarthy, Mayor Sue Scarman, Mayor Darren Braund, Mayor Leon Stephens, Mayor Bill O'Brien.

1.2 Leave of Absence Nil

1.4 Conflict of Interest Nil

1.5 Previous meeting minutes Northern and Yorke LGA

The minutes of the Ordinary Meeting held on 29th November 2024 had been distributed.

Motion: That the minutes of the Northern and Yorke Local Government Association Ordinary Meeting held on 29th November 2024 be confirmed as a true and correct record.

Moved: Mayor Ken Anderson Seconded: Mayor Allan Aughey CARRIED

2 REPORTS FOR DECISION

Motion: That the board approves the removal of Simon Millcock from 31st December 2024 as a signatory and the inclusion of Bridget Ransome and that Colin Davies and Stephen Rufus remain as signatories for the Bank SA Northern and Yorke Local Government Association accounts.

Moved: Mayor Roslyn Talbot Seconded: Mayor Ken Anderson CARRIED

Unconfirmed

3 CLOSE / DATE FOR NEXT MEETING

Closed at: 4.38 pm

Next Meeting: Friday 21st February 2025 at 10.30am to be hosted by the Adelaide Plains Council.

Unconfirmed

MATTERS FOR INFORMATION

6.9 WILLIAMSTOWN AND LYNDOCH LANDCARE GROUP INC. - MINUTES OF MEETING

Author: Executive and Project Support Officer
24/111717

The Minutes of the Williamstown and Lyndoch Landcare Group Inc. meeting held 27 November 2024, are attached for information.

ATTACHMENTS

Attachment 1 Minutes - Williamstown and Lyndoch Landcare Group meeting - 27 November 2024 ⇩

SUPPORTING REFERENCES

Nil

Meeting Minutes

PO Box 694
Lyndoch, SA 5351

Purpose	**General Meeting**		
Prepared by	Terry Redman	**Phone No.**	0418 857 915
Location	Council Rooms, 29 Barossa Valley Way, Lyndoch, SA 5351	**Date**	27 November 2024
Attendees	Angus Atkinson (Chair) Tina Woods Terry Redman Don Wegener Shirley Wegener Tracy Sinclair	Peter Henshaw Joerg Wiese Pam Cross Margaret Puddy Nelly Van Der Lerssel	
Distribution	All current & life members, Chris Kruger (Executive Assistant, Development and Environmental Services, The Barossa Council) and Kim Thompson		
File	20241127_GeneralMeetingMinutes.docx		

Item		Action by	Date Due
1	**Meeting Opened** 7.29 pm.		
2	**Apologies –** Kym Burton, Maria Burton, Elke Wiese		
3	**Minutes of previous Meeting** held 25 September 2024 – Accepted Moved by Tina Woods, seconded by Nelly Van Der Lerssel – Carried.		
4	**Business Arising last meeting:** No business arising.		

WILLIAMSTOWN & LYNDOCH LANDCARE GROUP INC.
LANDCARE SOUTH AUSTRALIA

Meeting Minutes

4.1	**Actions now closed:**		
	ACTION: **Pest animal control program** – to be conducted at Altona over the next 18 months concluding June 2026. Refer General Business.		
	ACTION: Review WWLG obligations as an incorporated Association Review has been undertaken and the key findings are as follows: 1. WLLG current rules (i.e. our Constitution) do **not** cover the following: a. Member: - ▪ Type - it does not detail a life member ▪ Register – it does not provide details of what should be in the register b. appointing a public officer c. dispute resolution Because of this **our constitution should be updated**, which will also provide an opportunity to review the relevance and accuracy of the whole document e.g. our objectives, the date of the AGM, what constitutes a quorum at meetings etc. Our current constitution was signed in 2005, and the Associations Incorporation Regulations were updated in 2023, so timely to review. A full and detailed comparison of our current constitution with the Consumer and Business Services (CBS). Example rules emailed to all members on 17 October 2024. Our constitution does set out a procedure to amend our rules (Clause 13) i.e. subject to a resolution of members at a general meeting. 2. WLLG is defined as an *other association* (rather than a *prescribed association*) based on our gross receipts, and because of this **WLLG financials do NOT need to be audited.** 3. Minutes must be: i. entered into the books of the association ii. confirmed by members of the association present at subsequent meetings iii. signed by the member who presided at the initial meeting and who is presiding at the meeting where the minutes are confirmed. It is noted that the minutes since at least 2018 have not been signed in this way. WLLG believe it is of no value to retrospectively sign these now. Going forward from the November 2024 general meeting a 'signature box' will be added to all minutes of meeting held by WLLG, and they will be signed. **Moved** Tina Woods **Seconded** Joerg Weiss - carried		

WILLIAMSTOWN & LYNDOCH LANDCARE GROUP INC.
LANDCARE SOUTH AUSTRALIA

Meeting Minutes

4.2	**Actions Still open:**		
	ACTION: Environmental and Cultural Flows Project – Water watch (water bugs and water quality monitoring - schools program in Winter) and Bioblitz (water bugs and water quality monitoring – citizen science in Spring). **ACTION: Cultural Awareness activities with three First Nations of the Barossa** **Contact for both actions are Brooke Kerin**.	Angus Atkinson	Feb 25
	ACTION: Tour of Hansen Australia Quarries – Organise a tour as offered by Angie Garzon Gutierrez, Enviro Compliance & Planning Officer. **Contact to be made next year**	Angus Atkinson	Feb 25
	ACTION: Query from Chris Kruger re Management Agreement No response to date	Tina Woods	Feb 25
	ACTION: 2024/25 Year Objectives Plan – A further meeting was held at the container 10/10/2024. All action item leaders provided a progress update. Next (and final for the year) follow-up meeting scheduled for 05/12/2024. The updated 2024 Action Plan is attached to these minutes.	Tina Woods	Dec 24
	ACTION: CFS Training - Following a recent meeting with local CFS, a training session will be undertaken at Altona on a Wednesday night "in the near future".	Angus Atkinson	Autumn 25
5	**New Actions from Business arising this meeting:**		
	ACTION: Review of WLLG Constitution • The WLLG Constitution is to be reviewed and amended to reflect the current Act and Regulations, and the current and future objectives of the group. • A working group will be formed to undertake this and present back a draft set of rules to be voted on in the general meeting to be held in February 2025. Tina Woods will chair this working group which (as agreed in the meeting) will comprise of the existing Committee except Don Wegener.	Tina Woods	Feb 25
	ACTION- Place laminated copy of the revised Volunteer Activity Attendance Record Sheet and Risk Assessment Flowchart on the Notice Board within the Container	Angus Atkinson	5 Dec 2024

WILLIAMSTOWN & LYNDOCH LANDCARE GROUP INC.
LANDCARE SOUTH AUSTRALIA

Meeting Minutes

6	**Correspondence IN-**		

	• **Friends of Parks SA -**
	  ○ **Wednesday Weekly mailout -**
	  • 02/10/2024, 09/10/2024, 16/10/2024, 23/10/2024, 30/10/2024, 06/11/2024, 13/11/2024, 20/11/2024
	• **Northern and Yorke -**
	  • Yakka News **–** 26/09/2024, 30/10/2024*
	  *Feral Deer and goats targeted in "Now or Never Project".
	  • **Northern and Yorke Landscape Board –** 25/10/2024. – 2023/2024 Achievements Report and 2024/2025 Business Plan.
	  • Jennifer Rudd – 30/9/2024 – Discussions with Angus re Altona and historical information on cultural flows/environment flows, Seminars, Opportunities, Upcoming grants and details on Bioblitz including how to do water testing from the Reserve and how to run water testing into the future.
	• **Barossa Council –**
	  • Amy Ruediger – 02/10/2024 – Volunteering Support Officer – New Volunteering Gateway.
	  • Amy Ruediger – 15/10/2024 – Closure of Volunteer Resource Centre from 18/10/2024 and the introduction of 'Hybrid Model where people can still book a 'face to face' appointment or choose to self- serve online via website. New model will provide more opportunities to meet prospective volunteers in their volunteering environment, providing a tailored and customer focused service.
	  Call into the Nuriootpa Office or phone 8563 8495 or visit the Barossa Council website
	• **Landcare Association of South Australia**
	  • Natalia – 02/10/2024 – Notice of AGM and Member Forum 07/10/2024
	• **Green Adelaide Newsletter** –
	  • 16/10/2024, 20/11/2024
	• **Royal Geographical Society of South Australia –**
	  ▪ Upcoming lectures and events – invitation to attend.
	• **Consumer and Business Affairs**
	  ▪ CBS Connect – Monthly Newsletter		

	Correspondence OUT- • 17/10/2024 – WWLG email to all members re Constitution • 23/10/2024 – Beyond Bank – Authorised signatory for Bank Account • 14/11/2024 – Invitation to Kim Thompson to attend final meeting for the year		

WILLIAMSTOWN & LYNDOCH LANDCARE GROUP INC.
LANDCARE SOUTH AUSTRALIA

Meeting Minutes

7	**Chair Report** The dry spring has continued and weed germination has declined further. Most seasonal weeding activity has now ceased until Autumn. Even hand weeding for the woody weeds is much more difficult due to the hard and dry soil. Good results have been observed with the Organic weed control trials. The best candidate has shown excellent long-term results on the Scabiosa tested. This will be scaled up for a larger trial in 2025. The wildlife camera has not identified any active fox breeding dens, and this activity will also be paused until next year. We are currently waiting on a grant application through the Native Vegetation Council to assist with pest animal control in 2025 which will be much appreciated. Summer activity will be focused on monitoring and maintenance only with no scheduled working bee until after the Feb 2025 General Meeting. We are however still attempting to have the leaking oil seal on the slasher/sprayer tractor repaired before the next season. Many thanks again for all the volunteers and best wishes for the new year.		
8	**Monthly Volunteer Hours Summary**		

Tasks	YTD	OCT 24	NOV 24 (to date)
1. Admin Duties (Committee Members)[2]	**84**	13	9
2. Meetings, home & away	**57**		
3. Promotions. (Tours, demos, etc.)	**23**	12	3
4. Propagation (Sowing, planting out, seed collection, etc.)	**nil**		
5. Weed & Pest Control	**561**	166	70
6. Construction & maintenance (Equipment, fencing, trails, buildings, etc.)	**35**		1
7. Equipment design & manufacture (Seed boxes, displays, jigs, tools, etc.)	**nil**		
8. Monitoring	**36**	18	
Totals	**796**	**209**	**83**

WILLIAMSTOWN & LYNDOCH LANDCARE GROUP INC.
LANDCARE SOUTH AUSTRALIA

Meeting Minutes

9 **Treasurers Report** – as presented by Tina Woods:
Moved that Report be accepted by Angus Atkinson, seconded by Terry Redman – Carried

Monthly Income & Expenditure – since last General Meeting

	SEPT 24	OCT 24	NOV 24 (to date)
Balance Brought Forward	$ 11,782.71	$ 7,539.53	$ 7,542.73
Income	$ 4.11	$ 3.20	
Expenses	$ 4,247.29	$ -	
End Month Balance	**$ 7,539.53**	**$ 7,542.73**	**$ 7,542.73**

Account Balances – since last General Meeting

	SEPT 24	OCT 24	NOV 24 (to date)
Administration	$ 2,738.18	$ 2,741.38	$ 2,741.38
Credit Union Share	$ 2.00	$ 2.00	$ 2.00
Project No.2 (Altona)	$ 4,799.35	$ 4,799.35	$ 4,799.35
Total End Month Balance	**$ 7,539.53**	**$ 7,542.73**	**$ 7,542.73**

Notes:

1. **FY24 Financial records Review** – Records have been shared with Kelly Wilksch, TBC Manager Financial Services for review. Nothing from TBC to date.
2. **Expenditure Approvers** – Letter provided to Beyond bank to remove Tracy Sinclair as an approver and to add Peter Henshaw (based on change of Vice-Chair position).
3. Major expenses in September are as follows:
   a. BDBSA Upload Project $799.04
   b. Environmental Weed Control & Revegetation $2,901.25
   c. Reprint of Pamphlets (1000 off) $547

10 **Petty Cash** – as presented by Angus Atkinson
Current balance $165.15.

11 **Work Health and Safety**

1. **Rapid Numbers** – During a meeting at the Lyndoch CFS Station on 18 September (attended by Angus Atkinson and Tina Woods), the CFS advised that Rapid Numbers are used by the CFS. Following this the rapid number on the emergency and evacuation sign have been checked. All except one was correct (A11) – Both signs will be corrected with a dyno label.

WILLIAMSTOWN & LYNDOCH LANDCARE GROUP INC.
LANDCARE SOUTH AUSTRALIA

Meeting Minutes

	2. **Revised Volunteer Activity Attendance Record Sheet & Risk Assessment Flowchart** – To ensure that the Risk Assessment process, common activities with their hazards and risk controls are readily available to all members a copy has been laminated and is to be placed on the notice board within the Container. 3. **TBC annual risk assessment** – Kim Thompson advised will be on site Thursday 12 December at 10.30am.		
12	**Publicity:** • **Facebook** o Regular updates continuing. 635 followers. - Good feedback being provided following Friday working bee post and photos • **Lyndoch Grapevine** o Standing Advertisement. • **Willy Wagtail** o Standing Advertisement		
13	**General Business:** **Pest Control** – Kim Thompson from The Barossa Council (TBC) joined the meeting "online", providing an update in relation to activities to be conducted over the next two years. Currently working with Tanya Schneider, Native Vegetation Council to develop a grant to control pest animals at Altona and surrounding areas including Chatterton's and Neville Kies properties, collectively an area of about 200 Ha of remnant vegetation. Seven occasions have been proposed, four this financial year and three in 2025/2026 using the Councils specialist pest control contractor, James Reeves, Specialist Pest Control, to undertake the work. **Biological Databases of South Australia upload Project** Kim Thompson remained online whilst Tina Woods provided a "show and tell" of the fauna and flora lists, contained in the 5-year Management plan, which were recently uploaded to the Biological Databases of South Australia (BDBSA), a project undertaken by Ellen Krahnert from BDBSA and Tina Woods. The information is accessible to everyone via NatureMaps and now contribute to the many databases that feed into Atlas of Living Australia. **Tractor –** Oil continues to leak from front left wheel. Discussions and photos have been provided to Tundarri Sales and Service to try and identify a solution but the problem cannot be sorted this way. Best approach is to leave the tractor with them to allow an inspection to identify problem/s. Unfortunately, costs associated with this action are unknown and may be significant. Advised to keep up oil levels and review later next year. **Barossa Country Walks App** – This application (published by the Royal Geographical Society of South Australia) now contains the Altona CSR Landcare Reserve walks. Can be downloaded. The App looks like this:		

WILLIAMSTOWN & LYNDOCH LANDCARE GROUP INC.
LANDCARE SOUTH AUSTRALIA

Meeting Minutes

	  **Thankyou** – Shirley Wegener thanked volunteers for flowers she received after recently returning home from Hospital.		
14	**Key Dates for 2024** • **The Barossa Council** – Annual Risk Assessment – Kim Thompson advised she will be on-site Thursday 12 December 2024 at 10.30 am • Christmas get together for volunteers at Peter and Marianne Henshaw's house, 5 Kies Court, Lyndoch at 2.00 pm on 05/12/2024.		
15	**Next Meeting** – The next Meeting will be Wednesday 26th February 2025, Council Rooms, 29 Barossa Valley Way, Lyndoch, SA		
16	**Meeting Closed:** 8.46pm.		

	Name	**Signature**	**Date**
Member who presided over the meeting which these minutes record:		I confirm that these minutes are an accurate record of the proceedings of the meeting:	
Member who presided at the meeting where these minutes are confirmed:			

MATTERS FOR INFORMATION

6.10 NURIOOOTA CENTENNIAL PARK AUTHORITY - BOARD AND AUDIT COMMITTEE MINUTES

Author: Chief Executive Officer
24/111864

The Nurioopta Centennial Park Authority Board minutes of 18 September 2024 and 23 October 2024 are hereby tabled for Council information.

Further the Audit Committee Minutes of the Authority for the 10 October 2024 are hereby tabled for Council information.

ATTACHMENTS

Attachment 1 Minutes of 18 September 2024
Attachment 2 Minutes of 23 October 2024
Attachment 3 Minutes of 10 October 2024

SUPPORTING REFERENCES

Nil

BIG4 Barossa Tourist Park

NURIOOTPA CENTENNIAL PARK AUTHORITY

Wednesday 18th September 2024, 7:00pm, NCPA Boardroom

BOARD MINUTES

Meeting formally opened at 7.00pm.

1. **COMMENCEMENT**
   - **1.1 Welcome**
     Guy Martin (Chairperson) welcomed everyone to the meeting.

     Present Guy Martin (Chairperson), Cr Tony Hurn, Robin Phillips, Simon Gill, David Paprzycki (online) and Tanya Pumpa (Business Manager - Minutes). Quorum reached.

   - **1.2 Apologies** – Steven Bell, Peter Cooper and Brett Lydeamore.

   - **1.3 Declarations of Interest** – Nil.

2. **STAKEHOLDER PRESENTATIONS / REQUESTS** – Nil.

3. **CONFIRMATION OF PREVIOUS MINUTES**
   MOVED Simon Gill that the Minutes of the Board meeting held on the 21st of August 2024, as circulated, be confirmed as a true and correct record of the proceedings of the meeting.
   SECONDED David Paprzycki **CARRIED**

4. **BUSINESS ARISING FROM PREVIOUS MINUTES** – Nil.

5. **CORRESPONDENCE**
   - **5.1 Correspondence In**
     - **5.1.1** Letter from BIG4 (Sean Jenner CEO) Re: Renewal of License Agreement – Dated 25.07.2024.
       License Agreement to end on 28.02.2025. A new Agreement to come out in the coming months.

   - **5.2 Correspondence Out**
     - **5.2.1** Nil.

   MOVED Simon Gill that all correspondence be accepted.
   SECONDED Robin Phillips **CARRIED**

6. **WORK, HEALTH AND SAFETY** – Nil.

7. REPORTS

7.1 Business Manager Report

The Business Managers Report was tabled and discussed. MYOB Balance Sheet and P&L Report for July and August 2024 (in DRAFT) were circulated and a Payroll Analysis Report. RMS YTD Cash, Occupancy and Projected Forecast Reports were circulated. Wages against the budget were discussed. With cabin occupancy up, cleaning costs go up too. BIG4 West Beach are leaving the BIG4 brand and going to Discovery.

MOVED Robin Phillips that the Business Mangers Report be accepted.

SECONDED Simon Gill **CARRIED**

7.2 Park Operations Report (By Office, Grounds, Asset and Housekeeping Supervisor's)

The Park Operations Report was tabled and discussed. The Asset Supervisor Report was tabled and discussed.

7.3 BIG4 Quarterly Report

The BIG4 Website Dashboard Report was tabled and discussed. For the period 1.8.2024 to 31.8.2024 sales are down 8%, bookings are down 18% and nights are down 16%.

7.4 Website Care Service Report – Tabled for the period 1.8.2024 to 1.9.2024.

7.5 Sports Centre (NSFC) Report – Nil.

7.6 Audit and Risk Committee (AARC) Report – Nil.

7.7 Social Media Marketing Report

The Marketing Report, by Natalie Stewart, was tabled.

8. IMPROVEMENT PROGRAM UPDATE (RISK ANALYSIS) – Nil.

9. OTHER BUSINESS

9.1 Proposed Carpark Plans

Two contractors have been onsite and working on quotes.

9.2 L Lambe 8 Ash Drive Dispute

We have keys and the dwelling has been gutted.

9.3 Solar Power Upgrade – Pending.

9.4 C-Amenities Upgrade

Barossa Carpenters have committed to commencing works early October.

10. NEW BUSINESS

10.1 NCPA Board Position Nominations

Nomination forms x 5 have gone out to Board members, Guy, Steven, Brett, Peter and Robin. Cr Tony Hurn is on the Board as a Council Representative. Once signed forms have been received, Tanya to forward to Council with recommendation.

10.2 BIG4 Park Audit Outcome

Our 2024 Park Audit was our best one yet, scoring overall 94.82%. Our customer engagement was 100%. Our BIG4 Brand engagement was 100%. Our BIG4 descriptor program was 100%. Our on-site park assessment (excluding Cabins) was 92.03%. And lastly, our on-site park assessment (Cabins) was 84.3%.

MOVED Cr Tony Hurn to thank Tanya Pumpa and the team for the efforts that went into the Audit and to acknowledge the successful outcome.

SECONDED David Paprzycki **CARRIED**

10.3 Various issued raised by Council for NCPA

Martin McCarthy has been in communications with Guy Martin raising several issues with regards to the NCPA. The Charter is overdue to be reviewed with Council admitting it's behind schedule. Martin will be writing the scope for an external consultant to commence the review process. Guy has requested the Board see the scope of works before it goes out to tender. There are some hurdles with the insurance for the Kaesler Van. The agreement states NCPA are the ensure it is insured, but the LGA Insurers won't cover as we don't own the asset. And the Licences for the Sports Clubs have now been pushed back on us for 2024 after being advised that Council will be managing the processes under a new community tier that have introduced.

10.4 2023/24 Draft Financial Statements

The Board give Guy Martin and Tanya Pumpa permission to sign the 2023/24 Draft Financial Statements when they are presented by Council.

MOVED Simon Gill that Guy Martin and Tanya Pumpa can sign the 2023/24 Financial Statements.

SECONDED Cr Tony Hurn **CARRIED**

11. DATE OF NEXT MEETING – 23rd of October 2024 at 7.00pm. This has been pushed back to the fourth Wednesday fir the BIG4 Annual Conference.

12. MEETING CLOSED at 7.55pm.

Confirmed at Board Meeting - / 20

DATE: 23/10/24 **CHAIRPERSON:** .....

BIG4 Barossa Tourist Park

NURIOOTPA CENTENNIAL PARK AUTHORITY

Wednesday 23rd October 2024, 7:00pm, NCPA Boardroom

BOARD MINUTES

Meeting formally opened at 7.05pm.

1. **COMMENCEMENT**
   - **1.1 Welcome**
     Guy Martin (Chairperson) welcomed everyone to the meeting.

   - **1.2 Present** Guy Martin (Chairperson), Steven Bell (Deputy Chairperson), Peter Cooper, Brett Lydeamore (late arrival), Cr Tony Hurn, Robin Phillips, David Paprzycki and Tanya Pumpa (Business Manager - Minutes).

   - **1.3 Apologies** – Simon Gill.

   - **1.4 Declarations of Interest** – Nil.

2. **STAKEHOLDER PRESENTATIONS / REQUESTS**
   - **2.1** NRFC Letter of Support – Agreed to proceed with a letter of support for Oval Lighting Upgrade.
   - **2.2** NNC Support of Grant Applications – Agreed to support the club with their grant application for court resurfacing. NNC to obtain quotes.

3. **CONFIRMATION OF PREVIOUS MINUTES**
   MOVED Robin Phillips that the Minutes of the Board meeting held on the 18th of September 2024, as circulated, be confirmed as a true and correct record of the proceedings of the meeting.
   SECONDED Cr Tony Hurn **CARRIED**

4. **BUSINESS ARISING FROM PREVIOUS MINUTES** – Nil.

5. **CORRESPONDENCE**
   - **5.1 Correspondence In**
     - **5.1.1** Email from Nick Wilton, Barossa Carpenters dated 17.10.2024 Re Family Bathrooms. He no longer has the capacity to complete the job.
   - **5.2 Correspondence Out**
     - **5.2.1** Nil.

   MOVED Steven Bell that all correspondence be accepted.
   SECONDED Robin Phillips **CARRIED**

6. **WORK, HEALTH AND SAFETY** – Nil.

7. REPORTS

7.1 Business Manager Report

The Business Managers Report was tabled and discussed. MYOB Balance Sheet and P&L Report for July and August 2024 (in DRAFT) were circulated and a Payroll Analysis Report. RMS YTD Cash, Occupancy and Projected Forecast Reports were circulated. Wages against the budget was discussed.

MOVED David Paprzycki that the Business Mangers Report be accepted.
SECONDED Cr Tony Hurn **CARRIED**

7.2 Park Operations Report (By Office, Grounds, Asset and Housekeeping Supervisor's)

A Report from Grounds, Housekeeping and Asset Supervisor's was tabled and discussed. Discussed "The Manly" tiny home.

(7.15pm Brett Lydeamore arrived)

7.3 BIG4 Quarterly Report

The BIG4 Website Dashboard Report was tabled and discussed. Our sales, bookings and nights are all tracking down. We are currently reviewing tariffs as probably sitting a little high, due to high bars and extra high bars being too high. Caravans are down.

7.4 Website Care Service Report – Nil.

7.5 Sports Centre (NSFC) Report – No sales for September.

7.6 Audit and Risk Committee (AARC) Report – Minutes of Meeting 9th May 2024 were tabled.

7.7 Social Media Marketing Report

The Marketing Report, by Natalie Stewart, was tabled. TP discussed.

8. IMPROVEMENT PROGRAM UPDATE (RISK ANALYSIS) – Nil.

9. OTHER BUSINESS

9.1 Proposed Carpark Plans

Two contractors have now been onsite and working on quotes. Total Earthworx have sent theirs through. There are 3 options to consider. Overall, around $900k plus the exclusions plus a 20% contingency = Approximately $1.2million.

Discussed was the excess water over the cricket nets surface, built up at the back of nets. Photos were circulated. A cricket parent pumped some of the excess water over to High School as it will ruin surface. The underground tank as part of the carpark plans will resolve this issue in future, if power doesn't go out! The downpour of rain highlights how urgent it is to get the carpark underway. The stormwater from changerooms pool there too. Council learned from mistakes from Nuriootpa and then got everyone else's right. Should the nets be moved before carpark project? They will always be sub-standard nets.

9.2 L Lambe 8 Ash Drive Dispute

We officially have the keys, and the dwelling gutted. The shell has been sold for $500 with it to be removed from site by 31.10.2024.

9.3 Solar Power Upgrade – Project pending.

9.4 C-Amenities Upgrade

As tabled at 5.1.1, the accepted contractor withdrew. We are now sourcing a further quote. The project has been pushed back until Feb 2025.

9.5 NCPA Governance and Services Review - Confidential
Guy gave an update as to where this is at with Martin McCarthy. With Sporting Licences, we are now to bill from NCPA for 2024, after originally being advised Council would manage this under the new regional fee structure. Council haven't released any of the details to us for this new fee rollout.

9.6 Kaesler Van Insurance
Ian Mader has been advised their Family Trust will need to own the Insurance Policy as they own the asset. The NCPA will cover the cost of the insurance.

10. NEW BUSINESS

10.1 NCPA 2023-24 Annual Report
The 2023-24 Annual Report was circulated, as provided to Council. Received and noted.

10.2 NCPA 2023-24 Variances Report
The 2023-24 Variances Report was circulated and discussed.

10.3 Permanent Resident Rates
The rate increase for the Permanent Residents has been set at $166.90 per week for the calendar year 2025.

10.4 Financial Information Framework
As recommended by the NCPA Audit and Risk Committee. The Board to adopt Version 7 "NCPA Financial Information Framework" document. Guy Martin to sign.
MOVED Peter Cooper that we accept the revised document.
SECONDED David Paprzycki **CARRIED**

10.5 2025 Board Christmas Dinner
The agreed date is set for Friday the 29th of November 2024, at 6.00pm. Preferred venue is Lambert Estate.

10.6 Coulthard Reserve
It was raised that now is the time to get rid of the saplings in Coulthard Reserve while the ground is wet. Need to be able to mow when it dries out. Saplings are now too big. Get prices to clear it out by someone with the right equipment.

11. DATE OF NEXT MEETING – November 20th 2024 at 7.00pm.

12. MEETING CLOSED 7.55pm.

Confirmed at Board Meeting - / 20

DATE: 20-11-24 **CHAIRPERSON:** .....

BIG4 Barossa Tourist Park

NURIOOTPA CENTENNIAL PARK AUTHORITY (NCPA)

Thursday 10th October 2024, 1.00pm, NCPA Boardroom

AUDIT AND RISK COMMITTEE (AARC)

MINUTES OF MEETING

Meeting opened at 1.00pm.

1. COMMENCEMENT

1.1. Welcome

Matthew Taylor, as Chairperson, welcomed everyone to the meeting.

Present

Committee: Matthew Taylor (Chairperson), Elaine Ratcliffe (Independent Member), Guy Martin, Cr Tony Hurn (late arrival), Daniel Aitchison (The Barossa Council, Acting Finance Manager).

Invited: Tanya Pumpa (Business Manager).

1.2. Apologies – Kelly Wilksch.

1.3. Declarations of Interest – Nil.

2. CONFIRMATION OF PREVIOUS MINUTES

The Minutes of the Audit and Risk Committee Meeting held on the 9th of May 2024 were tabled and discussed.

MOVED Elaine Ratcliffe that the Minutes of the Meeting held on the 9th of May 2024 be confirmed as a true and correct record of the proceedings of that meeting.

SECONDED Guy Martin **CARRIED**

3. BUSINESS ARISING FROM PREVIOUS MINUTES

The Action Register was tabled, discussed, and noted as an ongoing document.

*Cr Tony Hurn arrived.

4. CONSENSUS AGENDA

4.1. Audit and Risk Committee (AARC) Work Plan 2024

The ongoing document was tabled, document to be updated prior to each meeting.

At 3.3 reintroduce the training register and present to AARC. Move comment over to Q4 and present and next AARC meeting.

Carry over 6.1, 6.3 and 6.4 to Q4 meeting with regards to external auditors.

The AARC Terms of Reference (TOR's) is later in the agenda.

MOVED Matthew Taylor that the Work Plan document has been reviewed.

SECONDED Guy Martin **CARRIED**

4.2. Audit and Risk Committee (AARC) Annual Activity Report 2024
The ongoing document was tabled, document to be updated prior to each meeting.

5. DEBATE AGENDA

5.1. NCPA Procurement Policy – Final
The NCPA Procurement Policy in final format (Version 1.6) was circulated and discussed in detail. Spoke of delegations and financial limits. The updated document is a fair reflection of what was discussed previously. Document signed by Matthew Taylor and Guy Martin.

5.2. NCPA Customer Service Policy – Final
The NCPA Customer Service Policy in final format (Version 1.1) was circulated and discussed in detail. Document signed by Matthew Taylor and Guy Martin.

5.3. NCPA Complaint Handling Process - Final
The NCPA Complaint Handling Process in final format (Version 1.2) was circulated and discussed in detail. Document signed by Matthew Taylor and Guy Martin.

5.4. NCPA Public Interest Disclosure Policy - Final
The NCPA Public Interest Disclosure Policy in final format (Version 1.1) was circulated and discussed in detail. Document signed by Matthew Taylor and Guy Martin.

MOVED Elaine Ratcliffe acknowledgment that all changes as requested have been made and documents be signed off.
SECONDED Cr Tony Hurn **CARRIED**

6. NEW BUSINESS

6.1 NCPA 2023/24 Draft Financials – Not yet received (advised should be next week)

NCPA 2023/24 Annual Report and Variance Report
Guy Martin presented the Annual Report as provided to Council and discussed. CEO of Council is reviewing the current Charter document and possibly taking over the management of Sport and Recreation.

6.2 MYOB P&L and Balance Sheet as of 30 June 2024
The MYOB Reports were tabled and discussed. Gas seems excessively low.

6.3 MYOB 2024-25 P&L – July + August
The MYOB Reports were tabled and discussed.
*Provide Matt with a copy of 2024-25 budget.

6.4 NCPA AARC TOR's
The NCPA Terms of Reference (TOR's) (Version Updated January 2020) was presented for review. The document still has the old name, Audit Committee. Update the document to reflect the name changes and present at next meeting. New name is Audit and Risk Committee (AARC).

6.5 Updates on Capital Expenditure
The C-Amenities upgrade plans have been changed slightly while waiting on tradespeople. The Football Club oval lighting upgrades is waiting on grant outcomes. And the refurbishment of 2 new cabins (Fam 4 and Fam 6) is scheduled for February 2025.

7. DATE OF NEXT MEETING

The date of the next meeting is set for Thursday the 14th of November at 1.00pm. Or Wednesday the 11th of December as a backup.

8. MEETING CLOSE

Matthew Taylor declared the meeting closed at 1.40.

Minutes confirmed at Audit and Risk Committee Meeting -

DATE: ..... CHAIRPERSON: .....

MATTERS FOR INFORMATION

6.11 CORRESPONDENCE FROM BOUNDARIES COMMISSION - UPDATE ON TOWN OF GAWLER PROPOSAL

Author: Chief Executive Officer
24/112696

Correspondence has been received outlining that the Commission has received the draft report and is now assessing the information.

The correspondence is hereby tabled at the Attachment.

ATTACHMENTS

Attachment 1 Correspondence from Boundaries Commission ⇩

SUPPORTING REFERENCES

Nil

Government of South Australia
South Australian Local Government Boundaries Commission

GPO Box 2329
Adelaide SA 5001

Tel (08) 7133 1311
boundaries.commission@sa.gov.au

9 December 2024

Mayor Bim Lange
The Barossa Council
PO Box 867
NURIOOTPA SA 5355

By email to: mayor.lange@barossa.sa.gov.au

Dear Mayor Lange

Town of Gawler Boundary Change General Proposal – Draft Inquiry Report

I refer to the Town of Gawler's Boundary Change General Proposal Inquiry (the Inquiry).

The Boundaries Commission has received a Draft Inquiry Report from the Inquiry Investigator, BDO Services Pty Ltd (BDO).

When finalised, the Inquiry Report will be key in informing the Commission in the preparation of its report and recommendations to the Minister for Local Government. The Commission is therefore carefully considering the Draft Inquiry Report to ensure that a Final Report will enable the Commission to meet its statutory requirements under the *Local Government Act 1999* (the Act), the Commission's Guidelines and the Inquiry Plan.

As you may recall, the Commission must publish its final report and recommendations on the Commission's website at the point at which these are provided to the Minister, as required by section 31(5) of the Act.

I take this opportunity to acknowledge the contributions made by your Council and staff to this important Inquiry process and thank you for your cooperation and patience.

The Inquiry engagement process resulted in over 6,600 visits to the YourSAy website with a total of 525 feedback submissions, and 138 people attending the community forums. The Commission greatly values the community and stakeholder feedback received as part of the Inquiry. All contributions will help to inform the Commission's report and recommendations to the Minister for Local Government.

Should you have any further queries, please feel free to contact the Commission's Executive Officer, Mr Peter Ilee, on 7133 1311 or by email to boundaries.commission@sa.gov.au.

Yours sincerely

Rob Donaldson
CHAIR
SOUTH AUSTRALIAN LOCAL GOVERNMENT BOUNDARIES COMMISSION

Cc Martin McCarthy – CEO – The Barossa Council – via email: mmccarthy@barossa.sa.gov.au

DEBATE REPORT

7.1 Office of the Mayor and CEO

7.1.1 COUNCIL BEHAVIOUR SUPPORT POLICY

Author: Chief Executive Officer
24/112473

PURPOSE

To consider the draft Elected Member Behaviour Support Policy for public consultation, as instructed by Council at its meeting of 19 November 2024.

RECOMMENDATION

That Council, having reviewed the draft Elected Member Behaviour Support Policy and legal advice:

(1) Approve the Elected Member Behaviour Support Policy for Public Consultation.

(2) Approve the public consultation process to begin on Wednesday 8 January 2025:

a. With advertisements in The Leader and Bunyip;
b. Release on social media;
c. Availability of information on the Council website and YourSay Barossa; and
d. That the head petitioner from the petition tabled with Council at its meeting of 19 November 2024 shall be made aware of the release of the Policy for consultation;

and that the consultation shall run for 21 days concluding on Wednesday 29 January 2025.

REPORT

Background
Council received a petition at its meeting on 19 November 2024 pertaining to the application of the behaviour standards and policies, and resolved as follows.

MOVED *Cr de Vries*

That Council receive and note the petition and instruct the Chief Executive Officer to seek legal advice on the question proposed by the petitioners and the use of Section 75F of the Local Government Act 1999, and if legally acceptable, draft the said Council Behavioural Support Policy for presentation at the December 2024 meeting of Council and notify the lead petitioner of this direction.

SECONDED *Cr Troup* ***CARRIED 2022-26/560***

Introduction
A preliminary conversation has been had with Kelledy Jones Lawyers and they attested that a Policy can be developed under the Local Government Act (the Act) for the purposes sought, of course subject to wording and review of the document.

A draft Policy was therefore developed by reviewing other Council Policies, the LGA model Council Behaviour Support Policy, the Act, the intent of Councils instruction and the basis of the petition and provided to our solicitors for review and advice.

Discussion
The Policy addresses the areas outlined in the petition to the extent considered reasonable in balancing the leadership and representative roles of an Elected Member in the community and their personal activities.

The Policy has been reviewed by Kelledy Jones Lawyers and they have provided their advice and reviewed the Policy. The Policy and advice are at Attachments 1 and 2 respectively.

The Council cannot adopt such a Policy under Section 75F of the Act without first undertaking consultation. Should Council support the Policy for consultation a process will be undertaken in the new year, as it would not be a sound time to undertake consultation prior to festive season break.

The consultation process to meet the Public Consultation Policy is outlined in the report following.

Summary and Conclusion
As instructed by Council a draft Policy and legal review has been undertaken and it is now tabled for Council review and approval for undertaking public consultation.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Draft Elected Member Behaviour Support Policy - For Consultation ⇩

Attachment 2 Legal Advice for Elected Member Behaviour Support Policy Draft ⇩

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

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

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

BS7 Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and

authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims

Legislative Requirements

Section 75F of the Local Government Act

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

No impact on resourcing to development the policy.

Legal advice and review estimated at $1,500.

The Policy itself is a risk management tool.

Any complaints against Elected Members pertaining to behaviour are not budgeted for.

COMMUNITY ENGAGEMENT

Community engagement is required for at least 21 days. Consultation will take the form, subject to Council approval, as follows:

Public consultation process to begin on Wednesday 8 January 2025:

- With advertisements in The Leader and Bunyip;
- Release on social media;
- Availability of information on the Council website and YourSay Barossa; and
- That the head petitioner from the petition tabled with Council at its meeting of 19 November 2024 shall be made aware of the release of the Policy for consultation.

Consultation will conclude on Wednesday 29 January 2025.

THE BAROSSA COUNCIL
ELECTED MEMBER BEHAVIOUR SUPPORT POLICY

1 Purpose

1.1 The Council is committed to acting as representative, informed and responsible decision makers.

1.2 In meeting these requirements, Elected Members are supported to uphold the values of honesty, integrity, accountability and transparency, for the purposes of fostering community trust and confidence in the Council specifically, but also in local government generally.

1.3 The obligations for Members under the *Local Government Act 1999* (the **Act**) include to ensure positive and constructive working relationships within the Council and to develop skills relevant to their roles.

1.4 Members are also required to represent the interests of residents and ratepayers, by providing community leadership and guidance and facilitating communication between the community and the Council.

1.5 This Behavioural Support Policy (**Policy**) has been agreed and adopted by the Council, as a governing body, and sets out the expectations of Members with respect to interactions between themselves, Administration and the community in giving effect to these principles.

1.6 The Policy is designed to support appropriate behaviour by Members of the Council in their pivotal role and duties as a community leader and is to be read in conjunction with the Behavioural Standards for Council Members.

2 Scope

2.1 All Elected Members must comply with the provisions under this Policy as stipulated by Section 75F(4) of the Act.

2.2 This Policy sets out additional conduct standards for Elected Members, elected by the community to undertake their roles under Section 59 of the Act and who otherwise act as community leaders at all reasonable times whilst in the public realm.

2.3 For the avoidance of doubt, this Policy applies to an Elected Member's behaviour when conducting Council business, in the exercise of Office, or, otherwise, when generally navigating the public realm as a community leader and in such circumstances were a reasonable and impartial person would expect such conduct standards shall apply.

2.4 Any alleged breach of the Policy will be received and dealt with under the Elected Member Behavioural Management Policy.

DRAFT FOR CONSULTATION

3 Policy Statement

3.1 Behavioural Support Statement

We, the Elected Members commit to the following Policy statements which compliment any Gazetted standards of the Minister under Section 75E of the Act:

Elected members, as representatives of Council and community leaders, will:

3.1.1 Communicate and engage with the community on Council's key directions, providing factual information on the challenges and opportunities respectfully and in accordance with resolutions of Council.

3.1.2 Ensure the Office of an Elected Member is enhanced by our conduct.

3.1.3 Ensure the Council is not brought into disrepute, or take action, or do such things, that may give rise to reputation damage for the Council.

3.1.4 Not utilise our status as an Elected Member to influence a person or outcome improperly or unethically.

3.1.5 Treat all people with respect and always listen to them and respond in a polite and respectful way, noting this does not mean a matter cannot be debated, argued, or disagreed in a respectful manner.

3.1.6 Not threaten, intimidate, or abuse (in writing, actions or verbally) anyone.

3.1.7 For clarity, this Policy does not prevent robust debate within Council or with the public realm on any relevant local government matter or public policy. However debate shall be conducted consistent with the Behavioural Standards for Elected Members and the Elected Member Behavioural Management Policy.

3.2 Complaints made under this Policy

3.2.1 Any complaint made against any Elected Member under this Policy will be received and treated as if the complaint was made under the Behavioural Standards for Elected Members and dealt with in accordance with the Elected Member Behavioural Management Policy.

3.2.2 All processes, reports, outcomes, and actions shall be undertaken in accordance with the Elected Member Behavioural Management Process including any proposed referral to the Behavioural Standards Panel.

4 Supporting Processes and Documents

4.1 Elected Member Behavioural Management Process (24/35625*)

5 Related Policies

5.1 Elected Member Behavioural Management Policy (24/35624*)

6 Legislation and References

6.1 This Policy has been prepared and adopted pursuant to Section 75F of the Act.

Uncontrolled once removed from webpage or Council's Record Management System. Before using printed copy please verify that it is the current version. © The Barossa Council 2020

DRAFT FOR CONSULTATION

6.2 This Policy forms part of the Behavioural Management Framework for Elected Members.

6.3 Section 75(F)(2) of the Act provides that a Behavioural Support Policy may:

a. Specify directions related to behaviour that must be observed by members of the council; and
b. Set out guidelines relating to compliance by members with the Behavioural Standards for Council Members and directions under clause a. above; and
c. Include any other matter relation to behaviour of council members consider appropriate by the Council.

6.4 Section 75F(3) provides that a Behavioural Support Policy:

a. Must not be inconsistent with the behaviour standards; and
b. Must comply with any requirements specified by the behavioural standards.

7 Review

7.1 This Policy will be reviewed by the Council in consultation with the community, within twelve (12) months of a general election held under the *Local Government (Elections Act 1999*, or more frequently if legislation or Council's needs change.

8 Further Information

8.1 This Policy is available on Council's website at www.barossa.sa.gov.au. It can also 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.

8.2 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 *Customer Service Policy*

9 Definitions

Behavioural Management Framework	Is the legislative framework within which all Elected Members must operate and is comprised of three components for the Council: • The Behavioural Standards for Council Members, as Gazetted by the Minister for Local Government, which apply to all council Members in South Australia; • The mandatory Behavioural Management Policy relating to the receipt and management of complaints made against Council Members and adopted pursuant to section 262B of the Act; and • This discretionary Behavioural Support Policy (or policies) designed to support appropriate behaviour by Elected Members and adopted pursuant to section 75F of the Act.
Bullying	Repeated and intentional use of words or actions against someone, or a group of people, that cause distress and risk to their wellbeing. These actions are usually exhibited by persons who have, or are perceived to have, more influence or power over someone else.

Uncontrolled once removed from webpage or Council's Record Management System. Before using printed copy please verify that it is the current version. © The Barossa Council 2020

DRAFT FOR CONSULTATION

Elected Member	A person that has been duly elected and sworn an Oath of Office under the *Local Government (Elections) Act 1999*.
Harassment	Harassment involves a pattern of behaviour, or course of conduct, pursued by an individual to intimidate and distress another individual. The behaviour must be genuinely oppressive and vexatious and not amount to a mere irritation or annoyance.

10 Document Control

Corporate Plan Link:	BS7 - Governance	
Document Owner:	Chief Executive Officer	
Document Control Officer:	Chief Executive Officer	
Version history		
Version No.	**Date**	**Description of Change**
1.0	17/12/2024	New Policy – drafted for community consultation

DRAFT FOR CONSULTATION

From: Tracy Riddle
Sent: Monday, 9 December 2024 8:23 PM
To: 'Martin McCarthy' <mmccarthy@barossa.sa.gov.au>
Subject: Council Behaviour Support Policy - Urgent Request (KJ 240246)
Importance: High

Hi Martin

I provide a track changed version of the draft Policy for your review.

I note the petitioners have requested that the obligations on Members extend to maintaining '*a level of trust within the community whether on or off duty'*.

However, and as you are aware, it is well accepted under the integrity framework that Members are entitled to a personal / private life, and in doing so, any actions in that context cannot be said to have breached their obligations under the *Behavioural Standards for Council Members* (nor any discretionary *Behavioural Support Policy*).

Indeed, to include such a provision in the Policy would be a provision 'contrary' to the Behavioural Standards, which provides:

> *These Behavioural Standards set out minimum standards of behaviour that are expected of all council members* ***in the performance of their official functions and duties****.*

However, I can see you have carefully dealt with this in the drafting, and in my view, the Policy is not inconsistent with the Behavioural Standards in this respect.

Whilst some clauses closely 'mirror' those under the Behavioural Standards, they are drafted such that the additional 'nuances' in behaviours sought by the Council / Members are made clear.

Lastly, I confirm that once the Council adopts the draft Policy, it must then be the subject of public consultation under section 75F(6) of the Act, prior to the Council considering the outcomes of the same and then adopting the 'final' Policy.

Please let me know if we can assist further.

Regards

Tracy

Tracy Riddle
Lawyer

KELLEDY JONES LAWYERS 2025 RECOGNIZED BY Best Lawyers

Kelledy Jones

Please note, our office will be closing for the Christmas and New Year period from 5.30pm Friday 20 December 2024, reopening Monday 13 January 2025.

The team at Kelledy Jones wish you a safe and happy festive season and thank you for all of your support throughout the year.

T. 08 8113 7106 | M. 0431 867 523

Level 6/19 Gilles Street Adelaide SA 5000 | GPO Box 2024 SA 5001

kelledyjones.com.au

This communication, including all attachments, contains confidential information and is subject to legal or other professional privilege. This privilege is not waived or lost by reason of email transmission or by reason of a mistaken or unintended email transmission to the receiver. Where the receiver is not the intended recipient of this email please delete and destroy all copies and telephone Kelledy Jones Lawyers on 08 8113 7100. This communication is subject to copyright and no part of this email should be reproduced, distributed, disseminated or adapted without written consent of the copyright owner. Kelledy Jones Lawyers does not warrant that this email is free from computer errors, viruses or interference, except as required by law.

DEBATE REPORT

7.1 Office of the Mayor and CEO

7.1.2 NURIOOPTA CENTENNIAL PARK AUTHORITY - BOARD MEMBERSHIP

Author: Chief Executive Officer
24/112785

PURPOSE

To approve nominations to the Nuriootpa Centennial Park Authority (NCPA) Board of Management.

RECOMMENDATION

That Council having reviewed the nominations and noting they are all continuing appoint the following people to a position on the Nuriootpa Centennial Park Authority for a period of up to two years concluding no later than the September meeting of the Board in 2026:

(1) Mr Guy Martin
(2) Mr Steven Bell
(3) Mr Peter Cooper
(4) Mr Brett Lydeamore
(5) Mr Robin Phillips

REPORT

Background
The NCPA is a subsidiary of Council established to manage centennial park including the caravan park, recreational areas and Coutlhard Reserve. Council has received correspondence from NCPA to consider Coulthard Reserve future management, however as outlined below the whole of the governance structure and responsibilities are under review of which this request will be managed through that process.

The Board is established under a Charter with nine members an Elected Member (Cr Hurn), senior officer of Council (currently vacant) and up to seven other members as appointed by Council.

Introduction
There are various community member renewals required.

Discussion
Conversation on the future structure of arrangements at Nurioopta continue with the Board as per prior Council resolution and the legislative need to review the governance structure and charter. This work is proceeding with a view to present more detailed information early in the new financial year.

Therefore at this time is recommended the appointments be made to ensure continuity of services with the existing Board. The nominations have been received in accordance with the Charter and been reviewed and endorsed by the Board. The relevant correspondence, minutes and nominations are at the Attachment.

Summary and Conclusion
The appointment the NCPA Board are in accordance with the Charter and now seeks Council approval.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Nominations ⇩

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

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

Legislative Requirements
Section 42 of the Local Government Act

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

There are no legislative or recommended engagement processes required.

BIG4 Barossa Tourist Park

14 November 2024

The Barossa Council
PO Box 867
NURIOOTPA SA 5355
By Email: mmccarthy@barossa.sa.gov.au

Dear Martin,

Re: NCPA Board Nomination Renewals

We write to acknowledge that the NCPA Board Positions for the following Board Members, as listed below, expired after the September 2024 meeting. All Members have renominated and their forms attached.

- Mr Guy Martin - Chairperson
- Mr Steven Bell – Deputy Chairperson
- Mr Peter Cooper
- Mr Brett Lydeamore
- Mr Robin Phillips

At the September 2024 Board Meeting is was agreed that the above Members, once forms received, be forwarded to Council with the recommendation that they all be accepted for a further 2-year term, ending after the September 2026 Meeting. I have attached the signed Board Minutes and direct you to item 10.1.

We now kindly ask that Council formally accept the 2-year term rollover for these five Board Members. We look forward to your confirmation in due course.

Yours faithfully,

Tanya Pumpa
NCPA Business Manager
NURIOOTPA CENTENNIAL PARK AUTHORITY
Trading as BIG4 Barossa Tourist Park

08 8562 1404 | www.barossatouristpark.com.au | info@barossatouristpark.com.au
Penrice Road, Nuriootpa, SA 5355 | BIG4 Barossa Tourist Park | ABN 50 231 969 615

BIG4 HOLIDAY PARKS

BIG4 Barossa Tourist Park

NURIOOTPA CENTENNIAL PARK AUTHORITY

Wednesday 18th September 2024, 7:00pm, NCPA Boardroom

BOARD MINUTES

Meeting formally opened at 7.00pm.

1. **COMMENCEMENT**
   - **1.1 Welcome**
     Guy Martin (Chairperson) welcomed everyone to the meeting.

     Present Guy Martin (Chairperson), Cr Tony Hurn, Robin Phillips, Simon Gill, David Paprzycki (online) and Tanya Pumpa (Business Manager - Minutes). Quorum reached.

   - **1.2 Apologies** – Steven Bell, Peter Cooper and Brett Lydeamore.

   - **1.3 Declarations of Interest** – Nil.

2. **STAKEHOLDER PRESENTATIONS / REQUESTS** – Nil.

3. **CONFIRMATION OF PREVIOUS MINUTES**
   MOVED Simon Gill that the Minutes of the Board meeting held on the 21st of August 2024, as circulated, be confirmed as a true and correct record of the proceedings of the meeting.
   SECONDED David Paprzycki **CARRIED**

4. **BUSINESS ARISING FROM PREVIOUS MINUTES** – Nil.

5. **CORRESPONDENCE**
   - **5.1 Correspondence In**
     - **5.1.1** Letter from BIG4 (Sean Jenner CEO) Re: Renewal of License Agreement – Dated 25.07.2024.
       License Agreement to end on 28.02.2025. A new Agreement to come out in the coming months.

   - **5.2 Correspondence Out**
     - **5.2.1** Nil.

   MOVED Simon Gill that all correspondence be accepted.
   SECONDED Robin Phillips **CARRIED**

6. **WORK, HEALTH AND SAFETY** – Nil.

7. REPORTS

7.1 Business Manager Report

The Business Managers Report was tabled and discussed. MYOB Balance Sheet and P&L Report for July and August 2024 (in DRAFT) were circulated and a Payroll Analysis Report. RMS YTD Cash, Occupancy and Projected Forecast Reports were circulated. Wages against the budget were discussed. With cabin occupancy up, cleaning costs go up too. BIG4 West Beach are leaving the BIG4 brand and going to Discovery.

MOVED Robin Phillips that the Business Mangers Report be accepted.
SECONDED Simon Gill **CARRIED**

7.2 Park Operations Report (By Office, Grounds, Asset and Housekeeping Supervisor's)

The Park Operations Report was tabled and discussed. The Asset Supervisor Report was tabled and discussed.

7.3 BIG4 Quarterly Report

The BIG4 Website Dashboard Report was tabled and discussed. For the period 1.8.2024 to 31.8.2024 sales are down 8%, bookings are down 18% and nights are down 16%.

7.4 Website Care Service Report – Tabled for the period 1.8.2024 to 1.9.2024.

7.5 Sports Centre (NSFC) Report – Nil.

7.6 Audit and Risk Committee (AARC) Report – Nil.

7.7 Social Media Marketing Report

The Marketing Report, by Natalie Stewart, was tabled.

8. IMPROVEMENT PROGRAM UPDATE (RISK ANALYSIS) – Nil.

9. OTHER BUSINESS

9.1 Proposed Carpark Plans

Two contractors have been onsite and working on quotes.

9.2 L Lambe 8 Ash Drive Dispute

We have keys and the dwelling has been gutted.

9.3 Solar Power Upgrade – Pending.

9.4 C-Amenities Upgrade

Barossa Carpenters have committed to commencing works early October.

10. NEW BUSINESS

10.1 NCPA Board Position Nominations

Nomination forms x 5 have gone out to Board members, Guy, Steven, Brett, Peter and Robin. Cr Tony Hurn is on the Board as a Council Representative. Once signed forms have been received, Tanya to forward to Council with recommendation.

10.2 BIG4 Park Audit Outcome

Our 2024 Park Audit was our best one yet, scoring overall 94.82%. Our customer engagement was 100%. Our BIG4 Brand engagement was 100%. Our BIG4 descriptor program was 100%. Our on-site park assessment (excluding Cabins) was 92.03%. And lastly, our on-site park assessment (Cabins) was 84.3%.

MOVED Cr Tony Hurn to thank Tanya Pumpa and the team for the efforts that went into the Audit and to acknowledge the successful outcome.

SECONDED David Paprzycki **CARRIED**

10.3 Various issued raised by Council for NCPA

Martin McCarthy has been in communications with Guy Martin raising several issues with regards to the NCPA. The Charter is overdue to be reviewed with Council admitting it's behind schedule. Martin will be writing the scope for an external consultant to commence the review process. Guy has requested the Board see the scope of works before it goes out to tender. There are some hurdles with the insurance for the Kaesler Van. The agreement states NCPA are the ensure it is insured, but the LGA Insurers won't cover as we don't own the asset. And the Licences for the Sports Clubs have now been pushed back on us for 2024 after being advised that Council will be managing the processes under a new community tier that have introduced.

10.4 2023/24 Draft Financial Statements

The Board give Guy Martin and Tanya Pumpa permission to sign the 2023/24 Draft Financial Statements when they are presented by Council.

MOVED Simon Gill that Guy Martin and Tanya Pumpa can sign the 2023/24 Financial Statements.

SECONDED Cr Tony Hurn **CARRIED**

11. DATE OF NEXT MEETING – 23rd of October 2024 at 7.00pm. This has been pushed back to the fourth Wednesday fir the BIG4 Annual Conference.

12. MEETING CLOSED at 7.55pm.

Confirmed at Board Meeting - / 20

DATE: 23/10/24 **CHAIRPERSON:** .....

G. MARTIN.

The Barossa Council

BIG4 Barossa Tourist Park

NURIOOTPA CENTENNIAL PARK AUTHORITY

2024-25 BOARD MEMBER NOMINATION FORM

The Nuriootpa Centennial Park Authority (NCPA) manages the Nuriootpa Centennial Park Precinct on behalf of The Barossa Council as a wholly owned subsidiary under s42 of the Local Government Act 1999. The precinct consists of the BIG4 Barossa Tourist Park, Nuriootpa Centennial Park sporting complex, Nuriootpa Sports Centre and Coulthard Reserve.

The NCPA is governed by a Board of Management which has the responsibility to manage the business and other affairs of the Authority. The selection of Board Members is via a nomination process and formal appointment via Council resolution. Successful nominees will be appointed for a one or two year term.

Interested persons are invited to complete this nomination form and forward to Mr. Guy Martin, Chairperson, Nuriootpa Centennial Park Authority, Penrice Road Nuriootpa SA 5355 or email to tanya.pumpa@barossatouristpark.com.au

THE ROLE OF THE NCPA BOARD

The NCPA Board has demonstrated a strong commitment to the Nuriootpa Community and the development of the Park's assets for the community benefit as well as growing a successful and significant Tourism operation.

In administering the affairs of the NCPA, The Board must have a strong community focus as well as a strategic outlook with an ability to look at both the day to day operations of the business; corporate governance and broader opportunities for ongoing management and development of the precinct. As such, Board members are expected to contribute to vigorous and constructive discussion to help shape the vision and future direction of the Authority. The Board shall meet as often as may be required to conduct the business of the NCPA and not less than once in every calendar quarter. The Board will comprise a variety of roles including but not limited to Chair and Deputy Chair. Other specific roles may be appointed as required.

The responsibilities of the Board are detailed in its Charter, which can be downloaded via www.barossa.sa.gov.au.

INDIVIDUAL SELECTION CRITERIA

Applicants must demonstrate a range of relevant knowledge, skills and experience in at least one of the following areas:

- Commercial business management, including financial management.
- Marketing and/or advertising.
- Commercial management, preferably with property management.
- Director or Board Member of a similar body.
- Community development and significant contribution to a community based organisation.
- Local government experience at an elected member or senior officer level.

NCPA BOARD MEMBER NOMINATION FORM: 2024-25

1. CONTACT DETAILS

Name ..... GUY K. MARTIN .....

Address ..

Telephon

Email .....

2. LENGTH OF POSITION

☐ One Year Position ☒ Two Year Position

3. SKILLS AND KNOWLEDGE

Please indicate your experience in the following areas	Experienced	Not Experienced
Commercial Business Management – Including Financial Management	YES	
Marketing and/or Advertising		
Commercial Management – Including Property Management		
Director or Board Member of a Similar Body		
Community Development & Significant Contribution to a Community Based Organisation	YES	
Local Government Experience at an Elected Member or Senior Officer Level		

4. REQUIRED COMMITMENT

Can you commit to regularly attend Board Meetings (currently held monthly)?

☒ **YES** ☐ **NO**

(In addition to these meetings, Board Members could be allocated specific duties relating to sub committees and/or be required to provide support to various projects)

5. PLEASE EXPLAIN WHY ARE YOU NOMINATING FOR THE NCPA BOARD

- I have been a Board Member for 28 yrs.
- I have been Chairman of the NCPA for 14 yrs.
- I enjoy community Service.

6. CURRENT OR PREVIOUS COMMUNITY/BOARD INVOLVEMENT

As Above
+ 33yrs Member of LIONS CLUB of BV.
3x President of " " " "
Current Treasurer of BV classic Motorcycle club.

7. PLEASE DESCRIBE THE KNOWLEDGE, SKILLS AND EXPERIENCE THAT YOU POSSESS WHICH ARE DIRECTLY RELEVANT TO THE ROLE OF THE BOARD

- As Above.

8. RESUME ☐ YES ☒ NO

Signature [redacted]

Name G MARTIN. Date .....

NURIOOTPA CENTENNIAL PARK AUTHORITY

2024-25 BOARD MEMBER NOMINATION FORM

The Nuriootpa Centennial Park Authority (NCPA) manages the Nuriootpa Centennial Park Precinct on behalf of The Barossa Council as a wholly owned subsidiary under s42 of the Local Government Act 1999. The precinct consists of the BIG4 Barossa Tourist Park, Nuriootpa Centennial Park sporting complex, Nuriootpa Sports Centre and Coulthard Reserve.

The NCPA is governed by a Board of Management which has the responsibility to manage the business and other affairs of the Authority. The selection of Board Members is via a nomination process and formal appointment via Council resolution. Successful nominees will be appointed for a one or two year term.

Interested persons are invited to complete this nomination form and forward to Mr. Guy Martin, Chairperson, Nuriootpa Centennial Park Authority, Penrice Road Nuriootpa SA 5355 or email to tanya.pumpa@barossatouristpark.com.au

THE ROLE OF THE NCPA BOARD

The NCPA Board has demonstrated a strong commitment to the Nuriootpa Community and the development of the Park's assets for the community benefit as well as growing a successful and significant Tourism operation.

In administering the affairs of the NCPA, The Board must have a strong community focus as well as a strategic outlook with an ability to look at both the day to day operations of the business; corporate governance and broader opportunities for ongoing management and development of the precinct. As such, Board members are expected to contribute to vigorous and constructive discussion to help shape the vision and future direction of the Authority. The Board shall meet as often as may be required to conduct the business of the NCPA and not less than once in every calendar quarter. The Board will comprise a variety of roles including but not limited to Chair and Deputy Chair. Other specific roles may be appointed as required.

The responsibilities of the Board are detailed in its Charter, which can be downloaded via www.barossa.sa.gov.au.

INDIVIDUAL SELECTION CRITERIA

Applicants must demonstrate a range of relevant knowledge, skills and experience in at least one of the following areas:

- Commercial business management, including financial management.
- Marketing and/or advertising.
- Commercial management, preferably with property management.
- Director or Board Member of a similar body.
- Community development and significant contribution to a community based organisation.
- Local government experience at an elected member or senior officer level.

NCPA BOARD MEMBER NOMINATION FORM: 2024-25

1. CONTACT DETAILS

Name ..... STEVEN BELL .....

Address [redacted] .....

Telephon [redacted] .....

Email ..... [redacted] .....

2. LENGTH OF POSITION

☐ One Year Position ☑ Two Year Position

3. SKILLS AND KNOWLEDGE

Please indicate your experience in the following areas	Experienced	Not Experienced
Commercial Business Management – Including Financial Management		✓
Marketing and/or Advertising		✓
Commercial Management – Including Property Management	✓	
Director or Board Member of a Similar Body	✓	
Community Development & Significant Contribution to a Community Based Organisation	✓	
Local Government Experience at an Elected Member or Senior Officer Level		✓

4. REQUIRED COMMITMENT

Can you commit to regularly attend Board Meetings (currently held monthly)?

☑ YES ☐ NO

(In addition to these meetings, Board Members could be allocated specific duties relating to sub committees and/or be required to provide support to various projects)

5. PLEASE EXPLAIN WHY ARE YOU NOMINATING FOR THE NCPA BOARD

I AM CURRENT BOARD MEMBER & WISH TO CONTINUE MY INVOLVEMENT AS I BELIEVE I STILL HAVE MORE VALUE TO ADD.

6. CURRENT OR PREVIOUS COMMUNITY/BOARD INVOLVEMENT

AS PER PREVIOUS NOMINATION.

7. PLEASE DESCRIBE THE KNOWLEDGE, SKILLS AND EXPERIENCE THAT YOU POSSESS WHICH ARE DIRECTLY RELEVANT TO THE ROLE OF THE BOARD

AS PER PREVIOUS NOMINATION.

8. RESUME ATTACHED ☐ YES ☑ NO

Signature [redacted]

Name STEVEN BELL Date 3.9.24.

The Barossa Council

BIG4 Barossa Tourist Park

NURIOOTPA CENTENNIAL PARK AUTHORITY

2024-25 BOARD MEMBER NOMINATION FORM

The Nuriootpa Centennial Park Authority (NCPA) manages the Nuriootpa Centennial Park Precinct on behalf of The Barossa Council as a wholly owned subsidiary under s42 of the Local Government Act 1999. The precinct consists of the BIG4 Barossa Tourist Park, Nuriootpa Centennial Park sporting complex, Nuriootpa Sports Centre and Coulthard Reserve.

The NCPA is governed by a Board of Management which has the responsibility to manage the business and other affairs of the Authority. The selection of Board Members is via a nomination process and formal appointment via Council resolution. Successful nominees will be appointed for a one or two year term.

Interested persons are invited to complete this nomination form and forward to Mr. Guy Martin, Chairperson, Nuriootpa Centennial Park Authority, Penrice Road Nuriootpa SA 5355 or email to tanya.pumpa@barossatouristpark.com.au

THE ROLE OF THE NCPA BOARD

The NCPA Board has demonstrated a strong commitment to the Nuriootpa Community and the development of the Park's assets for the community benefit as well as growing a successful and significant Tourism operation.

In administering the affairs of the NCPA, The Board must have a strong community focus as well as a strategic outlook with an ability to look at both the day to day operations of the business; corporate governance and broader opportunities for ongoing management and development of the precinct. As such, Board members are expected to contribute to vigorous and constructive discussion to help shape the vision and future direction of the Authority. The Board shall meet as often as may be required to conduct the business of the NCPA and not less than once in every calendar quarter. The Board will comprise a variety of roles including but not limited to Chair and Deputy Chair. Other specific roles may be appointed as required.

The responsibilities of the Board are detailed in its Charter, which can be downloaded via www.barossa.sa.gov.au.

INDIVIDUAL SELECTION CRITERIA

Applicants must demonstrate a range of relevant knowledge, skills and experience in at least one of the following areas:

- Commercial business management, including financial management.
- Marketing and/or advertising.
- Commercial management, preferably with property management.
- Director or Board Member of a similar body.
- Community development and significant contribution to a community based organisation.
- Local government experience at an elected member or senior officer level.

NCPA BOARD MEMBER NOMINATION FORM: 2024-25

1. CONTACT DETAILS

Name ..... PETER COOPER .....

Address [redacted] .....

Telephor ....

Email ....

2. LENGTH OF POSITION

☐ One Year Position ☐ Two Year Position

3. SKILLS AND KNOWLEDGE

Please indicate your experience in the following areas	Experienced	Not Experienced
Commercial Business Management -- Including Financial Management	✓	
Marketing and/or Advertising	✓	
Commercial Management – Including Property Management	✓	
Director or Board Member of a Similar Body	✓	
Community Development & Significant Contribution to a Community Based Organisation	✓	
Local Government Experience at an Elected Member or Senior Officer Level		✓

4. REQUIRED COMMITMENT

Can you commit to regularly attend Board Meetings (currently held monthly)?

☑ YES ☐ NO

(In addition to these meetings, Board Members could be allocated specific duties relating to sub committees and/or be required to provide support to various projects)

5. **PLEASE EXPLAIN WHY ARE YOU NOMINATING FOR THE NCPA BOARD**

TO CONTRIBUTE TO ONGOING SUCCESS OF NCPA.

6. **CURRENT OR PREVIOUS COMMUNITY/BOARD INVOLVEMENT**

NCPA

7. **PLEASE DESCRIBE THE KNOWLEDGE, SKILLS AND EXPERIENCE THAT YOU POSSESS WHICH ARE DIRECTLY RELEVANT TO THE ROLE OF THE BOARD**

SENIOR MANAGEMENT IN MANUFACTURING AGRICULTURE AND RESOURCES INDUSTRY BOTH IN AUSTRALIA AND OVERSEAS

8. **RESUME ATTACHED** ☐ YES ☑ NO

Signature [redacted]

Name PETER COOPER Date 11/9/24

The Barossa Council

BIG4 Barossa Tourist Park

NURIOOTPA CENTENNIAL PARK AUTHORITY

2024-25 BOARD MEMBER NOMINATION FORM

The Nuriootpa Centennial Park Authority (NCPA) manages the Nuriootpa Centennial Park Precinct on behalf of The Barossa Council as a wholly owned subsidiary under s42 of the Local Government Act 1999. The precinct consists of the BIG4 Barossa Tourist Park, Nuriootpa Centennial Park sporting complex, Nuriootpa Sports Centre and Coulthard Reserve.

The NCPA is governed by a Board of Management which has the responsibility to manage the business and other affairs of the Authority. The selection of Board Members is via a nomination process and formal appointment via Council resolution. Successful nominees will be appointed for a one or two year term.

Interested persons are invited to complete this nomination form and forward to Mr. Guy Martin, Chairperson, Nuriootpa Centennial Park Authority, Penrice Road Nuriootpa SA 5355 or email to tanya.pumpa@barossatouristpark.com.au

THE ROLE OF THE NCPA BOARD

The NCPA Board has demonstrated a strong commitment to the Nuriootpa Community and the development of the Park's assets for the community benefit as well as growing a successful and significant Tourism operation.

In administering the affairs of the NCPA, The Board must have a strong community focus as well as a strategic outlook with an ability to look at both the day to day operations of the business; corporate governance and broader opportunities for ongoing management and development of the precinct. As such, Board members are expected to contribute to vigorous and constructive discussion to help shape the vision and future direction of the Authority. The Board shall meet as often as may be required to conduct the business of the NCPA and not less than once in every calendar quarter. The Board will comprise a variety of roles including but not limited to Chair and Deputy Chair. Other specific roles may be appointed as required.

The responsibilities of the Board are detailed in its Charter, which can be downloaded via www.barossa.sa.gov.au.

INDIVIDUAL SELECTION CRITERIA

Applicants must demonstrate a range of relevant knowledge, skills and experience in at least one of the following areas:

- Commercial business management, including financial management.
- Marketing and/or advertising.
- Commercial management, preferably with property management.
- Director or Board Member of a similar body.
- Community development and significant contribution to a community based organisation.
- Local government experience at an elected member or senior officer level.

NCPA BOARD MEMBER NOMINATION FORM: 2024-25

1. **CONTACT DETAILS**

Name ..... BRETT LYDEAMORE

Address [redacted]

Telepho

Email ...

2. **LENGTH OF POSITION**

☐ One Year Position ☑ Two Year Position

3. **SKILLS AND KNOWLEDGE**

Please indicate your experience in the following areas	Experienced	Not Experienced
Commercial Business Management – Including Financial Management	✓	
Marketing and/or Advertising	✓	
Commercial Management – Including Property Management		✓
Director or Board Member of a Similar Body	✓	
Community Development & Significant Contribution to a Community Based Organisation	✓	
Local Government Experience at an Elected Member or Senior Officer Level		✓

4. **REQUIRED COMMITMENT**

Can you commit to regularly attend Board Meetings (currently held monthly)?

☑ **YES** ☐ **NO**

(In addition to these meetings, Board Members could be allocated specific duties relating to sub committees and/or be required to provide support to various projects)

5. **PLEASE EXPLAIN WHY ARE YOU NOMINATING FOR THE NCPA BOARD**

CURRENT STANDING MEMBER SEEKING RE-ELECTION.

CONTINUED CONTRIBUTION TO COMMUNITY & SPORTING GROUPS REPRESENTED WITHIN THE PRECINCT.

6. **CURRENT OR PREVIOUS COMMUNITY/BOARD INVOLVEMENT**

CURRENT NCPA BOARD MEMBER

7. **PLEASE DESCRIBE THE KNOWLEDGE, SKILLS AND EXPERIENCE THAT YOU POSSESS WHICH ARE DIRECTLY RELEVANT TO THE ROLE OF THE BOARD**

FINANCIAL SERVICES FOR 35 YEARS.
EXTENSIVE SPORTING INVOLVEMENT WITH VARIOUS CLUBS.

8. **RESUME A** [redacted] ☐ YES ☑ NO

Signature [redacted]

Name BRETT LYDEAMORE Date 25/9/2024

NURIOOTPA CENTENNIAL PARK AUTHORITY

2024-25 BOARD MEMBER NOMINATION FORM

The Nuriootpa Centennial Park Authority (NCPA) manages the Nuriootpa Centennial Park Precinct on behalf of The Barossa Council as a wholly owned subsidiary under s42 of the Local Government Act 1999. The precinct consists of the BIG4 Barossa Tourist Park, Nuriootpa Centennial Park sporting complex, Nuriootpa Sports Centre and Coulthard Reserve.

The NCPA is governed by a Board of Management which has the responsibility to manage the business and other affairs of the Authority. The selection of Board Members is via a nomination process and formal appointment via Council resolution. Successful nominees will be appointed for a one or two year term.

Interested persons are invited to complete this nomination form and forward to Mr. Guy Martin, Chairperson, Nuriootpa Centennial Park Authority, Penrice Road Nuriootpa SA 5355 or email to tanya.pumpa@barossatouristpark.com.au

THE ROLE OF THE NCPA BOARD

The NCPA Board has demonstrated a strong commitment to the Nuriootpa Community and the development of the Park's assets for the community benefit as well as growing a successful and significant Tourism operation.

In administering the affairs of the NCPA, The Board must have a strong community focus as well as a strategic outlook with an ability to look at both the day to day operations of the business; corporate governance and broader opportunities for ongoing management and development of the precinct. As such, Board members are expected to contribute to vigorous and constructive discussion to help shape the vision and future direction of the Authority. The Board shall meet as often as may be required to conduct the business of the NCPA and not less than once in every calendar quarter. The Board will comprise a variety of roles including but not limited to Chair and Deputy Chair. Other specific roles may be appointed as required.

The responsibilities of the Board are detailed in its Charter, which can be downloaded via www.barossa.sa.gov.au.

INDIVIDUAL SELECTION CRITERIA

Applicants must demonstrate a range of relevant knowledge, skills and experience in at least one of the following areas:

- Commercial business management, including financial management.
- Marketing and/or advertising.
- Commercial management, preferably with property management.
- Director or Board Member of a similar body.
- Community development and significant contribution to a community based organisation.
- Local government experience at an elected member or senior officer level.

NCPA BOARD MEMBER NOMINATION FORM: 2024-25

1. CONTACT DETAILS

Name ..... ROBIN PHILLIPS

Address ....

Telephone

Email .....

2. LENGTH OF POSITION

☐ One Year Position ☑ Two Year Position

3. SKILLS AND KNOWLEDGE

Please indicate your experience in the following areas	Experienced	Not Experienced
Commercial Business Management – Including Financial Management	✓	
Marketing and/or Advertising	✓	
Commercial Management – Including Property Management		✓
Director or Board Member of a Similar Body	✓	
Community Development & Significant Contribution to a Community Based Organisation	✓	
Local Government Experience at an Elected Member or Senior Officer Level		✓

4. REQUIRED COMMITMENT

Can you commit to regularly attend Board Meetings (currently held monthly)?

☑ YES ☐ NO

(In addition to these meetings, Board Members could be allocated specific duties relating to sub committees and/or be required to provide support to various projects)

5. **PLEASE EXPLAIN WHY ARE YOU NOMINATING FOR THE NCPA BOARD**

CONTINUING POSITION

6. **CURRENT OR PREVIOUS COMMUNITY/BOARD INVOLVEMENT**

G.C. NORI HIGH SCHOOL 9 yrs

NPEX 17 yrs

7. **PLEASE DESCRIBE THE KNOWLEDGE, SKILLS AND EXPERIENCE THAT YOU POSSESS WHICH ARE DIRECTLY RELEVANT TO THE ROLE OF THE BOARD**

Yrs of committee experience

8. **RESUME ATTACHED** ☐ YES ☑ NO

Signature [redacted]

Name Robi Plumbs Date 18/9/24

DEBATE REPORT

7.2 Corporate Services, Strategy and Innovation

7.2.1 VARIATION TO DELEGATIONS REGISTER - UPDATES TO LEGISLATION

Author: Governance and Information Support Officer
24/106666

PURPOSE

To provide Council with an opportunity to consider updated and new provisions identified through legislative amendments for delegation to the Chief Executive Officer under various legislation.

RECOMMENDATION

That Council, in exercise of the power contained in section 44 of the *Local Government Act 1999*, hereby delegates the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Attachment 1 of the report entitled "Variations to Delegations Register – Updates to Legislation" from 31 October 2024, to the position of Chief Executive Officer except where otherwise indicated in the Attachment, subject to the conditions and limitations specified in each proposed Instrument of Delegation:

a. Instrument B – Instrument of Delegation Under the *Planning, Development and Infrastructure Act 2016*, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority.

REPORT

Background
Council has powers and functions that must be performed under a range of legislation. In most cases, the relevant Acts grant these powers and functions directly to Council. The ways in which Council may exercise its powers and functions are:

- when the Council itself exercises the power or function at a formally constituted meeting; and
- where the legislation enables it, a power or function may be delegated to a Council employee, in most cases being the Chief Executive Officer.

Delegations enable Council to apportion its powers and functions to the Chief Executive Officer (CEO) who in turn may sub-delegate to Council staff who have the relevant expertise and experience to improve the efficiency and timeliness of carrying out Council's decisions.

From time to time, legislation upon which Council's delegations are based change, requiring Council to review its relevant delegations on a periodic basis. Council may review its delegations at any time.

Introduction
In early 2020, the Local Government Association (LGA) advised councils it was undertaking a comprehensive review of the delegations' templates and revised its approach to the service offered to councils. The resulting framework established a simpler and contemporary approach that will improve ease of use, reduce legal risk, and enhance flexibility for Council.

Each power and function now consist of a short description only, replacing the historic approach which substantially replicated the text of the legislation. This framework also expands the number of delegable provisions across Acts that were not previously included as part of the delegations.

Discussion
The statutory power of delegation under section 44 of the *Local Government Act 1999* enables the delegation of the statutory powers and functions vested or conferred on a council. Other statutory delegation powers permit the delegation of powers or functions vested in a council in a particular capacity (eg as a relevant authority under the *Safe Drinking Water Act 2011* or an enforcement agency under the Food Act 2001). A column providing for the capacity in which the Council is acting is included in the tables of delegable statutory powers and functions. This is to assist Governance Officers to identify the powers and functions which are relevant to the Council and which the Council wants to delegate. It will also assist Council in ensuring the correct powers of delegation are referenced in the instrument of delegation.

The framework is not intended to provide a compliance manual for delegates exercising statutory functions and powers. Providing guidance as to the legal requirements for the valid exercise of that delegated power or function is not the purpose of an instrument of delegation or sub-delegation. The purpose is to record formally the delegation of statutory functions or powers. The delegate or sub-delegate is responsible for exercising the delegated power or function lawfully. This requires compliance with:

- any conditions or limitations on the delegation;
- any statutory requirements which apply to the exercise of the power or function; and
- relevant principles of administrative law.

Updates
Periodic updates to legislation are facilitated by the LGA and their legal partners at Norman Waterhouse Lawyers.

In this periodic update of delegations there have been changes to the following piece of legislation being:

Instrument B – Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority

- Power to choose how to communicate official notices regarding decisions to applicants

Summary and Conclusion
Council is now asked to review and endorse the delegations as at Attachment 1.

The delegations within this report do not detail the entirety of the delegation framework, only those provisions that have been identified as additional powers and functions not previously recognised as delegable or updates have been made to the wording of the delegation.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Amendments to the Delegations Register - Council Report Attachment - 31 October 2024 ⇩

Supporting references
No further supporting references.

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
Under Section 44(1) of the Local Government Act 1999 a council may delegate a power or function vested or conferred under this or another Act, and it may be made to an employee of the council, a council committee, or an authorised person.

Council's Delegations Register is available on Council's website.

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

- the exercise of power may fail – i.e. the decision made may be liable to being overturned by a court;
- the cost of a successful challenge to a decision made without lawful delegation will likely be borne by the Council; and
- where the unlawful exercise of the power has caused loss or damage the Council may be liable for such loss or damage.

COMMUNITY ENGAGEMENT

Employees are informed through established internal procedures of any variation to instruments of delegations that affect their position.

Council's Register of Delegations is made available to the public via Council's website www.barossa.sa.gov.au as required by the *Local Government Act 1999*.

INSTRUMENT B – INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A RELEVANT AUTHORITY

NEW PROVISIONS

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
752592	Planning, Development and Infrastructure (General) Regulations 2017	r57(2)(b)	24.Notice of Decision (Section 126(1)) 24.1The power pursuant to Regulation 57(2)(b) of the General Regulations to provide notice via the SA Planning Portal and to determine if necessary to give notice to the applicant in some other way determined to be appropriate by the delegate.	Director Development and Community Services, Manager Development Services, Building Surveyor, Senior Assessment Officer (Planning), Administration and Technical Support Officer (Development Services), Executive and Project Support Officer (Development and Community Services), Assessment Officer - Planning , Assessment Officer - Building, Cadetship Assessment Officer - Building	

DEBATE REPORT

7.2 Corporate Services, Strategy and Innovation

7.2.2 SANTOS TOUR DOWN UNDER ZIPTRAK MEN'S SATGE 1 - REQUEST TO LAND HELICOPTER ON QUEEN VICTORIA JUBILEE PARK OVAL

Author: Event Management Lead
24/109796

PURPOSE

Council has received a request from Specialist DA Helicopters and EMG / Gravity Media to land three (3) helicopters at the Queen Victoria Jubilee Park Oval, Williamstown, for refuelling operations as part of the SANTOS Tour Down Under Ziptrak Men's Stage 1, Tuesday 21 January 2025.

RECOMMENDATION

That Council approves the request from Specialist DA Helicopters and EMG / Gravity Media to land on the Queen Victoria Jubilee Park Oval, Williamstown for refuelling purposes in relation to the SANTOS Tour Down Under Ziptrak Men's Stage 1, Tuesday 21 January 2025.

REPORT

Background
The SANTOS Tour Down Under Ziptrak Men's Stage 1 will be taking place on Tuesday 21 January 2025, and the cyclists will travel from Prospect into the Adelaide Hills and through Williamstown before finishing in Gumeracha.

Introduction
Specialist DA Helicopters have requested to land three (3) helicopters at 15-minute intervals (Heli Link 2, 12:15 / Heli Cam 12:45 / Heli Link 13:00) for refuelling at the Queen Victoria Jubilee Park Oval, Williamstown. These times are indicative and may vary slightly as the on-air world coverage needs to break choppers when it can to give the coverage the best cover yet keep the choppers safe regarding fuel provisions. The refuelling will be conducted via a small rigid fuel tank and a qualified refueller and the area will be cordoned off with access restricted by Ground Marshalls.

Discussion
The proposed landing site is located on Local Government Land and use of the land is controlled by Council By-Law 4. *The* By-Law stipulates under Part 4, that "*a person must not, without permission, on local government land….subject to the Civil Aviation Act 1988, land or take off any aircraft on or from the land*".

The power to grant the required permission for the land use has not been delegated to any Council Officer, and as such, a decision needs to be made by resolution of Council.

In support of their request, Specialist DA Helicopters have provided Council with the following documentation, which is included at Attachments 1 and 2:

- Job Safety Analysis ("JSA")
- Public Liability Certificate of Currency

The information supplied is considered satisfactory to meet Council's minimum risk and safety requirements.

Summary and Conclusion

Specialist DA Helicopters and EMG / Gravity Media have submitted a request to land (3) Helicopters at varying times on the Queen Victoria Jubilee Park Oval on Tuesday 21 January 2025 for refuelling purposes for the SANTOS Tour Down Under Ziptrak Men's Stage 1 requiring Council approval. Having met Council's minimum requirements, it is recommended that the request be approved.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1	Specialist DA Helicopters - Job Safety Analysis - TDU Heli Landing Site - Queen Victoria Jubilee Park Williamstown - 21 January 2025 ⇩
Attachment 2	ABS Aviation - Memphis Securities - Certificate of Currency - Aircraft Hull and Liability Insurance - 02 i01 0066965 - Public Liability Insurance - Expires 13 March 2024 ⇩

Supporting references
NIL

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

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

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

Legislative Requirements
Local Government Act 1999
Civil Aviation Act 1988
Council By-Law 4.
Financial, Resource and Risk Management Considerations

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Specialist DA Helicopters have appropriate risk management provisions in place to mitigate risks to the public and assets during helicopter landing, refuelling and take-off operations.

Access to the Queen Victoria Jubilee Park Oval, Williamstown, will be restricted during the window of usage by Specialist DA Helicopters.

COMMUNITY ENGAGEMENT

Not required.

Prepared by:
JENNIE BEWES

JOB SAFETY ANALYSIS

('JSA')

Job Name	**TDU: HELI LANDING SITE**	**Intended Date**	**Tues 21 Jan 2025**
Job Location	Queen Victoria Jubilee Park, Williamstown, SA		
Ops Type	Aerial Work – Task Specialist Ops (Media)		
Aircraft Type	(1) AS350-B3, (2) B206 Jet Ranger, (3) B206 Jet Ranger		
Pilot(s)	(1) David Adamson, (2) Ben Fullick, (3) Brenton Ramsey		
Client	Heather McCann, EMG / Gravity Media		
On-Site Contact	Daryl Sawley, Refueller – 0424 880 907 + Ground-to-Air Radio		
General Job Description	• Landing site required for refuelling. • HLS to accommodate one AS350 and up to two B205 helicopters. • Day VFR ops only.		

Specific Hazards and Subsequent Safety Procedures

- **Public Access:** Area to be cordoned off and access prevented by Ground Marshall.
- **Obstacles in Landing Area:** Ground Marshall to ensure landing area is clear of persons and obstacles prior to confirming "clear to land" with Pilots, via Ground-to-Air radio.
- **Fuel spillage:** Use of a small rigid fuel truck compliant with regulations, including the provision of Spill Kit in the unlikely event of spillage.

HLS Suitability
C = conditional acceptance

✓	Size	N/A	Lighting
✓	Surface	✓	Hazard-free
✓	Surrounding Area	✓	Written Permission Req'd
✓	Wind Indicator (portable)		….Permission Received

Noise Sensitive Areas	Residential area (not within 300m of the HLS):- - **expedite take-off and landings;** - **avoid approach/departure over homes & caravan park.**
No Go Areas	None – fly in accordance with Part 138 regulations.
S.A.R. Procedure	n/a
Comms required	✓ Radio - VHF ___ Radio - UHF ___ Radio - HF ✓ Handheld Ground-to-Air ___ Phone – Landline ✓ Phone - Mobile ___ Phone - Satellite
Special Equipment / Services required	___ CASA Approvals ___ Sling gear ___ Harness ___ Other ___ Task Specialist ___ AWK Passenger ✓ Ground Support
Notes / Further Requirements	

SIGNED & DATED 18 November 2024

Jennie Bewes
Pilot / Head of Safety & Regulatory Compliance

SPECIALIST HELICOPTERS. PO BOX 6442, ALEXANDRIA, NSW 2015.

Austbrokers ABS Aviation Pty Ltd
ABN 58 137 269 991
Corporate Authorised Representative of
Austbrokers Sydney Pty Ltd
ABN 14 061 968 090 AFSL No. 244244
Level 14, 44 Market Street, Sydney NSW 2000
PO Box Q1402 QVB NSW 1230
Tel (02) 8567 3110 **Fax** (02) 9570 7369

11 June 2024

Memphis Securities Pty Ltd
460 Blackspring Road
High Range NSW 2575

CERTIFICATE OF CURRENCY

This is to certify that the following insurance is current, as at the date stated above :-

TYPE/CLASS	Aircraft Hull and Liability Insurance
INSURED	**Memphis Securities Pty Ltd**
POLICY NUMBER	02 I01 0066965
AIRCRAFT	AS350B2, registration VH-TXI (max. 5 passengers)
POLICY EXPIRY	13 March 2025 at 23:59 Hours LST
SCOPE OF COVER	(a) *Hull* Accidental loss of or damage to the aircraft described. (b) *Liabilities* The Insured's legal liability to third parties and passengers for accidental bodily injury (fatal or otherwise) and accidental damage to property, arising out of the Insured's operation and/or ownership of the aircraft described.
LIMITS OF INDEMNITY	(a) *Hull* Agreed Value as per Policy. (b) *Liabilities* Combined Single Limit US$ 20,000,000 each accident.
PURPOSES OF USE	Cross-hire to and use/operation by Specialist Helicopters for Private Pleasure Business, aerial survey and aerial filming/photography uses.
PILOTS	Whilst operated by Specialist Helicopters : David Adamson
HULL DEDUCTIBLE	(including total loss, constructive total loss and arranged total loss) US$ 70,000 each accident.
ENDORSEMENT	Specialist Helicopters is included as an additional insured under the Liability Sections of the Policy, and Insurers agree to waive their rights of subrogation against it under the Hull Section of the Policy.

SECURITY:	50%	QBE Insurance (Australia) Limited
	25%	HDI Global Specialty SE – Australia
	25%	Sterling Insurance Pty Ltd (on behalf of certain underwriters of Lloyds)
	100%	

This Certificate of Currency provides a summary of the policy cover and is not intended to amend, extend, replace or override the policy terms and conditions contained in the actual policy document.

For and on behalf of Austbrokers ABS Aviation Pty Ltd

DEBATE REPORT

7.2 Corporate Services, Strategy and Innovation

7.2.3 REVIEW AND UPDATE OF THE INTERNAL REVIEW OF COUNCIL DECISION POLICY AND PROCESS

Author: Manager Corporate Services
24/112161

PURPOSE

The Internal Review of Council Decision Policy and associated Process have been reviewed and are presented to Council with a recommendation for adoption.

RECOMMENDATION

That Council adopts the draft Internal Review of Council Decision Policy and associated Process as at Attachment 1 & 2.

REPORT

Background
A full review of the Internal Review of Council Decision Policy and the associated Internal Review of Council Decision Process has been undertaken and given in principle support by the Executive Leadership Team.

Under Section 270 of the *Local Government Act 1999* Councils are mandated to establish procedures for the internal review of their decisions. This provision ensures that people have a formal avenue to request a review of council decisions, promoting transparency and accountability within local government operations.

Council would not ordinarily approve process document reviews, but as Council acts as the Reviewer for Section 270 Review Applications where it made the original decision (ie and it was not made by an Officer of Council under delegation), it is relevant for Council to have oversight of and approve the Process.

Council also has a *Complaint Handling Policy* which, as a general rule, will be promoted in the first instance where appropriate, to offer the potential for immediate resolution.

Introduction
The Internal Review of Council Decision Policy and Process outlines the procedure for managing complaints or requests for internal reviews of council decisions under Section 270 of the *Local Government Act 1999*.

Discussion
The recent review focused on the Policy and Processes alignment with the relevant legislative framework, its effectiveness in promoting accountability and transparency, and its operational efficiency.

The review process included;

- Assessment of legislative requirements under Section 270 of the Local Government Act.
- Benchmarking against similar policies from other councils.
- Consultation with key Officers.
- Analysis of feedback and trends from previous internal reviews.

Policy

The Internal Review of Council Decision Policy was last adopted on 20 August 2019 and has been reviewed to redefine the scope, clarify exceptions as per 2.2 *When decisions are not subject to review under this Policy* noting there was some duplication of information that was available via the Process.

Examples have also been updated to ensure the *Planning Development and Infrastructure Act 2016* was correctly referenced and definitions updated under 2.6 *Matters that are frivolous or vexatious, related to employment, or where the applicant does not have sufficient interest in the matter.*

Process

The Internal Review of Council Decision Process was last adopted on 19 July 2022 and has been reviewed to incorporate a general revision of 3.5 *Assignment of Application to Reviewer*, to be succinct and improve readability.

Summary and Conclusion

The review confirms that the Internal Review of Council Decision Policy and Process are effective and compliant with legislative requirements noting they have been reviewed for readability and transitioned to new templates. Changes in the organisation structure incorporating the role of Deputy CEO and who is responsible for the documents have also been included.

Implementation of the changes will enhance the policy's efficiency, transparency, and compliance.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Internal Review of Council Decision Policy
Attachment 2 Internal Review of Council Decision Process

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

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

Legislative Requirements
Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial
Officers report to Council on an annual basis on the cost of administering the Policy.

Resource
Wherever possible internal resources are used to administer the Policy and Process.

Risk Management
An appropriate Internal Review of Council Decision Policy should support Council and Officers in identifying process improvements when conducting Section 270 Reviews and managing Council's reputational risk.

COMMUNITY ENGAGEMENT

Not required under legislation or Council's Community Consultation Policy.

THE BAROSSA COUNCIL
INTERNAL REVIEW OF COUNCIL DECISION POLICY

Purpose

1.1 The Barossa Council ('Council') is committed to open, responsive and accountable government. This includes providing processes by which those who believe they have been adversely affected by a Council decision can have their complaints considered.

1.2 Section 270 of the Local Government Act 1999 (the Act) requires Council to maintain policies, practices and procedures for dealing with requests for service and complaints including a procedure about the review of decisions of:

- the council;
- employees of the council;
- other persons acting on behalf of the council.

1.3 Accordingly, this Policy provides for a procedurally fair, consistent and structured review for any person affected by a Council or its delegates decision to have their grievance considered.

2 Scope

2.1 When decisions are subject to review under this Policy

2.1.1 This Policy and its supporting *Internal Review of a Council Decision Process* applies to all decisions made by Council, its employees, and committees, except where alternative statutory processes are in place. It does not address decisions of external bodies or organisations or decisions that are subject to other forms of appeal or review.

2.2 When decisions are not subject to review under this Policy

2.2.1 Council action not a decision

Not all actions by Council, its employees or another person acting on behalf of Council will be a decision - and therefore cannot be reviewed. For example, actions taken during the process of decision-making (i.e. investigations, requests for further information, internal consideration of the matter or referral of the matter to an external adviser) are not decisions.

2.2.2 Other legislation governs review of specific type of decision

Some decisions made by Council, its employees or on behalf of Council are subject to other review or appeal processes set out in legislation. This Policy cannot override or operate inconsistently with those legislative processes. So where legislation provides for the review of, or appeal from, a type of decision, a decision of that type will not be reviewed under this Policy.

Uncontrolled once removed from webpage or Council's Record Management System. Before using printed copy please verify that it is the current version. © The Barossa Council 2021

Examples include;

- objections to valuations made by the Council;
- appeals against orders made pursuant to Section 254 of the *Local Government Act 1999;*
- appeals against the issuing of litter abatement notices under the *Local Nuisance and Litter Control Act 2016;*
- appeals against destruction and control orders issued under the *Dog and Cat Management Act 1995;*
- review of an expiation notice under the *Expiation of Offences Act 1996*; and
- external review processes under the *Planning Development and Infrastructure Act 2016,*
- and the *Freedom of Information Act 1991*.

2.2.3 Other legislation requires specific internal review process

Where legislation provides for a specific way to conduct an internal review process, that process will apply rather than this Policy as outlined in clause 2.2.2.

2.2.4 Review cannot occur in the circumstances

Some decisions made by Council, its employee or on behalf of Council are not subject to any review according to either express legislation or by necessary implication where a decision has an immediate effect under legislation from the time the decision is made.

For example, some development approvals under the *Planning Development and Infrastructure Act 2016,* are intended to have an operative effect from the time the decision is made and are not capable of being varied or revoked by Council.

2.2.5 Other Council processes govern review

In the absence of legislation, where other Council protocols require certain appeal processes, those processes will apply rather than this Policy and supporting process. For example:

- Employment related matters which are conducted in accordance with the Council's Enterprise Agreement and Human Resources Framework
- Commonwealth Home Support Program Services, where complaint processes are defined in relevant contracts.

2.2.6 Matters that are frivolous or vexatious, related to employment, or where the applicant does not have sufficient interest in the matter

In accordance with section 270(4) of the Local Government Act 1999, Council or a person assigned to consider the application may refuse to consider an application for review if;

- The application is made by an employee of Council and relates to an issue concerning his or her employment – these types of matters will be

Uncontrolled once removed from webpage or Council's Record Management System. Before using printed copy please verify that it is the current version. © The Barossa Council 2021

managed in accordance with Council's Human Resource Management Policy, and associated policies and processes; or
- It appears that the application is frivolous or vexatious; or
- The applicant does not have a sufficient interest in the matter.

2.2.7 Alternative methods of resolution

While Council prefers to work with applicants to resolve requests for internal review promptly and effectively, an applicant will always retain the right to seek other forms of resolution, such as to contact the Ombudsman or the Office for Public Integrity, or to take legal action at any time.

3 Policy Statement

3.1 This Policy is based on five key principles:

3.1.1 Fair treatment: which requires impartiality, confidentiality and transparency at all stages of the process;
3.1.2 Accessibility: through broad public awareness about Council's policies and processes and a range of contact options, any person can contact Council;
3.1.3 Responsiveness: through the provision of sufficient resources, well trained staff and ongoing review and improvement of Council's system;
3.1.4 Efficiency: through prompt resolution at an organisational level that reflects the level of complexity; and
3.1.5 Co-ordinated approach across Council teams where the matter under internal review overlaps the responsibilities of various teams.

3.2 Additionally, Council encourages Alternative Dispute Resolution where appropriate and such methods will be undertaken in accordance with Section 271 of the Local Government Act.

3.3 Application under this Policy relating to Rates.

If Council receives an application for an internal review of a decision concerning the financial impact of Council rates or services charges, these will be dealt with promptly. Where circumstances warrant, Council will consider financial relief or the granting of concessions in line with the provisions of the Local Government Act (e.g. remission or postponement of payment, issuing of fines and interest, particular land use categorisation).

Council cannot review its decision relating to the setting and declaration of rates.

3.4 Remedies

3.4.1 Where the internal review upholds the applicant's complaint, a remedy or response will be determined which is consistent and fair for both Council and applicant. The remedy chosen will be proportionate and appropriate to any issues identified and take account of what the applicant is seeking as an outcome.

3.4.2 As a general principle, the applicant will, so far as reasonably practicable, be put in the position he or she would have been in, had the original decision not been made.

3.4.3 Only the Elected Body itself and / or the CEO are authorised to offer financial compensation in cases where there is a loss that is considered substantial, and

Uncontrolled once removed from webpage or Council's Record Management System. Before using printed copy please verify that it is the current version. © The Barossa Council 2021

this will only occur after consultation with the Local Government Association's Mutual Liability Scheme.

4 Supporting Processes and Documents

Internal Review of Council Decision Process - 15/42710*

Complaint Handling Process - 18/35191*

5 Related Policies

Customer Service Policy - 22/32237*

6 Legislation and References

Local Government Act 1999
Local Government Association: Internal Review of a Council Decision: Model Procedure (June 2017)
Ombudsman SA: Right of Review: A Guideline Policy and Procedure for Councils (June 2017)

7 Review

7.1 This Policy will be reviewed by the Document Control Officer in consultation with the relevant stakeholders, within four (4) years or more frequently if legislation or Council's need changes.

8 Further Information

8.1 This Policy is available on Council's website at www.barossa.sa.gov.au. It can also 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.

8.2 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 Customer Service Policy

9 Definitions

Alternative Dispute Resolution	Includes mediation, conciliation or neutral evaluation as defined in Section 271 of the *Local Government Act*.
Applicant	The party lodging the request for internal review. Examples include residents, ratepayers, members of a community group, users of Council facilities and visitors to the Council area.
Decision	A position adopted by Council or its delegate after consideration of relevant information.
Decision-maker	Council or delegate responsible for the decision under internal review.
Delegate	A person or committee who has been given power by the Elected Body in an Instrument of Delegation to make a decision on behalf of the Elected Body.
Electronic Document and Records Management System	(EDRMS). An automated system used to manage the creation and management of physical and electronic documents and records, improving work-flow, and providing evidence of business activities.
Elected Body	The Mayor and Elected Members meeting in their decision-making capacity.

Uncontrolled once removed from webpage or Council's Record Management System. Before using printed copy please verify that it is the current version. © The Barossa Council 2021

Employee	Includes a person employed directly by Council in a full time, part time or casual capacity (whether that position is permanent, voluntary or contractual) and an authorised person who has been appointed subject to legislation.
External Review	A merits and/or process review by a person or an entity outside of The Barossa Council, e.g. the Ombudsman, of a decision that was made by the Elected Body or its delegate.
Internal Review	A merits and/or process review undertaken by a person or entity that is part of The Barossa Council or an independent reviewer, of a decision that was made by the Elected Body or its delegate.
Internal Review Contact Officer (IRCO)	The initial point of contact for applicants seeking an internal review.
Merits Review	A process by which a person or body, other than the primary decision maker, reconsiders the facts, law and policy aspects of the original decision and determines the correct or preferable decision.
Process Review	A review of the correctness of the processes followed in making a decision.
Procedural Fairness	Is concerned with the procedures used by a decision-maker, rather than the actual outcome reached. It requires a fair and proper procedure be used when making a decision and due regard to a fair approach to those involved/impacted by a decision. The rules of procedural fairness require: • a hearing appropriate to the circumstances; • lack of bias; • evidence to support a decision; and • inquiry into matters in dispute
Reviewer	The delegate responsible for conducting a review of a Council decision.

10 Document Control

Corporate Plan Link:	6.2 Ensure that Council's policy and process frameworks are based on principles of sound governance and meet legislative requirements		
Document Owner:	Manager Corporate Services	**Document Control Officer:**	Team Leader Corporate Governance & Information Services
Audience:	External	**Next Review Date:**	27/11/2026

Version History

Version No.	Date	Description of Change
5.0	27/11/2024	Reviewed
4.0	17/10/2017	Reviewed
3.0	17/10/2015	Reviewed
2.0	21/10/2015	Reviewed
1.0	20/11/2012	New Policy

Uncontrolled once removed from webpage or Council's Record Management System. Before using printed copy please verify that it is the current version. © The Barossa Council 2021

THE BAROSSA COUNCIL
INTERNAL REVIEW OF COUNCIL DECISION PROCESS

1 Overview

This Process outlines how and when an applicant can request an internal review of a Council decision; and the roles and responsibilities of the Council administration, the Internal Review Contact Officer, the Reviewer and the Elected Members to affect a fair, consistent and structured approach in dealing with each request.

2 Core Components

Complaints Handling Framework and when to use the Internal Review Process

Applying for an Internal Review

Acknowledging an Internal Review Application

Commencing the Preliminary Investigation

Assignment of Application to Reviewer

Review Considerations

After the Review

3 Process

3.1 Complaints Handling Framework and when to use this Internal Review Process

Wherever practicable, customer complaints regarding a Council decision should be referred for immediate resolution to Council's *Customer Service Policy* and *Complaint Handling Process.*

The *Complaint Handling Process* consists of three tiers to manage and resolve complaints:

3.1.1 *Immediate response to resolve the complaint*
All Workers are empowered to handle complaints in the first instance, and it is preferable that a complaint is dealt with promptly at the initial point of contact and at the appropriate Worker level.

3.1.2 *Complaint escalated to a more senior Worker*
A complaint will be directed to a senior Worker in the Council, where the complaint would be better handled at that level. This may occur, for example, where a Worker has been involved in the matter that is the subject of the complaint, where the complaint is about an issue that requires a decision to be made at a more senior level, or where a complaint concerns a matter that ranges across more than one Council team.

3.1.3 *Internal review of a Council decision*
An internal review will generally apply when matters cannot be resolved under the other two tiers.

Uncontrolled once removed from webpage or Council's Record Management System. Before using printed copy, please verify that it is the current version. © The Barossa Council 2021

Internal review of a Council decision enables the Council to reconsider all the evidence relied on to make the original decision, and additional available evidence if relevant.

However, a referral *directly to this third tier* will occur when a decision was:

- made by the Elected Body; or
- referred by the applicant directly to the Ombudsman and the Ombudsman has referred the decision back to the Council for an internal review under Section 270 of the *Local Government Act 1999* (the Act).

In such cases, the complaint must be dealt with in accordance with this Process.

However, subject to Council's *Internal Review of Council Decisions Policy* and this Process, applicants may use the section 270 Internal Review mechanism at any time to review a decision made by Council or on behalf of Council.

3.2 Applying for a review

3.2.1 Who can apply for a review

A person with a sufficient interest in a decision of Council, or its delegate, may make a written application for a review of that decision.

A person who is not the direct subject of a decision may still have a sufficient interest in the decision to seek a review under this Process. For example, a person may have a sufficient interest in a Council decision regarding the number of dogs which may be kept within a neighbour's property.

3.2.2 Timeframe to apply

An application for a review of a decision must be made within 6 months of that original decision being made.

However, in exceptional circumstances an application for internal review which is lodged outside of this 6 months may still be considered for internal review by the Council or CEO, as the case may be.

3.2.3 Assistance for the applicant – Internal Review Contact Officer

It is essential that no one is excluded from lodging an application for internal review because of difficulties they may have representing themselves.

An Internal Review Contact Officer (IRCO) is appointed by the CEO as the initial point of contact for applicants. The IRCO will be the Manager Corporate Services or in their absence, Team Leader Corporate Governance and Information Services, or in their absence, a delegate appointed by the CEO or Deputy CEO.

The IRCO may assist an applicant document their reasons for seeking an internal review, in addition to arranging access to interpreters, aids or advocates to ensure that an applicant is treated equitably.

A person seeking review of a Council decision who attends at the Council's offices personally or by telephone call, and all written applications for review should be immediately referred to the IRCO.

Uncontrolled once removed from webpage or Council's Record Management System. Before using printed copy, please verify that it is the current version. © The Barossa Council 2021

The role of the IRCO is to:

- explain the process to the applicant and explore alternative options to resolve the matter, such as mediation or conciliation prior to an application for review where possible;
- acknowledge the receipt of an application for review;
- maintain a register of all applications for review received and the outcomes of the applications;
- outline the timeframes involved and the action to be taken in the first instance;
- undertake a preliminary investigation to determine whether the matter falls within the scope of the Policy and Process and what actions have already been taken to try to resolve the matter;
- keep the applicant informed of progress if the matter does not fall within the scope of the Policy and Process, to inform the applicant, and provide alternative avenues of review or appeal, where applicable;
- ensure adequate records are maintained; and
- report to Council at prescribed intervals on all applications lodged for review.

3.2.4 How to apply for a review

While there is no standard template that the applicant needs to use, he or she must set out in writing:

- the decision they are seeking to have reviewed and their interest in that decision;
- the reasons why they believe the decision is wrong;
- what outcome is sought; and
- their daytime contact details.

Although Council can be expected to have information relevant to the matter under internal review, an application may also include new evidence to support the application.

Applications must be made in writing and addressed to the Internal Review Contact Officer and forwarded marked confidential via:

- post to: The Barossa Council, PO Box 867, Nuriootpa SA 5355
- email to: barossa@barossa.sa.gov.au
- fax to: 8563 8461
- in person at the Nuriootpa Office at 48-51 Tanunda Road, Nuriootpa SA 5355

3.2.5 Cost to apply for a review

The application for review must be accompanied by the payment of the prescribed fee set by the Minister pursuant to Section 270(3) of the Local Government Act.

The application for review will not be commenced until payment is received.

Uncontrolled once removed from webpage or Council's Record Management System. Before using printed copy, please verify that it is the current version. © The Barossa Council 2021

3.3 Acknowledging an Application for Review

The IRCO will confirm receipt of the internal review application within 5 business days and also advise the applicant of the expected timeframe for processing the matter where possible.

3.4 Commencing the Preliminary Investigation

3.4.1 Within 5 business days of receipt of the internal review application, the IRCO will:

- establish an EDRMS container with appropriate access controls.
- assess whether the application falls within the scope of the Policy and Process and if the matter does not fall within the scope of the Policy and Process, inform the applicant, and provide alternative avenues of review or appeal;
- meet with the CEO or in their absence the Deputy CEO to determine a reviewer or if the decision under review was made by the CEO, then with the Mayor or in his/her absence, the Deputy Mayor, to advise of the process (see paragraph 3.5.2 below);
- create a summary report using the *Section 270 Review Record of Investigation* template to provide to the appointed reviewer; and
- outline the resources expended to date within the *Section 270 Assessment of Resources Schedule*.

3.4.2 The IRCO and reviewer will use their best efforts to finalise an internal review within 21 business days. However, if the decision is to be reviewed by the Elected Body, a committee, or an external panel or party there may be delays caused by meeting cycle timelines. In more complex cases, an internal review may take longer.

3.4.3 Except where an external party has been appointed as reviewer, the IRCO will regularly inform the applicant of progress, either by email, letter or telephone. The IRCO will record all such contact in the *Section 270 Review Record of Investigation and Assessment of Resources* templates.

3.4.4 Where an external party has been appointed as the reviewer, the external party must inform the applicant of progress either directly (preferred) or if this is not possible, via the IRCO.

3.5 Assignment of Application to Reviewer

3.5.1 CEO, Director or Manager as reviewer

Where the decision was made by an Employee of Council (excluding the CEO), the IRCO and CEO or Deputy CEO will together determine who will be the reviewer. The appointment of a reviewer can be either an internal or external reviewed, so that they have no direct involvement in the decision and has the necessary expertise and capacity to support the review.

The IRCO will meet with the reviewer as soon as possible after his or her appointment to discuss the initial investigation, completion of the *Assessment of Resources Schedule* and *Summary Investigation Report and Findings* and refer the reviewer to the overarching Policy and this Process.

Uncontrolled once removed from webpage or Council's Record Management System. Before using printed copy, please verify that it is the current version. © The Barossa Council 2021

3.5.2 Elected Body as reviewer

The Elected Body will be the reviewer when the decision being reviewed:

- was made by a Council Committee or the CEO and;
- relates to civic and ceremonial matters and/or;
- can potentially impact a significant proportion of people and/or stated policy positions of Council and/or;
- would be assigned for internal review to an entity or person who would be otherwise conflicted and/or;
- in other circumstances as determined by the CEO or resolution of Council.

In this situation, the IRCO will undertake the practical steps of the internal review regarding facilitation and investigation and complete the supporting documentation outlined in paragraph 3.5.1 above, to present to the Elected Body for its consideration and decision as reviewer. Where the original decision was made by the Council or a Council Committee, the IRCO will do this in conjunction with the CEO or Deputy CEO in their absence.

Where a request for review has been referred to Council, the applicant will be advised of the date that the report will be presented to the Council and will be given the opportunity to provide a written or verbal submission in relation to the report for Council's consideration.

3.5.3 External Party as reviewer

Where the decision:

- is a decision of the Elected Body; and/or
- has industry-wide policy impact; and/or
- requires specialist knowledge but Employees with the specialist knowledge have an identified conflict of interest in the matter; and/or
- has significant political controversy

the IRCO will make recommendation to the CEO or Deputy CEO in their absence to refer the application to an expert party / panel together with an estimate of costs. The CEO or Deputy CEO their discretion will determine whether it is appropriate in the circumstances to appoint an external party / panel as reviewer, and approve the estimate of costs in accordance with Council's Procurement Policy and supporting processes.

Once the CEO or Deputy CEO has determined that this should occur, and confirmed the IRCO is authorised the expenditure to brief the experts, the IRCO can provide the necessary documentation to brief the expert party / panel.

The IRCO will be seeking a recommendation(s) from the expert party / panel which will then be referred back to the Elected Body for a final determination on the review.

The IRCO may consult with the Local Government Association to obtain the name or names of a recommended expert party or expert parties or panel and refer such for approval by the CEO, Deputy CEO or Elected Body.

Uncontrolled once removed from webpage or Council's Record Management System. Before using printed copy, please verify that it is the current version. © The Barossa Council 2021

3.6 Review Considerations

3.6.1 In carrying out an internal review of a decision, the reviewer will consider the merits of all the materials and information that were before the original decision-maker at the time of the decision and any additional relevant information or material provided by the applicant, or which has become available during the course of the review.

3.6.2 The reviewer will consider whether the original decision is legally and procedurally correct having regard to the following (where relevant and not restricted to), that the original:

- decision maker had the power to made the decision;
- decision maker considered all the matters which were relevant to the making of the decision at the time and did not take into account matters which were not relevant;
- decision maker did not exercise a discretion or power in bad faith, for an improper purpose or while subject to duress or the influence of another person;
- decision maker had no conflict of interest, bias or perceived bias;
- decision maker ensured that the findings of fact were based on evidence;
- decision was reasonable; and
- decision maker considered any relevant legislation, policies or processes.

The reviewer will also consider whether a different decision based on the evidence available or new evidence provided or found provides an improved outcome.

3.6.3 Refusal to consider an application

In addition to those matters which fall out of the scope of the overarching Internal Review of Council Decision Policy, Council or the CEO as the case may be is entitled under the *Local Government Act* to refuse to consider an application for review if:

- the application is made by a Council Employee and relates to an issue concerning his or her employment;
- it appears that the application is frivolous or vexatious; or
  [Note that where a matter has been referred to the Local Government Association Mutual Liability Scheme (LGAMLS) in respect to a claim or potential claim against the Council or in response to a threat of legal action against the Council, an application for review of a decision in connection with that claim or action (including the decision to refer the matter to the LGAMLS) will be vexatious].
- the applicant does not have a sufficient interest in the matter; or
- the application for an internal review has been made later than 6 months from when the applicant was advised of the original decision - unless there are exceptional circumstances for Council, or the CEO as the case may be, to allow an internal review process.

Refusing an application for review will not be done lightly and reasons for the refusal will document the evidence on which a refusal is based.

Uncontrolled once removed from webpage or Council's Record Management System. Before using printed copy, please verify that it is the current version. © The Barossa Council 2021

3.6.4 Providing Procedural Fairness

The reviewer will observe the principles of procedural fairness when undertaking the review so that:

- an applicant is entitled to put forward information and materials in support of the application for review;
- an applicant is informed of the proposed outcome of the review, has the opportunity to make submissions to the reviewer on the outcome and have these submissions taken into account; and
- the reviewer must not have a bias or perceived bias when undertaking the review.

3.6.5 Determination of review

When the reviewer is:

- the Elected Body – it should determine whether to affirm, vary or revoke the original decision;
- a Council Employee - they may determine whether to affirm, vary or revoke the original decision if authority to make the decision has been delegated to them. If the reviewer does not have a delegation enabling the making of the decision, then the reviewer should report the outcome of the review to the Elected Body (or delegate) for a determination as to whether the decision should be affirmed, varied or revoked;
- an external person or body –
    - if the original decision was made by the CEO, Council Committee Elected Body, then the external person or body should report their recommendation(s) from the review to the Elected Body for a determination as to whether the decision should be affirmed, varied or revoked.
    - If the original decision was made by an Employee or a person acting on behalf of Council who is not the CEO, and the power to make the original decision has been delegated by the Elected Body to the CEO, then the external person or body should report their recommendation(s) from the review to the CEO or Deputy CEO in their absence for a determination as to whether the decision should be affirmed, varied or revoked.

      In the event that the power to make the original decision has not been delegated to the CEO (i.e. if it has been delegated to an Employee or Council officer directly etc.), or the CEO has a conflict of interest in the matter then the external person or body should report their recommendation(s) from the review to the Deputy CEO or Director who has been delegated the power to make the original decision for a determination as to whether the decision should be affirmed, varied or revoked.

      Note: *an external reviewer cannot vary or revoke a decision made by or on behalf of Council.*

Uncontrolled once removed from webpage or Council's Record Management System. Before using printed copy, please verify that it is the current version. © The Barossa Council 2021

3.6.6 Remedies

Remedies are available to the reviewer, if it is determined that the original decision was incorrect either legally, procedurally or meritoriously, or that an improved outcome can be determined, in terms of one or more as follows,:

- an explanation
- an admission of fault and, where reasonably practicable, a change of decision
- a recommended change to policy, process or practice*
  note: *any changes are ultimately a decision for the Council or CEO, depending on the relevant delegations. The reviewer should liaise with the CEO and/or ELT at the earliest opportunity to make them aware of any potential recommendation and discuss the impact on Council resources should the change be implemented.*
- a correction of misleading records
- financial compensation including a refund of any fees
  note: only the Elected Body and the CEO are authorised to offer financial compensation in cases where there is a loss that is considered substantial. This will only occur after consultation by the IRCO with the Local Government Association Mutual Liability Scheme at the earliest possible opportunity in the investigation.
- the waiving of a debt
- the remission of a penalty
- disciplinary action under the relevant Code of Conduct, where appropriate
- referral of a matter to an external agency for further investigation or prosecution if it involves allegations of fraud / corruption
- apology
  note: where circumstances are such that it is not reasonably practicable to return the applicant to his/her original situation, or to rectify the outcome of the decision through application of the above remedies, it may only be possible for the reviewer to recommend that an apology be offered.

  If an apology is required and then approved in a resolution by the Elected Body (as reviewer) or by the CEO (if a Director or Manager is the reviewer), it will be included within the determination letter and the applicant will be advised that appropriate action will be taken to prevent the problem from being repeated.

To support development of a potential remedy, the reviewer may recommend mediation, conciliation, or neutral evaluation.

3.6.7 Reporting decision of review to the applicant

Where the Elected Body is the reviewer, the IRCO on its behalf will:

- prepare the *Summary Investigation Report and Findings* and determination letter to reflect the resolution and forward it to the applicant within 5 days of the Council meeting and
- provide information about alternative remedies, including any rights of appeal, the right to seek an external review by the Ombudsman or to make a complaint to the Office for Public Integrity.

Where an Employee, including the CEO is the reviewer:

- the reviewer will use the relevant content of the S*ummary Investigation Report and Findings* to draft a provisional determination letter and provide this to the IRCO to forward to the applicant with a request for a response for further feedback / new information within 10 business days; and
- if the applicant provides a response, the reviewer must take into consideration any new information, response or feedback provided.
- if the applicant provides no further information within that time, the IRCO will advise the reviewer so that they can confirm the provisional determination in writing, along with information about alternative remedies, including any rights of appeal, the right to seek an external review by the Ombudsman or to make a complaint to the Office for Public Integrity.

Where an external panel / body is the reviewer, the reviewer must provide their full draft report of their provisional determination to the applicant and allow a reasonable opportunity for the applicant to provide a response to the draft report, further feedback or any new information. Any response, further feedback or new information provided by the applicant should be considered by the external panel / body prior to issuing their final report.

Where there are legal or other reasons that warrant confidentiality in relation to the full draft report or *Summary of Investigation Report and Findings*, either in part or full, the reviewer will ensure that appropriate measures are taken including (but not limited to):

- redacting parts of the full draft report of the provisional determination, or the *Summary Investigation Report and Findings* (as the case may be) before providing it to the applicant;
- providing the full draft report of the provisional determination, or the *Summary Investigation Report and Findings* (as the case may be) to the applicant in confidence;
- not providing the full draft report of the provisional determination, or the *Summary Investigation Report and Findings* (as the case may be) to the applicant. However, the applicant must be informed of the provisional determination of their internal review application and allowed a reasonable opportunity to respond and/or provide further information in response to the provisional determination.

Uncontrolled once removed from webpage or Council's Record Management System. Before using printed copy, please verify that it is the current version. © The Barossa Council 2021

However, in taking appropriate measures, the reviewer must ensure that procedural fairness is observed in accordance with this Process and the Policy (see in particular paragraph 3.6.4 of this Process).

3.7 After the Review

3.7.1 Updating the Register
The IRCO will update the *Register of Section 270 Internal Reviews* in Council's EDRMS to include details of the application and the outcome of the review.

3.7.2 Reporting to the Executive Leadership Team
Any recommendations for service improvement agreed by the Council or CEO arising from an internal review process will be actioned by the IRCO to the relevant Director or CEO for implementation.

3.7.3 Reporting to the Elected Body
The Manager Corporate Services or delegate will prepare and submit to the Elected Body an annual report each July which includes the following information about internal review applications requested within the previous 12 months:

a) the number of applications for review made;

b) the kinds of matters to which the applications relate;

c) the outcome of applications;

d) a statement to quantify the resources used for each review and associated costs with an attached *Assessment of Resources Schedule*;

e) a summary of how the outcomes have been used to improve Council's customer service, policies and processes; and

f) such other matters as may be prescribed by the Regulations.

3.7.4 Reporting to the Community
The information outlined in paragraph 3.7.3 above will also be included in Council's Annual Report as required under the *Local Government Act*.

4 Training

4.1 Elected Members, Directors and Managers will receive training in this process during their induction and refresher training as required.

5 Documents to Implement Process

Written application to request an Internal Review
Confirmation of Receipt Template Section 270 Application - 15/36942
Section 270 Review of Investigation Template - 15/36965
Section 270 Assessment of Resources Template Section 270 Review -15/36965
Section 270 Summary Investigation Report and Findings Template -15/36963
Determination Letter Template - 15/36944
Annual Report Template Section 270 Review -15/37431

6 Legislation and References

Local Government Act Section 270

Uncontrolled once removed from webpage or Council's Record Management System. Before using printed copy, please verify that it is the current version. © The Barossa Council 2021

7 Review

7.1 This Process will be reviewed by the Document Control Officer in consultation with the relevant stakeholders, within four (4) years or more frequently if legislation or Council's need changes.

8 Document Control

Policy Link:	Internal Review of Council Decision Policy				
Document Owner:	Manager Corporate Services				
Document Control Officer:	Team Leader Corporate Governance & Information Services				
Reference:	15/42710	**Approval Date:**	DD/MM/YYYY	**Review Due:**	DD/MM/YYYY

Version history

Version No.	Date	Description of Change
	27/11/2024	
	19/07/2022	
	20/08/2019	
	21/08/2018	
	17/10/2017	
	21/10/2015	
	17/09/2013	New Process

9 Definitions

Alternative Dispute Resolution	Includes mediation, conciliation or neutral evaluation as defined in Section 271 of the *Local Government Act*.
Applicant	The party lodging the request for Internal Review. Examples include residents, ratepayers, members of a community group, users of Council facilities and visitors to the Council area.
Business Day	A day when the Council is normally open for business, i.e. Monday to Friday, excluding public holidays.
Council	The Barossa Council comprising the Mayor, Elected Members and Administration.
Decision	A position adopted by Council or its delegate after consideration of relevant information.
Decision-maker	Council or its Delegate responsible for the decision under Internal Review.
Delegate	A person or committee who has been given power by the Elected Body in an Instrument of Delegation to make a decision on behalf of the Elected Body.
Electronic Document and Records	(EDRMS). An automated system used to manage the creation and management of physical and electronic documents and records, improving work-flow, and providing evidence of business activities.

Uncontrolled once removed from webpage or Council's Record Management System. Before using printed copy, please verify that it is the current version. © The Barossa Council 2021

Management System	
Elected Body	The Mayor and Elected Members meeting in their decision-making capacity.
Employee	Includes a person employed directly by Council in a full time, part time or casual capacity (whether that position is permanent, voluntary or contractual).
Executive Leadership Team (ELT)	ELT is the senior internal administrative committee comprising those appointed to a position of Director and the Chief Executive Officer.
External Review	A merits and/or process review by a person or an entity outside of The Barossa Council, e.g. the Ombudsman, of a decision that was made by the Elected Body or its delegate.
Internal Review	A merits and/or process review by a person or entity that is part of The Barossa Council, of a decision that was made by the Elected Body or its Delegate.
Internal Review Contact Officer	(IRCO). The initial point of contact for applicants seeking an internal review.
Merits Review	A process by which a person or body, other than the primary decision maker, reconsiders the facts, law and policy aspects of the original decision and determines the correct or preferable decision.
Process Review	A review of the correctness of the processes followed in making a decision.
Procedural Fairness	Is concerned with the procedures used by a decision-maker to reach the decision, rather than the actual outcome reached. It requires a fair and proper process be used when making a decision and due regard to a fair approach to those involved/impacted by a decision. The rules of procedural fairness require: • a hearing appropriate to the circumstances; • lack of bias; • evidence to support a decision; and • inquiry into matters in dispute.
Reviewer	The delegate responsible for conducting a review of a Council decision.
Worker	A person is a Worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as; a) An employee; or b) A contractor or sub-contractor; or c) An employee of a contractor or sub-contractor; or d) An employee of a labour hire company who has been assigned to work in the person's business or undertaking; or e) An outworker; or f) An apprentice or trainee; or g) A student gaining work experience; or h) A volunteer of Council; or i) A person of a prescribed class. [as defined in the WHS Act 2012 (7)].

Uncontrolled once removed from webpage or Council's Record Management System. Before using printed copy, please verify that it is the current version. © The Barossa Council 2021

DEBATE REPORT

7.2 Corporate Services, Strategy and Innovation

7.2.4 MONTHLY FINANCE REPORT AS AT 30 NOVEMBER 2024

Author: Senior Accountant
24/112263

PURPOSE

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

RECOMMENDATION

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

REPORT

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

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Monthly Finance Report Council November 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.

MONTHLY FINANCE REPORT

AS AT 30 November 2024
For Year Ending 30 June 2025

Uniform Presentation of Finances

	Notes	% Actual Expenditure to Original Budget	Original Budget (Full-Year) $'000	Revised Budget (Q1) (Full-Year) $'000	Actual Result (Year-to-Date) $'000
OPERATING ACTIVITIES:		***Operating***			
Operating Income			49,517	50,316	43,507
					0
Less Operating Expenses		**38.32%**	(49,954)	(50,580)	(19,140)
Operating Surplus / (Deficit)			**(437)**	**(264)**	**24,367**
CAPITAL ACTIVITIES:					
Net Outlays on Existing Assets		***Capital***			
Capital Expenditure on Renewal and Replacement of Existing Assets	*2*	19.84%	(11,202)	(12,092)	(2,223)
Add back Depreciation, Amortisation & Impairment			10,816	10,816	4,506
					0
Add back Proceeds from Sale of Replaced Assets			368	368	124
Subtotal			**(18)**	**(908)**	**2,407**
Net Outlays on New and Upgraded Assets					
Capital Expenditure on New and Upgraded Assets	*2*	88.96%	(29,484)	(29,016)	(26,228)
Add back Amounts Received Specifically for New and Upgraded Assets	*1*		6,725	7,349	12,689
Add back Proceeds from Sale of Surplus Assets			0	0	0
Subtotal			**(22,759)**	**(21,667)**	**(13,539)**
Net Lending/(Borrowing) for the Financial Year			**(23,214)**	**(22,839)**	**13,235**
Total % Capital Budget Spent		**69.93%**			

NOTES

1) State Government funding towards Lyndoch development $9.56M

2) 2024/25 Capital Expenditure to end of November includes:
The Big Project -Barossa Rugby Park - $66k
Drainage $78k
Footpaths & Kerbing $364k
Sealed Roads $618k
Lyndoch Rec Park Redevelopment - $24.1M
Nuriootpa Soccer - $1.4M
Parks and Gardens - $242k
Unsealed Roads - $775k

DEBATE REPORT

7.2 Corporate Services, Strategy and Innovation

7.2.5 ENTERPRISE RISK MANAGEMENT POLICY AND THE ENTERPRISE RISK MANAGEMENT FRAMEWORK

Author: Manager Corporate Services
24/112431

PURPOSE

To consider and approve the Enterprise Risk Management Policy and the Enterprise Risk Management Framework.

RECOMMENDATION

That Council approves the Enterprise Risk Management Policy at Attachment 1, and the draft Enterprise Risk Management Framework at Attachment 2.

REPORT

Background
The *Local Government Act 1999* mandates Councils implement systems for managing risks associated with their functions. To meet these requirements and align with the *Work Health Safety Act* 2012, Council has developed an Enterprise Risk Management Framework and Policy.

A full review of the Enterprise Risk Framework and the Enterprise Risk Policy has been undertaken and given in principle support by the Executive Leadership Team.

Introduction
Council's current Enterprise Risk Framework and Enterprise Risk Policy was approved in 2020 and is due for review in 2024.

The Enterprise Risk Management Framework and Policy have been reviewed and updated to incorporate amendments to s99, s125, S126, s126A and s134 of the *Local Government Act 1999*.

The review includes alignment to the Local Government Risk Services Model Risk Management Framework and Policy documents but has been customised to reflect the strategic and operational environment of The Barossa Council.

Of note is the inclusion of updated risk appetite statements that were developed via workshop with both Elected Members and the Executive Leadership Team, reviewed by the Audit and Risk Committee and endorsed by Council in June 2024 which will further support strategic decision making and operational efficiency.

The risk matrices have also been revised to include psychological consequence as per the Work Health and Safety (Psychosocial Risks) Amendment Regulations

providing further mechanism to support activities to manage psychosocial risk and create a mentally healthy workplace.

The development and review of the Enterprise Risk Management Framework and Policy involved:

- Internal meetings with department heads and all staff review.
- Consultation with the Audit and Risk and WHS Committees for oversight.
- Benchmarking against risk management practices in other councils and the Local Government Risk Service.

Summary and Conclusion

The Enterprise Risk Management Framework and Policy provide a comprehensive approach to managing risks, ensuring Council fulfills its legislative obligations while delivering on strategic objectives. Endorsement is recommended to enhance Council's governance, operational resilience, and service delivery.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Enterprise Risk Management Policy-DRAFT ⇩
Attachment 2 Enterprise Risk Management Framework-DRAFT ⇩

Supporting references

Model Code of Practice: Managing Psychosocial Hazards at Work

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate 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

Local Government Act 1999
Work Health Safety Act 2012
Work Health and Safety (Psychosocial Risks) Amendment Regulations 2023

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Addressed within the Report

COMMUNITY ENGAGEMENT

Not required under legislation or Council's Public Consultation Policy.

THE BAROSSA COUNCIL
ENTERPRISE RISK MANAGEMENT POLICY

1 Purpose

1.1 The Barossa Council (Council) is committed to an integrated approach to risk management to assist us in setting appropriate strategies, achieving our objectives and making informed decisions, in the best interests of our community.

1.2 The purpose of the Enterprise Risk Management Policy is to establish a consistent approach to risk management across all Council operations, ensuring risks are identified, assessed, and managed effectively by;

1.2.1 Articulating Council's commitment to core risk management principles;

1.2.2 Supporting the implementation and maintenance of an Enterprise Risk Management Framework that provides the principles, processes and tools to underpin Council's approach to achieving a balance between the costs of managing a risk and the anticipated benefits; and

1.2.3 Defining responsibilities for the application of risk identification, assessment, monitoring, management and review of strategic, financial and operational risks on a regular basis.

2 Scope

2.1 This Policy relates to the management of all reasonably foreseeable Risks associated with the carrying out of Council's business activities and applies to all Council Workers.

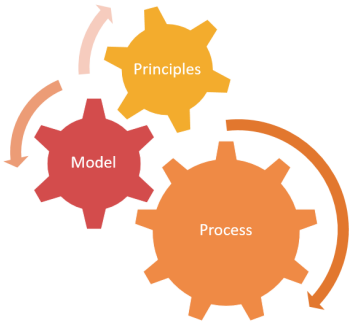
The management of risk will be integrated into Council's governance structures, including decision making and management activities at strategic and operational levels.

3 Policy Statement

3.1 Council is committed to maintaining and applying governance and risk management principles to ensure that any impacts to strategic and business objectives are considered and analysed.

3.2 Council will adopt and implement a systematic approach to identify, assess, evaluate and treat (mitigate) risks. The Risk Management Framework aims to assist Council to achieve its strategic goals whilst recording and managing its operational risks.

Enterprise Risk Management Framework



Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

3.3 Council will maintain the Risk Management Framework in accordance with the International Standard ISO31000:2018 – Risk Management Guidelines, with the goal of providing a consistent approach for dealing with uncertainties likely to impact on the achievement of Councils Vision.

3.4 Engagement with Workers and stakeholders is integral to the success of risk management processes and, as such, structures to facilitate consultation and communication will be maintained.

3.5 Council's Risk Register(s) will be periodically and consistently reviewed in accordance with set timeframes identified in the Risk Management Framework.

4 Performance Measures

4.1 Council will develop and implement a monitoring program to measure the effectiveness of the Framework.

5 Roles and Responsibilities

Roles	Responsibilities
Council	• Setting Council's risk appetite and approving the Risk Management Policy and ERM Framework. • Giving adequate consideration to risks when setting objectives and making decisions. • Fostering a culture that is consistent with Council's appetite for risk. • Requiring the CEO to provide information to allow Elected Members to understand the risks that may have material impacts on achievement of Council's objectives; and • Considering recommendations from the Audit and Risk Committee relating to strategic, financial and operational risks or any other risk matter.
Audit Committee	• Review and note the ERM Framework in accordance with its Terms of Reference. • Monitor strategic risks on a quarterly basis. • Review and comment on the annual report from the CEO in relation to policies and processes adopted to evaluate and improve the effectiveness of internal control practices and processes. • Reviewing annual financial statements to ensure that they present fairly the state of affairs of Council. • Proposing, and providing information relevant to, a review of Council's strategic management plans or annual business plan.
Chief Executive Officer	• Promote a managed risk management culture by providing firm and visible support (including appropriate accountability) for the management of risks. • Ensure that appropriate resources are allocated to managing risks based on risk policy determinations. • Ensure that the organisation (through the Executive Leadership Team) have the necessary knowledge and skills to effectively fulfil their risk management responsibilities and are accountable for managing risks arising from the activities of their programs. • Escalate all strategic risks that exceed Council's risk appetite to the Audit and Risk Committee or Council, as required. • Provide an annual report to the Audit and Risk Committee in relation to the policies and processes adopted by Council to

Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

	evaluate and improve the effectiveness of its internal control practices and processes.
Executive Leadership Team	• Promote a proactive risk culture and encourage risk escalation. • Ensure the ERM Framework is implemented and delivers a consistent approach to risk management by assigning responsibility and accountability at appropriate levels within the organisation • Ensuring adequate resourcing is available to manage and implement the Framework. • Be a forum for risk escalation. • Monitor Council's overall risk profile and mitigation strategies. • Commitment to, and promotion of, the ERM Framework. • Ensure that risk management is embedded into all critical functions and activities. • Ensure that risks that cannot be treated immediately are recorded on the risk register and that there is ongoing and regular review of the risk register, (including follow up and close out of overdue risk treatments). • Empower staff to actively be involved in managing risk. • Review Council's Strategic Risks.
Risk Management Team	• Maintaining the Enterprise Risk Policy and the ERM Framework to ensure their currency and relevance; • Provide guidance and assistance to all staff in relation to the application of the Enterprise Risk Policy and ERM Framework. • Assist the Executive Leadership Team to develop, implement and maintain the ERM Framework, plans and actions in a systematic and standardised manner; • Maintain the Risk Register and reporting timeframes as required. • Ensure relevant risk information is recorded in the Risk Register and reported and escalated to the Executive Leadership Team or cascaded to staff, as relevant. • Assist the Executive Leadership Team in development and compilation of reports relating to Council's risk and internal control profile.
Managers/Supervisors/Team Leaders	• Leading by example and promoting a proactive risk culture in accordance with Council's initiatives, the Enterprise Risk Policy and the ERM Framework; • Ensuring risks that cannot be treated immediately are escalated to the Executive Leadership Team and the Enterprise Risk and Safety Team for immediate attention; • Leading and participating in risk management activities in their areas of responsibility including the identification, assessment, monitoring, review and management of risks and any applied mitigations to ensuring a safe workplace and the achievement of Council's strategic and operational objectives; and • Completing actions within the allocated timeframe.
Workers	• Understand the risk management processes that are integrated into all Council activities • Identify, evaluate, report and manage risks in their daily activities and projects. • Adhering to the Enterprise Risk Policy and the ERM Framework.

6 Supporting Processes and Documents

- Budget and Business Plan (and Review) Process- 14/36055*
- Business Continuity Plan – 20/14642*
- Community Incident Response Arrangements- 20/42995*
- Contract and Contractor Management Process- 15/1551*
- Enterprise Risk Management Framework – CD/20/126*
- Procurement Planning, Sourcing and Selection Process- 14/57765*
- Purchasing Process- 14/19226*
- Risk Register – 23/9164* (and Control Track)
- WHS & Injury Management Planning and Review Process – 12/42344*
- WHS Audit Process – 12/50428*
- WHS Committee Terms of Reference 12/42336*
- Workplace Emergency Management Plan- 21/32494*
- Workplace Emergency Management Process-12/42342*

7 Related Policies

- Asset Management Policy- 14/58754*
- Budget and Business Plan (and Review) Policy- 14/36056*
- Community Emergency Management Policy- 20/30487*
- Drug and Alcohol Policy- 15/31154*
- Event Management Policy- 14/32852*
- Hazard Management Policy- 12/42303*
- Lease and Licence Policy- 23/12291*
- Procurement Policy-14/3706*
- Prudential Management Policy- 14/29402*
- Work Health & Safety Administration Policy-12/42336*
- Work Health & Safety and Return to Work Policy-12/7379*
- Work Health & Safety Consultation and Communication Policy- 12/42332*
- Workplace Emergency Management Policy- 12/42340*

8 Legislation

- *Local Government Act 1999* (SA)
- *Work Health and Safety Act 2012*
- *Civil Liabilities Act 1936*
- *State Records Act 1997* (SA)
- *Commonwealth Privacy Act 1988*
- *Freedom of Information Act 1991* (SA)
- Local Government (Financial Management Regulations) 2011
- AS ISO 31000:2018 - Risk Management Guidelines
- SA HB:436.1:2020 Risk Management Guidelines – companion to AS ISO 31000:2018, Part 1: Boards and executives
- Return to Work SA Code of Conduct for Self-Insured Employers Work Health Safety and Return to Work Policy

9 Review

This Policy will be reviewed by the Document Control Officer in consultation with the relevant stakeholders within four (4) years or more frequently if legislation or Council's need changes.

10 Definitions

Operational Risks	Risks associated with departmental functions and daily operations to deliver core services.
Risk Management	Coordinated activities to direct and control an organisation with regard to risk.
Strategic Plans	Strategic Plans include (but are not limited to) Community Plan, Corporate Plan, Infrastructure and Asset Management Plans.
Strategic Risks	Risks associated with *high level* strategic goals that align to Councils Strategic Plans. Strategic risks may affect the achievement of Council's corporate objectives-They are key issues for the management and impinge on the whole business rather than a business unit. These risks can be triggered from within the business or externally. In other words they may stop the organisation from achieving its strategic goals.
Worker	A person is a worker if the person carries out work in any capacity for Council, including work as: (a) an employee; or (b) a contractor or subcontractor; or (c) an employee of a contractor or subcontractor; or (d) an employee of a labour hire company who has been assigned to work in the person's business or undertaking; or (e) an outworker; or (f) an apprentice or trainee; or (g) a student gaining work experience; or (h) a volunteer; or (i) a person of a prescribed class.

11 Definitions

Corporate Plan Link:	BS5 Enterprise Risk and Safety/Output 1 Risk Framework Management				
Document Owner:	Manager Corporate Services				
Document Control Officer:	Team Leader Risk & Safety				
Audience:	Internal	**Approval Date:**		**Review Due:**	

Version history

Version No.	Date	Description of Change
3.0	25/10/2024	Updated Policy to incorporate LG Act amendments (S48, S99, S125, S126, S132 and S134) and align with the LG Safe Risk Management Policy.
2.0	17/11/2020	Policy template update and contents aligned to LGAMLS model policy
1.0	17/11/2015	New Policy

Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

THE BAROSSA COUNCIL
Enterprise Risk Management Framework

1 Overview

1.1 The Barossa Council (Council) is committed to an integrated approach to risk management to assist us in setting appropriate strategies, achieving our objectives and making informed decisions, in the best interests of our community.

1.2 The risk management process is not an isolated function and can be applied to any activity, including decision making, at all levels. Effective identification, analysis, evaluation and treatment of defined risks are critical to Council achieving its objectives and meeting overall community expectations.

1.3 The Enterprise Risk Management (ERM) Framework sets the foundation for people who create and protect value in Council by managing risks, making decisions, setting and achieving objectives and improving performance.

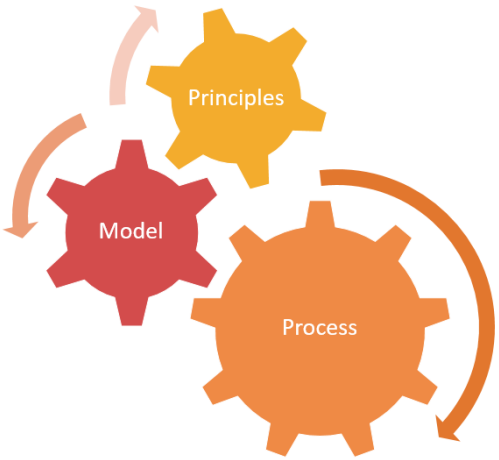
2 Core Components

2.1 Managing risk at Council is based on the principles of The Australian Standard for Risk Management Guidelines (AS ISO 31000:2018) which underpin this Framework. These principles also align with good governance and leadership that is fundamental to how Council is managed at all levels.

Risk Management Principles provide guidance on the characteristics of effective and efficient risk management, communicating its values and explaining its intention and purpose.

- **Risk Management Model** supports the Council in integrating risk management into activities and functions (including projects).
- **Risk Management Process** includes the risk assessment of the activity by addressing the risk identification, risk analysis and risk evaluation to identify the risk treatments to mitigate the risk.

Enterprise Risk Management Framework



Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

3 Risk Management Principles



3.1 The following principles underpin Council's ERM Framework and guide how we manage risk across Council.

a) **Integrated** - Risk management is an integral part of Council operations and projects.

b) **Structured and Comprehensive** - A structured and comprehensive approach to risk management contributes to successful risk identification and management including prudential reporting.

c) **Customised** - The ERM framework is created in line with Council's Strategic Plans and risk management culture.

d) **Inclusive** - An inclusive approach via the involvement of relevant stakeholders enables their knowledge, views and perceptions to be considered and enables informed decision making.

e) **Dynamic** - Risks can change over time as external and internal factors develop. Risk management anticipates, detects, acknowledges and responds to those changes and events in an appropriate and timely manner.

f) **Best Available Information** - The inputs to risk management are based on historical and current information, as well as on future expectations.

g) **Human and Cultural Factors** - Human behaviour and culture influence all aspects of risk management at an operational or project level.

h) **Continuous Improvement** - Risk management is continuously improved through learning, experience and informing others.

4 Risk Management Model

Risk Management Model



Council's Risk Management Model is based on six core components:

4.1 Leadership and Commitment

Council and its Executive Leadership Team demonstrate leadership and commitment to ensure that risk management is integrated into all organisational activities by:

- Developing and implementing the ERM Framework, supporting tools and processes;
- Allocating appropriate resources for risk management;
- Supporting and encouraging risk escalation; and
- Assigning roles, responsibilities and accountabilities with respect to risk management and communicating these through the organisation.

4.2 Integration

Risk Management is not just about the risk assessment process nor is it a stand-alone discipline. In order to maximise risk management benefits and opportunities, it requires connection through Council's entire operations, as follows:

Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

Risk Management System



4.2.1 Enterprise Risk Management and Risk Appetite

Enterprise risk management encompasses Strategic and Operational Risk Management.

Strategic Risks are identified by reference to both the external environment and Council's Strategic Management Plan objectives. Strategic risks are monitored by the Executive and Elected Member body.

Operational Risks arise from Council's day-to-day departmental functions and operations to deliver essential services but also may arise from projects undertaken by Council to create a new or unique structure, product, service or result. Operational risks are monitored by Council's operational management activities through responsible officers.

Risk management is intended to be embedded in the organisation's culture, enabling well informed decision making within Council's risk appetite.

Risk appetite can be explained as 'how much risk is the organisation willing to take on in order to attain appropriate or sought-after return?' Or in other words, the total impact of the risk the organisation is prepared to accept in the pursuit of achieving its strategic objectives.

Risk Appetite has two components to it:

- Risk tolerance: how much risk can the organisation choose to accept?
- Risk capacity: how much risk can the organisation afford to take?

The ability to take on risk is determined by more than just a capacity to absorb losses. The ability to manage risk is based on skills, experience, systems, controls and infrastructure.

Understanding risk appetite will help Council Officers in the efficient allocation of resources across all identified risks and enable the pursuit of opportunities within clearly defined boundaries. Council's current risk appetite is set out in Appendix 4.

Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

4.2.2 Strategic & Business Planning/Decision Making

Strategic and Business Planning must adequately consider the risks facing Council in setting and pursuing its objectives and the effectiveness of systems that are in place to manage and communicate those risks.

Risk Management will be integrated into Council's governance structures, including decision making. Risk assessment and management processes will be incorporated into Council and Committee reports, where there is a potential impact on achievement of Council's objectives or on the wider community.

Council members are expected to:

a) give adequate consideration to risks when setting Council's objectives;
b) understand the risks facing Council in pursuit of its objectives;
c) oversee the effectiveness of systems implemented by the organisation to manage risk;
d) accept only those risks that are appropriate in the context of Council's objectives; and
e) consider information about such risks and make sure they are properly communicated to the appropriate stakeholder or governing body.

4.2.3 Legislative Compliance

The Local Government Act (SA) 1999 applies to the functions of Councils in South Australia. However, due to the diversity of functions and services provided by Council, a range of other Acts, Regulations and Codes of Practice and Standards also apply.

Council has implemented a Work Health and Safety (WHS) system to manage health and safety risks to Workers and members of the public, in accordance with the WHS Act (SA) 2012 and Return to Work SA's Performance Standards for Self-Insurers.

4.2.4 Service Delivery

Council's risk exposures vary according to the functions, facilities and services it provides and these will inevitably change over time. Council's planning processes will address both the risks associated with provision of functions, facilities and services, (such as capacity and resources,) and risks arising from their delivery, (such as public safety and community reaction).

4.2.5 Internal Audit

Internal audit is an independent, objective assurance and consulting activity designed to add value and improve the organisation's operations. It helps Council to accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes. The process of internal audit may result in the identification of new risks or more effective treatments for existing risks.

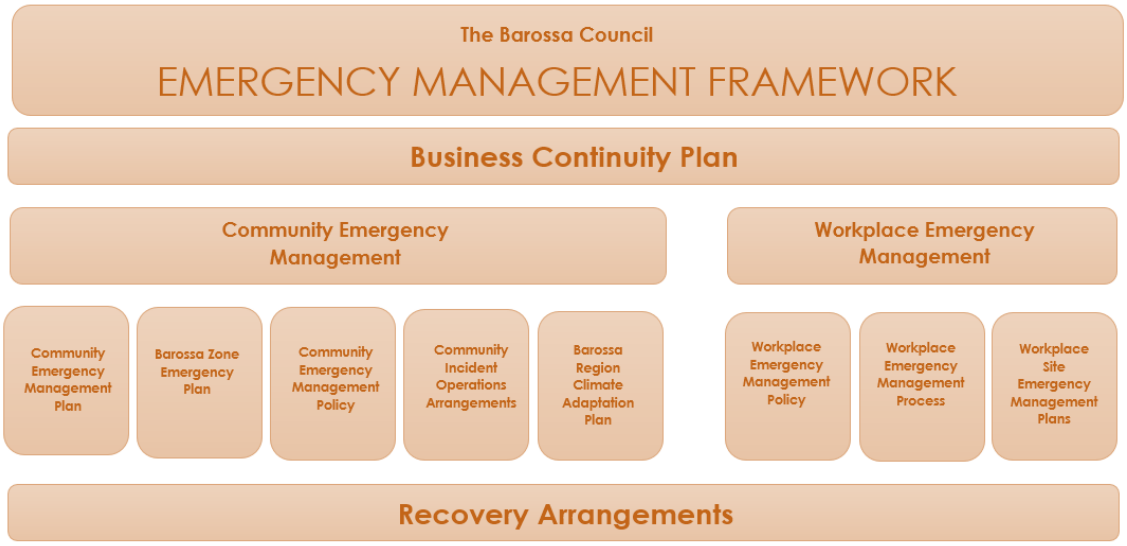
The CEO will provide an annual report to the Audit and Risk Committee in relation to the policies and processes adopted by Council to evaluate and improve the effectiveness of its internal control practices and processes.

In addition to its own internal audit program, Council engages an independent auditor to undertake an audit of internal controls as required by Section 125 of the Local Government Act (SA) 1999 and Part 6, Regulation 19 of the Local Government (Financial Management Regulations) 2011.

4.2.6 Emergency Management

Council plans for, and undertakes, prevention, preparedness, response and recovery activities to support its Workers and community in the event of emergencies and natural disasters.

Emergency management within The Barossa Council is separated into two distinct policies and processes which clearly define separate responsibilities and arrangements for Workplace and Community Emergency Management.



Workplace Emergency Management arrangements are focused on the safety and wellbeing of Council's Workers and customers in the delivery of its core business and levels of service.

Community Emergency Management arrangements align with the Local Government Association's Council Ready framework and include alignment and co-operation with lead agencies and other Councils in the region as well as providing information and training for Workers to protect them from harm whilst responding to emergencies and natural disasters within the broader community.

4.2.7 Business Continuity Plans / Information Technology Disaster Recovery Plan

Council is obliged to ensure that critical business functions continue after a business interruption. Council will have in place the following plans, taking into consideration reasonably foreseeable risks and their potential impact on achievement of Council's objectives:

- Business Continuity Plan (BCP) - designed to manage risk by limiting or reducing the impact of a disruption, (such as severe weather event or loss of key personnel), and enable the resumption of critical business functions/services of Council following a disruption.
- Disaster Recovery Plan (DRP), which is intended to protect and recover Council's Information Technology infrastructure and data in the case of a disruptive event, (such as cyberattack or loss of infrastructure,) by defining actions to be taken before, during and after an event

4.2.8 Performance Monitoring

Both risk management and organisational performance monitoring start with the establishment and communication of corporate goals and objectives and development of strategies which are then cascaded throughout the organisation. Appropriate measures and reporting structures are in place to monitor the effectiveness of Council's ERM Framework, (at an individual and organisational level), which will in turn assist in identifying gaps or emerging risks.

4.2.9 Information/Data Management

Not only is it critical to the achievement of Council's objectives that it retains data and corporate knowledge, there are regulatory requirements to do so. Council must comply with the State Records Act 1997, Commonwealth Privacy Act 1988 and Freedom of Information Act 1991. Council's records may be vulnerable to cyberattack, malicious intent or unauthorised release, should appropriate risk mitigation strategies not be in place.

4.3 Design

A clear understanding of roles and responsibilities is required to ensure a transparent approach to managing risk within Council.

Roles	Responsibilities
Council	• Setting Council's risk appetite and approving the Risk Management Policy and ERM Framework. • Giving adequate consideration to risks when setting objectives and making decisions. • Fostering a culture that is consistent with Council's appetite for risk. • Requiring the CEO to provide information to allow Elected Members to understand the risks that may have material impacts on achievement of Council's objectives; and • Considering recommendations from the Audit and Risk Committee relating to strategic, financial and operational risks or any other risk matter.
Audit Committee	• Review and note the ERM Framework in accordance with its Terms of Reference. • Monitor strategic risks on a quarterly basis. • Review and comment on the annual report from the CEO in relation to policies and processes adopted to evaluate and improve the effectiveness of internal control practices and processes. • Reviewing annual financial statements to ensure that they present fairly the state of affairs of Council. • Proposing, and providing information relevant to, a review of Council's strategic management plans or annual business plan.
Chief Executive Officer	• Promote a managed risk management culture by providing firm and visible support (including appropriate accountability) for the management of risks. • Ensure that appropriate resources are allocated to managing risks based on risk policy determinations. • Ensure that the organisation (through the Executive Leadership Team) have the necessary knowledge and skills to effectively fulfil their risk management responsibilities and are accountable for managing risks arising from the activities of their programs. • Escalate all strategic risks that exceed Council's risk appetite to the Audit and Risk Committee or Council, as required. • Provide an annual report to the Audit and Risk Committee in relation to the policies and processes adopted by Council to evaluate and improve the effectiveness of its internal control practices and processes.
Executive Leadership Team	• Promote a proactive risk culture and encourage risk escalation. • Ensure the ERM Framework is implemented and delivers a consistent approach to risk management by assigning responsibility and accountability at appropriate levels within the organisation • Ensuring adequate resourcing is available to manage and implement the Framework. • Be a forum for risk escalation. • Monitor Council's overall risk profile and mitigation strategies. • Commitment to, and promotion of, the ERM Framework.

Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

	• Ensure that risk management is embedded into all critical functions and activities. • Ensure that risks that cannot be treated immediately are recorded on the risk register and that there is ongoing and regular review of the risk register, (including follow up and close out of overdue risk treatments). • Empower staff to actively be involved in managing risk. • Review Council's Strategic Risks.
Risk Management Team	• Maintaining the Enterprise Risk Policy and the ERM Framework to ensure their currency and relevance; • Provide guidance and assistance to all staff in relation to the application of the Enterprise Risk Policy and ERM Framework. • Assist the Executive Leadership Team to develop, implement and maintain the ERM Framework, plans and actions in a systematic and standardised manner; • Maintain the Risk Register and provide reports as required. • Ensure relevant risk information is recorded in the Risk Register and reported and escalated to the Executive Leadership Team or cascaded to staff, as relevant. • Assist the Executive Leadership Team in development and compilation of reports relating to Council's risk and internal control profile.
Managers/Supervisors/Team Leaders	• Leading by example and promoting a proactive risk culture in accordance with Council's initiatives, the Enterprise Risk Policy and the ERM Framework; • Ensuring risks that cannot be treated immediately are escalated to the Executive Leadership Team and the Enterprise Risk and Safety Team for immediate attention; • Leading and participating in risk management activities in their areas of responsibility including the identification, assessment, monitoring, review and management of risks and any applied mitigations to ensuring a safe workplace and the achievement of Council's strategic and operational objectives; and • Completing actions within the allocated timeframe.
Workers	• Understand the risk management processes that are integrated into all Council activities • Identify, evaluate, report and manage risks in their daily activities and projects. • Adhering to the Enterprise Risk Policy and the ERM Framework.

4.4 Implementation

Council's ERM Framework is implemented through induction, risk awareness sessions and the facilitation of risk awareness workshops.

4.5 Evaluation

Council will undertake periodic reviews of its ERM Framework to measure its effectiveness and to determine whether it remains suitable in supporting the achievement of its strategic and operational objectives.

4.6 Improvement

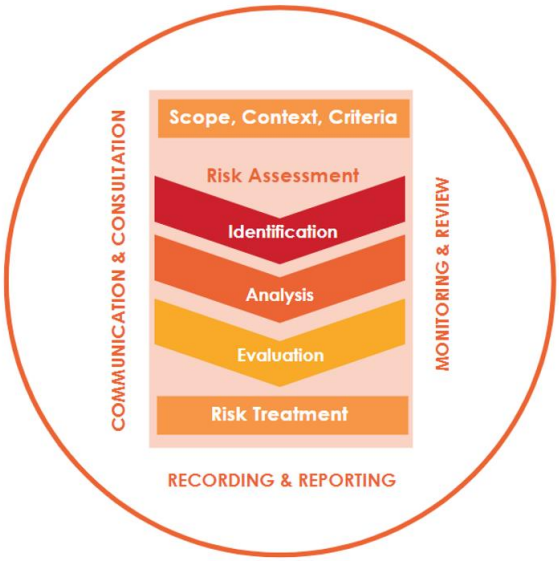
To maintain and improve the value of risk management to the organisation, Council will monitor and adapt its ERM Framework, with a view to continually improve the suitability, adequacy, and effectiveness of the risk management process.

Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

5 Risk Management Process

The Risk Management process is not a one size fits all approach. The Risk Management process needs to be dynamic and tailored to respond to the variable nature of human behaviour and culture whilst ensuring outcomes are met. The Barossa Council has a number of tools and resources available via the Document Register for assistance in the risk management process.

Risk Management Process



5.1 Communication and Consultation

The purpose of communication and consultation is to assist relevant stakeholders in understanding risk, the basis on which decisions are made and the reasons why particular actions are required. Communication and consultation with appropriate external and internal stakeholders should take place within and throughout all steps of the risk management process.

5.2 Scope, Context and Criteria

The purpose of establishing the scope, the context and criteria is to customise the risk management process, enabling effective risk assessment and appropriate risk treatment.

5.2.1 Defining the Scope

The organisation should define the scope of its risk management activities. This should include consideration of:

a) Goals and objectives of risk management activities;
b) Proposed outcomes and timing;
c) Responsibilities and accountabilities for the risk management process;
d) Risk management methodologies;
e) Processes, activities and projects and how they may interact with other processes, activities and projects of Council;
f) How effectiveness and/or value will be measured and monitored; and
g) Availability of resources to managed risk.

Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

5.2.2 Defining the context

The context should provide an understanding of factors internal and external to the organisation that may influence Council's ability to achieve its objectives. It should also reflect the specific environment of the activity to which the risk management process is to be applied.

5.2.3 Defining the criteria

Risk criteria are used to evaluate the significance of risk and are reflective of Council's values, objectives and resources and the views of its stakeholders. Council's risk criteria are documented throughout this ERM Framework and its appendices.

It should be noted that, whilst risk criteria are established at the beginning of the risk management process, they are dynamic and should be continually reviewed and amended, if necessary.

5.3 Risk Assessment

Risk assessment is the overall process of risk identification, risk analysis and risk evaluation.

5.3.1 Risk Identification

The aim of risk identification is to develop an inclusive list of events that may occur which - if they do - are likely to have an impact on the achievement of Council's objectives. Council identifies, assesses and treats risk in the following two risk types:

Strategic	**Risks associated with high level strategic goals that align to Councils Strategic, Annual and Business Plans. Strategic risks may affect the achievement of Council's corporate objectives. They are key issues for the management and impinge on the whole business rather than a business unit. These risks can be triggered from within the business or externally.**
Operational	Risks associated with departmental functions and daily operations to deliver essential services. Often the risks are cost overruns, supply chain/logistic issues, Worker issues, fraud, WHS, non-compliance to policies and procedures.

Risk identification naturally flows on from the context discussion and is a process of formally documenting the effects of uncertainty on objectives. An effective approach is to engage as many stakeholders as possible in a structured identification process.

The aim is to generate a list of risks based on those impacts or events. During the identification process, there are a number of questions that need to be asked to capture the information required:

a) What might happen/ what could go wrong?
b) What is the cause?
c) How does this affect the objective?

After a risk is identified, it may be categorised and captured in the Risk Register in accordance with the following categories:

Risk Categories



The process of risk identification must be comprehensive as risks not identified are by nature excluded from further analysis. Care must be taken to identify and define risks, rather than causes or consequences.

5.3.2 Risk Analysis

Risk analysis involves developing an understanding of a risk. It provides an input to risk evaluation and to decisions on whether risks need to be treated, and the most appropriate risk treatment strategies and methods. The tables included in the appendices are Council's tools for determining the consequence, likelihood, level of risk, treatment requirements and priority, effectively setting out Council's risk tolerance.

Inherent and Residual Risk

A "risk rating" can be determined by combining the estimates of effect (consequence rating) and cause (likelihood rating). The risks are to be assessed against all consequence categories; and the highest consequence rating will be used.

The first rating obtained will be the inherent risk rating, (i.e. the level of risk at time of risk assessment with no controls.) Once further and additional controls are added to reduce the consequence and/or likelihood, the risk is rated again to determine the residual risk, (i.e. the level of risk remaining after risk treatment).

Risk Appetite

The Executive Leadership Team, under direction of the Council, are responsible for defining Council's risk appetite, taking into consideration the nature and extent of the risks Council is willing to take in order to achieve its strategic objectives.

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

Risk appetite levels are determined for each risk category using an ordinal scale of four risk appetite levels: averse, cautious, accepting and open. In this order, the risk appetite levels provide an indication of an increasing willingness to take on or retain risk.

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

Within each category, it is recognised that, whilst there is a primary risk appetite, (being the generally accepted position,) from time to time there will be situations where the risk appetite differ - either due to exceptional circumstances or in order to achieve the best outcomes for the community – and, as such, a secondary risk appetite has been defined where necessary.

Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

Risk category	Averse	Cautious	Accepting	Open
Service Delivery		**Secondary ❍**	**Secondary ❍**	**➢ Primary**
Sustainability & Environment	**Secondary ❍**		**Secondary ❍**	**➢ Primary**
Financial		**Primary ➢**	**Secondary ❍**	
People		**Secondary ❍**	**➢ Primary ➢**	**Secondary ❍**
Reputation		**Secondary ❍**	**➢ Primary**	

Council's risk appetite will be included in Council's regular monitoring and review process of the ERM Framework. This review of appetite will be incorporated into the structure of Council at each level of responsibility due, in part, to the differing focuses with regards to the risks that Council faces at each of these levels.

Risk Tolerance

Not all risk types for Council are the same in terms of their acceptability. Once a risk has been analysed, it needs to be compared to Councils tolerance levels. Tolerance can be described as the organisation's readiness to bear each of the risks after implementation of controls in order to achieve its objectives.

If the assessed risk level is above the tolerable level for that category of risk then treatment may be required. If it is equal to, or below, the tolerable level for that category of risk then the risk can be accepted, (provided the controls are implemented).

5.3.3 Risk Evaluation

Risk Evaluation is the process used to assist in making decisions, based on the outcomes of risk analysis, about which risks need treatment and the priority for implementation of controls. Decisions should take account of the wider context of the risk and include consideration of the tolerance of the risks borne by parties other than Councils who may benefit from the risk. There are also circumstances whereby, despite the risk level, risks cannot be treated.

5.4 Risk Treatment

The purpose of risk treatment is to select and implement options for addressing risks.

5.4.1 Risk Treatment Options

Risk treatment options are not necessarily mutually exclusive or appropriate in all circumstances. Options may include:

Eliminate	Remove the asset or service completely so as to eliminate the risk altogether
Share	Allocate risk to a third party, such as through appropriate contactor management
Mitigate	Implement a type of treatment control to reduce or remove the risk. This may include but is not limited to options such as substitution (swapping), isolation (barricade), engineering (modify by design) or administration (policy/process)
Accept	Risk can be accepted for a number of reasons including: • no extra treatments being available; • meets the stated target for the type of risk; • informed decision has been made about that risk; and • risk treatment is worth more than the risk exposure.

Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

For positive risks, options may include;

Exploit	Implement strategies to capitalise on the likelihood of the risk eventuating and ensure that Council is able to respond quickly to the opportunities as they arise.
Share	Partnering with another organisation that is able to add skills or value not currently available within Council.
Enhance	Influence the factors that will improve the likelihood of the opportunity arising.
Accept	Maintain status quo by informed decision.

In selecting any risk treatment, consideration must be given to new risks that may arise from implementing it and the processes outlined in this framework applied to those new risks.

5.4.2 Risk Control Characteristics

Selection of risk treatment options involves balancing the potential benefits against costs, efforts or disadvantages of implementation.

Risk treatments need to be designed in a manner to ensure they are sufficient to mitigate that risk, and have some of the following characteristics if they are to become an adequate control:

a) Documented (e.g. Policies, procedures, task lists, checklists)
b) Systems-oriented (e.g. integrated and/or automated)
c) Preventative (e.g. system controls) or detective
d) Consistent and regular (including during staff absence)
e) Performed by competent and trained individuals
f) Clear responsibility and accountability
g) Create value (i.e. benefits outweigh costs)
h) Achievable for the organisation (based on available resources)
i) Evidenced
j) Confirmed independently

5.4.3 Risk Treatment Plans

Risk treatment plans specify how the chosen treatment options will be implemented, so that those involved understand what arrangements are in place and to allow progress against the plan to be monitored. Risk treatment plans may be integrated into Council's existing processes, (e.g. project management plans, risk registers,) and provide the following information:

a) Rationale for selection of treatment options;
b) Responsibilities and accountability for approving and implementing the plan;
c) Proposed actions and timeframes;
d) Resourcing requirements;
e) Constraints and contingencies; and
f) Required reporting and monitoring.

Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

5.5 Monitoring and Review

5.5.1 Review of Risks and Controls

The purpose of monitoring and review is to assure and improve the quality and effectiveness of process design, implementation and outcomes. Ongoing monitoring and review should take place in all stages of the process and include planning, gathering and analysing information, recording results and providing feedback.

Monitoring and review guidelines and timeframes are captured in the Risk Reporting structure.

5.5.3 Internal Audit

The audit process plays an important role in evaluating the internal controls (and risk management processes) currently employed by Council. Our internal audit program is 'risk based' and provides assurance that we are managing our risks appropriately. In developing the Internal Audit Plan consideration is given to the extreme, high and moderate risks identified by the risk assessment process. Internal audits assess the adequacy of selected controls identified.

The internal audit process will measure risk by:

- **Measuring compliance** – has Council met its Policy objectives
- **Measuring maturity** – measuring against best practice and Council benchmarking
- **Measuring value add** – has the ERM Framework and risk culture added to the achievement of Councils strategic objectives

Information is shared between the risk management and internal audit functions. Changes in our risk profile are reflected in our Internal Audit Plan. Similarly, control issues identified through internal audit will inform our ERM Framework. The internal audits are conducted to provide assurance that key risks have been identified and the controls in place are adequate.

5.6 Recording and Reporting

5.6.1 General

The risk management process and its outcomes should be documented and reported through appropriate mechanisms. Reporting is an integral part of the Council's good governance and should support the Executive Leadership Team in ensuring that Workers are meeting their responsibilities. Records will be managed and retained in accordance with State Records General Disposal Schedule for Local Government.

5.6.2 Risk Register

The Risk Register enables Council to document, manage, monitor and review Strategic and Operational Risk information in order to build a risk profile and provide direction on how to improve risk management processes. The Risk Register can be used to monitor whether, using the approach outlined in this ERM Framework. The risk management process for opportunities is resulting in an increasing trend towards potential for success and less risk with negative consequences.

5.6.2.1 Strategic Risks

Council will identify and record Strategic Risks in the Risk Register. Strategic level risks are identified by the Executive Leadership Team and the Council, as part of an annual review at a minimum. Any risks identified at the Strategic level may be reflected in other corporate documents e.g. Community, Corporate Plan, Annual Business Plan, and Asset Management

Plans and mitigated through action details in these documents; however these should be collated in the Risk Register for ease of monitoring and review.

Recording and reporting of Strategic level risks is the responsibility of the Manager Corporate Services.

5.6.2.2 Operational Risks

Council will record and maintain Operational risks in the Risk Register, which is reviewed at least annually by Departmental Managers. The Risk Register will incorporate departmental risks and proposed mitigation techniques, as determined by the evaluation process. Recording operational level risks in the register and reporting of implementation and effectiveness of controls is the responsibility of Department Managers and Workers under the guidance of the Risk and Safety Team Leader.

5.6.3 Risk Reporting

Risk based Reports will draw data from the Risk Register and provide monitoring and profile information to Council, Audit Committee and the Executive Leadership Team.

Risk reporting will include:

a) Discussion of potential risks, based on completed risk assessment and treatments;
b) An annual review and update of Council's Risk Register by Departmental Managers, (or as otherwise required, e.g. organisational structure change/ process change/ new project);
c) Annual review of Extreme/ High Operational Risks by the Executive Leadership Team;
d) Annual review of Strategic Risks by the Executive Leadership Team;
e) All new and emerging Strategic Risks reviewed by the Executive Leadership Team as required; and
f) Any risks rated as HIGH or EXTREME after the consideration or implementation of treatment options are reported to Council's Audit Committee.

6 Training

6.1 Workers

This ERM Framework and supporting policies and tools will be made available to all Workers through Councils.

Council's Training Needs Analysis (TNA) is a tool used to:

a) capture legislative training and/or licencing requirements, and
b) identify individual tasks within specific jobs and the core competencies required for the safe performance of those jobs.

Risk Management awareness training is captured on Councils TNA, to ensure the effective implementation of this ERM Framework.

Risk Management should be viewed as an umbrella that is overarching across all Council functions, not as a specialist skill that is owned by a designated risk management position and, as such, Council considers it to be a skill and necessity that Workers need to perform their day to day activities. Risk Management awareness training will be provided by Council to relevant Workers and will take into consideration the role of the Worker within the ERM Framework and the level of past risk management experience and knowledge.

Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

6.2 Elected Members

Elected members are key strategic decision makers and it is therefore imperative that they have an understanding of Council's Risk Management Policy and ERM Framework and their role in informed decision making based on sound risk management principles.

Risk Management awareness training will be scheduled within 12 months of Council elections.

6.3 Audit Committee

Audit committee members should, at a minimum, have an understanding of their roles and responsibilities as outlined in Council's Risk Management Policy and ERM Framework, including the monitoring and review of risk management reports and outcomes from management and external auditors.

7 Documents to Implement Framework

7.1 Policy

- Asset Management Policy- 14/58754*
- Budget and Business Plan (and Review) Policy- 14/36056*
- Community Emergency Management Policy- 20/30487*
- Drug and Alcohol Policy- 15/31154*
- Enterprise Risk Management Policy- 13/47307*
- Event Management Policy- 14/32852*
- Hazard Management Policy- 12/42303*
- Lease and Licence Policy- 23/12291*
- Procurement Policy-14/3706*
- Prudential Management Policy- 14/29402*
- Work Health & Safety Administration Policy-12/42336*
- Work Health & Safety and Return to Work Policy-12/7379*
- Work Health & Safety Consultation and Communication Policy- 12/42332*
- Workplace Emergency Management Policy- 12/42340*

7.2 Process & Plans

- Budget and Business Plan (and Review) Process- 14/36055*
- Business Continuity Plan- 20/14642*
- Community Incident Response Arrangements- 20/42995*
- Contract and Contractor Management Process- 15/1551*
- Procurement Planning, Sourcing and Selection Process- 14/57765*
- Purchasing Process- 14/19226*
- WHS & Injury Management Planning and Review Process – 12/42344*
- WHS Audit Process 12/50428*
- Workplace Emergency Management Plan- 21/32494*
- Workplace Emergency Management Process-12/42342*

7.3 Tools and Templates

- Budgeting - Due Diligence Report 1 – Bid Analysis Tool Template- 14/36060*
- Budgeting – Due Diligence Report 2 – Project Feasibility Study Template 14/36075*
- Corporate Risk Assessment Form- 15/17296*
- Enterprise Risk Management Framework – Risk Analysis – Likelihood – Consequence – Treatment – Priority Tables Poster – 22/25542*
- Enterprise Risk Management Framework – Risk Analysis, Treatment and Priority Tables- CD/20/21*
- Risk Register- 23/9164* (and Control Track)
- Static Risk Assessment Form- 13/23515*
- Task Risk Assessment Form- 13/21103*

-

8 Legislation and References

- *Local Government Act 1999* (SA)
- *Work Health and Safety Act 2012*
- *Civil Liabilities Act 1936*
- *State Records Act 1997* (SA)
- *Commonwealth Privacy Act 1988*
- *Freedom of Information Act 1991* (SA)
- Local Government (Financial Management Regulations) 2011
- *AS ISO 31000:2018 - Risk Management Guidelines*
- SA HB:436.1:2020 Risk Management Guidelines – companion to AS ISO 31000:2018, Part 1: Boards and executives
- Return to Work SA Code of Conduct for Self-Insured Employers Work Health Safety and Return to Work Policy

9 Review

9.1 This Framework will be reviewed by the Document Control Officer in consultation with the relevant stakeholders, within four (4) years or more frequently if legislation or Council's need changes.

10 Document Control

Corporate Plan Link:	BS5 Enterprise Risk and Safety/Output 5 WHS System Management				
Document Owner:	Manager Corporate Services				
Document Control Officer:	Risk and Safety Team Leader				
Audience:	Internal	**Approval Date:**		**Review Due:**	

Version history		
Version No.	**Date**	**Description of Change**
2.0	25/10/2024	Review and update of Risk Appetite Statements. Incorporation of LG Act amendments (s99, s125, S126, s126A). Incorporation of psychological consequences in the Risk Consequence Table (Appendix 1). Framework formatted into new template, align to updated legislation and improve readability.
1.0	17/11/2020	New ERM Framework

11 Definitions

Business Day	A day when Council is normally open for business – Monday to Friday, excluding Public Holidays and when Council's Principal Office may be closed (e.g. over the Christmas holiday period).
Consequence	The outcome of an event expressed qualitatively or quantitatively, being a loss, injury, disadvantage or gain. There may be a range of possible outcomes associated with an event.
Electronic Document and Records Management System ("EDRMS")	An automated system used to manage the creation, use, management, storage and disposal of physical and electronic Documents and Records, for the purposes of supporting the creation, revision and management of digital Documents; improving Council's work-flow, and providing evidence of business activities.
Enterprise Risk Management ("ERM")	ERM can be:

Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

	• defined as the process affected by an organisation's board of directors (elected members/Audit Committee for Councils), management and other personnel, • applied in strategy setting and across the organisation, • designed to identify potential events that may affect the entity, • to manage risk to be within its risk appetite, • to provide reasonable assurance regarding the achievement of the organisation's objectives.
Inherent Risk	Risk at time of risk assessment without existing/current controls
Internal Controls	Actions that modifies/reduces risks and increases the likelihood that objectives and goals of an organisation will be achieved.
Likelihood	Chance of something happening
Operational Risks	Risks associated with departmental functions and daily operations to deliver core services.
Residual Risk	Rating of the risk remaining after risk treatment or control has been applied.
Risk Analysis	A systematic use of available information to determine how often specified events may occur and the magnitude of their consequences.
Risk Appetite	Is the amount of risk that an organisation is willing to take in pursuit of its strategic objectives (goals & strategies).
Risk Assessment	An overall process of risk identification, risk analysis and risk evaluation.
Risk Evaluation	The process used to determine risk management priorities by comparing the level of risk against predetermined standards, target risk levels or other criteria.
Risk Management	Coordinated activities to direct and control an organisation with regard to risk.
Strategic Risks	Risks associated with *high level* strategic goals that align to Councils Strategic Plans. Strategic risks may affect the achievement of Council's corporate objectives. They are key issues for the management and impinge on the whole business rather than a business unit. These risks can be triggered from within the business or externally. In other words they may stop the organisation from achieving its strategic goals.
Risk Rating	Risk priority based on consequence and likelihood assessments.
Risk Register	Register of all identified risks, their consequences, likelihood, rating and treatments. It works well when it is a live document and the risks are reviewed on a periodic basis.
Risk Tolerance	An organisation's or stakeholder's readiness to bear the risk after risk treatment/control has been applied in order to achieve its objectives. It also reflects the acceptable variation in outcomes related to specific performance measures linked to objectives the entity seeks to achieve
Risk Treatment	Risk treatment is a risk modification process - Usually the risk treatment means what are you going to do (modify) with the risk based on its residual risk rating, i.e. • Avoid • Reduce • Transfer • Accept • Share
Risk	An event or uncertainty that will stop an organisation acheiving its objectives.
Worker	A person is a worker if the person carries out work in any capacity for Council, including work as: (a) an employee; or (b) a contractor or subcontractor; or (c) an employee of a contractor or subcontractor; or (d) an employee of a labour hire company who has been assigned to work in the person's business or undertaking; or (e) an outworker; or

Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

	(f)	an apprentice or trainee; or
	(g)	a student gaining work experience; or
	(h)	a volunteer; or
	(i)	a person of a prescribed class.

12 Appendices

Appendix 1 – Consequences Table
Appendix 2 – Likelihood Table
Appendix 3 – Risk Treatment & Priority Matrix
Appendix 4 – Risk Appetite & Tolerance Table
Appendix 5 – Incident Investigation Table

Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

Appendix 1 - Risk Consequence Table - Organisational

Rating	Measure	Financial	Reputational	Service Delivery	People	Sustainability and Environment
C5	Catastrophic	Financial loss (or penalty) above **$1m**	Forced dismissal of Council or Mayor and/or CEO. State-wide adverse social and mainstream media coverage > 21 days. Ministerial or Regulatory body serious adverse findings or action. Long term non-achievement of Council objectives. Serious adverse legal finding or judgement.	Total interruption/complete loss of system/plant to delivery of **critical** services for >1 day. Full or partial BCP action required. Widespread damage to multiple key assets / infrastructure (not only Council assets). Large proportion of impacted customers are significantly disadvantaged or disempowered. 30% variation from approved critical/statutory service levels	Loss of life and/or >60% whole person impairment Entrenched severe morale problems leading to prolonged industrial action Inability to recruit multiple critical skills or high employee turnover (>30% annual staff turnover) Treatment by General Practitioner or Therapist for severe psychological distress over 12 months	Long term, large scale environmental damage on council managed land. Complete non-achievement of Council's sustainability, heritage, environment and land-use goals.
C4	Major	Financial loss (or penalty) between **$250,000 and $1m**	Campaign of adverse social and mainstream media coverage at State level 7 - 21 days. Regulatory Body adverse findings Significant loss of confidence and trust between Council and CEO/Administration. Prolonged or high profile legal action against Council.	Major interruption / extensive damage to delivery of **critical** services for < 1 day or non-critical service delivery >7 days. Full or partial BCP action may be needed. Serious structural damage to key asset / infrastructure. Up to 30% of impacted customers are disadvantaged or disempowered. 20% variation from approved critical/statutory service levels	35% - 60% whole person impairment, lost time injury of > 3 months; or equivalent. Entrenched severe morale problems leading to severe efficiency and effectiveness issues Inability to recruit necessary skills or high employee turnover (>20% annual staff turnover) Treatment by General Practitioner or Therapist for psychological distress for 4 - 12 months	Severe environmental impact requiring remedial action on council managed land. Significant non-achievement of Council's sustainability, heritage, environment and land-use goals.
C3	Moderate	Financial loss (or penalty) between **$50,000 - $250,000**	Campaign of adverse social media coverage supported by Local mainstream media up to 7 days. Loss of confidence and trust between Council and CEO/Administration.	Moderate interruption/significant damage to a critical service with impact 4 – 24 hours Partial BCP action may be needed Non-structural damage to asset/infrastructure Up to 10% impacted customers in a suburb/town, cultural or community group disadvantaged or disempowered. 10% variation from approved critical/statutory service levels	Short-term disability, 1 - 3 months lost time injury, >6 months medically treated injury; or equivalent. Medium-level morale/behavioural issues Temporary loss of some critical staff or increased employee turnover (>10% staff turnover). Short-term treatment by General Practitioner or Therapist for psychological distress for 1 - 3 months	Moderate local impact on or off work site, no long term or irreversible damage, may incur cautionary notice or infringement. Partial non-achievement of Council's sustainability, heritage, environment and land-use goals.
C2	Minor	Financial loss (or penalty) between **$20,000 - $50,000**	Some local media attention. Elected Member dissatisfied with Council and/or Administration.	Minor interruption / damage impacts on budget and timing of project to a non-critical service with minimal impact (<1 business day) to customers/ business. Minor loss/damage to assets/ infrastructure. Little impact upon service delivery or service levels to customers	<1 month lost time injury, <6 months medically treated injury; or equivalent. Minor temporary impact on critical staff or temporary loss of some critical staff. Mild psychological distress reported and support sought i.e. Employee Assistance Program	Minor localized impact one off situation easily rectified.
C1	Insignificant	Financial loss (or penalty) below **$20,000**	No media or political attention. Managed in accordance within approved policies and processes.	Minor interruption / damage to plant or to a non-critical service - no impact on service delivery to customers Negligible loss or damage to assets/infrastructure	First aid applied with no long-term effects. No impact on morale and no workforce disruption. No psychological distress reported	Negligible impact on environment. Contamination/pollution – on-site quickly contained and reversed

Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

Appendix 2 - Risk Likelihood Table

Level	Description	Explanation - Operations	Explanation – Projects/Business Case
L1	Almost Certain	It is **expected to occur** within a short period – likely to occur < 10 days of use / activity.	Could be expected to occur more than once during the study or project delivery
L2	Likely	**Will probably occur** in most circumstances – in the next 10 – 200 days of use / activity.	Could easily be incurred and has generally occurred in similar studies or projects.
L3	Possible	**Could be incurred** within a one – two year period, next 200 – 700 days of use / activity.	Incurred in a minority of similar studies or projects
L4	Unlikely	**Could be incurred** in a two - five year time frame, next 700 – 1,500 days of use / activity.	Known to happen, but only rarely.
L5	Rarely	**May occur in exceptional circumstances**. Could be incurred in a >5 year timeframe, >1,500 days of use / activity.	Has not occurred in similar studies or projects. Conceivable but in extreme circumstances.

Appendix 3 - Risk Treatment & Priority Matrix

Likelihood	Consequences				
	Insignificant C1	**Minor C2**	**Moderate C3**	**Major C4**	**Catastrophic C5**
L1 (Almost Certain)	L(5)	M (10)	H (15)	S (20)	E (25)
L2 (Likely)	L (4)	L(9)	H (14)	S (19)	E (24)
L3 (Possible)	L (3)	L (8)	M (13)	H (18)	E (23)
L4 (Unlikely)	L (2)	L (7)	M (12)	H (17)	S (22)
L5 (Rare)	L (1)	L (6)	M (11)	H (16)	S (21)

E (23 – 25)	**Extreme** - Cease all related work, isolate hazard, and seek direction from Executive Leadership Team. Unacceptable if left untreated in all circumstances.
S (19 – 22)	**Severe** - Immediate short term mitigating action followed by senior management endorsed risk treatment. Unacceptable if left untreated in majority of circumstances.
H (14 – 18)	**High** - Senior management attention needed, documented risk treatment to be reviewed and implemented. Unacceptable if left untreated in most circumstances.
M (10 – 13)	**Moderate** - Management responsibility must be specified, maintain existing risk treatments; review as necessary. Unacceptable if left untreated in some circumstances.
L (1 – 9)	**Low** - Manage by routine processes, review risk treatments as necessary. Acceptable if left untreated in most circumstances.

Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

Appendix 4 – Risk Appetite Statements

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

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

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

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

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

Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

Appendix 5 - Incident Investigation Table

	Risk Rating of Incident or Hazard					
Actual or Potential Consequence Level	**1-5**	**6-9**	**10-13**	**14-18**	**19-22**	**23-25**
Nominated Investigation Lead	Not Required	Direct Supervisor	Manager/ Direct Supervisor	Risk and Safety Team	Risk and Safety Team	Manager Corporate Services
Minimum Investigation Participation	Not Required	HSR	HSR	Manager Team Leader HSR	Director/CEO Manager Team Leader HSR	Director/CEO Manager Team Leader HSR

Uncontrolled once removed from webpage or Council's Record Management System.
Before using printed copy please verify that it is the current version. © The Barossa Council 2024

DEBATE REPORT

7.2 Corporate Services, Strategy and Innovation

7.2.6 2025/26 ANNUAL BUSINESS PLAN AND LONG-TERM FINANCIAL PLAN TIMETABLE AND ASSUMPTIONS

Author: Chief Executive Officer
24/111866

PURPOSE

To consider the assumptions and timetable for the preparation of the 2025/26 Annual Business Plan and Budget and updated Long-Term Financial Plan for 2025/26 to 2034/35.

RECOMMENDATION

That Council:

(1) Note and approve the assumptions outlined in the report to be used in drafting the 2024/25 Annual Business Plan and Budget.

(2) Note the timetable for Council workshops and Council Meetings for the preparation and review of the 2025/26 Annual Business Plan and Budget and Long-Term Financial Plan for 2025/26 to 2034/35.

(3) Agree that no new initiatives will be assessed in the 2025/26 year.

REPORT

Background and Introduction
The annual development of the budget commences in December and this report forms the foundation of the work for budget calculations.

Discussion
Indexation and Assumptions
Each annual review process provides an opportunity to introduce new assumptions or enhance the information base as required using the existing indexation and assumptions.

The main assumptions and indexation being considered during this early stage of budget preparation is the income and expenditure indexation. As included in the draft timetable, following receipt of updated valuation data, Council will review the proposed options for rate increases to ensure they are reasonable and ensure indexation for operational expenditure is appropriate.

Council staff will provide information for the cost of delivering services and any suggested changes to service levels ensuring income or charges for the services are appropriate. The final expenditure amounts will differ from the LTFP estimates for the

2024/25 year due to external influences such as service contracts and agreements or where costs are determined by external markets such as fuel prices, electricity and gas pricing contracts and State Government levies.

The amended Q2 Budget from 2024/25 will be used as the base for the 2025/26 draft budget and each budget manager will then review to actual costs and trends to meet the existing service provision. If the actual costs are reduced from the base budget, it is a requirement that unless there were extenuating circumstances for the underspends, that next year's budget is also reduced. Due to budget performance year to date and ensuring we continue to work to achieve efficiencies, all non-contract-based expenditure budgets will only be indexed by less than the prevailing indexation rate. Expenditure linked to contractual and legal arrangements (like salaries and wages) will be indexed as required by those agreements.

The LGPI (Local Government Price Index) is used as a base for the LTFP and considers local needs and requirements to meet service levels. The Local Government Price Index (LGPI) increase for the 12 months to September 2024 was 3.4%; (noting the quarterly Adelaide CPI for September 2024 period was 3.2%). It is recommended at this point in time, to ensure prudent budget management and to remain within the parameters of the current adopted LTFP, that in the absence of a contractual arrangement, general operating indexation will be limited to 1.5%.

The following indexation base information is sourced from the adopted LTFP for the 2025/26 year.

Operating Income
Rating levels are set to ensure service level provision is maintained in a financially sustainable manner.

General rate revenue increases to existing ratepayers for the 2024/25 year were 4.16%, additional revenue for the growth in assessment numbers from last year is currently at 1.12% noting the rural sector had a rate freeze. For future operating results, as detailed in Council's adopted LTFP, general rate revenue was forecast to increase at 4.3% in 2025/26 plus growth in assessment numbers of 1%. During the preparation of the 2025/26 draft budget, management will review the revenue and expenditure requirements and report this to Council. Council will then assess and approve the general rate revenue increases required to ensure Council's financial sustainability in the annual review of the LTFP.

For 2024/25, there was a 5.8% service charge increase for waste collection and disposal across the three waste services as a result of significant increases in disposal and collection costs with high inflation present in the economy at that time. Community Wastewater Management Systems (CWMS) service charge indexation rates in the adopted LTFP were budgeted to increase in 2024/25 at 3.5%.

Service charge revenue is established to recover the cost to provide the services ensuring ongoing service delivery in a sustainable manner.

The Regional Landscape Levy, collected on behalf of the state government, will be determined and advised by the Northern and Yorke Landscape Board and rose by 5.9% for the 2024/25 financial year.

Other income indexation has a base increase of 2.0%.

Operating Expenditure
Operating expenditure indexation will be assessed individually for internal and external factors. All indexation quoted is from the adopted LTFP for 2024/25 and will be reviewed.

- Employee costs for 2024/25 set in the LTFP increased by 3.11%. The draft budget will use enterprise bargaining agreements which are 4.5% or CPI (whichever is the lower) for our AWU – outside staff and the ASU – inside staff is currently subject to renegotiation and a provision of 2.5-3% has been made in the long-term financial plan. Superannuation guarantee also increases from 11.5% to 12% from 1 July 2025, the last of the legislated increases lifting contributions from 9% to 12%.
- Contractor, materials and other expenses will be reviewed to meet service requirements. The increase for these costs in 2025/26 is set at 2.5% (based on the October 2024 monthly CPI being 2.1%. Indexation will be adjusted to meet existing service requirements:
    - selected costs are increased by indexation where agreements, contracts, licensing, arranged service charges, etc. provide for that option.
    - for such costs outside of our control, these will be considered where the relevant service provider(s) initiates the increases i.e. fuel and postage.
    - where costs will increase but the quantum is unknown a default increase in line with LGPI. Some areas of expenditure may actually be the same or less the expected; and for changes to service provision, ie. increased number of services provided (eg. number of waste collection(s)) or usage (eg. water usage at parks and gardens).

New Initiatives/Ideas
It is recommended that no new initiatives be processed for the 2025/26 financial year, unless they are required for legislative or extreme risk purposes, for the following reasons:

- There has been significant increase in forward funding for core infrastructure of roads, open space, recreation, footpaths, buildings and the capacity to deliver additional works is negligible.
- The investment over the past 5 years into The Big Project has been highly successful and 2025/26 will see the bedding in of significant infrastructure in Lyndoch, Tanunda Rugby and Nuriootpa Soccer. The budgets will be absorbing increased service levels as a result of these investments and the costs associated with the increased borrowings required.
- Significant investment has been made into resourcing at all levels of the organisation over the past 3 years with Council approving the most recent investment in events and economic development as practically the last significant reform and service review over the past 5 years.
- The construction of the Barossa Creative Industries Centre will be the key new initiative focus approved by Council for the 2025/26 financial year.

Of course Council can alter priorities in the capital and operating programs within the significant budget allocation if it wishes to address any other priority investments.

If Council elects to have new initiatives it will need to identify areas where these will be funded from. It is recommended that any new initiatives will need to be funded from the existing budget without additional borrowings, which would require deferral

of asset management plan and data based requirements or additional rate collections. The process would be as follows:

1. Strategic review meeting.
2. Identification of what priorities and projects Council wishes to have a more detailed assessment completed for.
3. Preliminary assessment for those proceeding to business case development.
4. Review of business cases and determination is to be included in the budget and business plan draft for consultation and how they will be funded.

Council's existing programs include but are not limited to:

- Existing service provision, governance and administration.
- Capital renewal/replacement.
- Revaluation and condition assessment of assets to update the estimated replacement cost over the LTFP. Council's understanding and management will continually refine the operating result.
- Heavy vehicle and plant utilisation review.
- Existing long-term projects including:
    - Climate Control – efficiency, financial and environmental benefits/requirements.
    - Change Program – internal program for innovative and simple systems, processes and productivity improvements.
- Infrastructure Asset Management Plans adopted 2021 – renewal spending plans.
- Strategic Management Plans.
- The Big Project.
- Transport renewal programs.
- Asset maintenance and operational requirements.

Timetable
The proposed timetable for the annual review/update of the Long-Term Financial Plan and the consideration/adoption of the Annual Business Plan and Budget is outlined in the table below:

What	Activity	Date
Council Meeting	Endorse ABP&B and LTFP timetable	17 December 2024
Council Workshop	Depends on decision on new initiatives.	23 January 2025
Council - Elected Members	Depends on decision on new initiatives.	Approved at Council meeting 18 February 2025
Administrative Budgets	Staff completion of administrative budgets.	28 February 2025
Council Workshop	Capital Expenditure program from asset management analysis. Prepare Rates report including Rating Analysis of other Councils and consider other Council Rating Strategies.	5 March 2025

Audit Committee	ABP&B and LTFP review To review indexing and assumptions	March 2025
Council Workshop	Depends on decision on new initiatives.	Mid-Late March 2025
Council Workshop	ABP&B and LTFP Review draft Operating Budgets & Capital Works submissions and LTFP	4 April 2025
Council Workshop	ABP&B and LTFP Review final draft Capital Works submissions and LTFP	4 April 2025
Council Workshop	Rating & Valuation Forecasting, valuation changes, rebates, RI General Rate Cap, rating options Final Operating and Capital Works review	7 May 2025
Audit Committee	ABP&B and LTFP review and endorse for consultation - by email	May 2025
Special Council Meeting	Endorse draft Nuriootpa Centennial Park Authority Budget (NCPA endorsed April) Endorse draft ABP&B and LTFP for public consultation.	May 2025
Public Consultation Process	Council internet provision for web submissions, at least 21 days	May – June 2025
	Public Notice (if local papers a Wednesday) Submissions period – 21 days	May to June 2025
Meeting / Other process*	Process for the public to present/provide budget submissions in line with legislative/other requirements. *21 days after the draft A&BP is available on the web	June 2025
Council Meeting	ABP&B and LTFP Consideration of public submissions	17 June 2025
Special Council Meeting	Adopt ABP&B and LTFP, Valuation and Rating (if changes from consultation then this meeting may need to be changed.)	24 June 2025

Summary and Conclusion

With the above settings and program outlined Council is recommended to approve the draft process of the 2025-26 budget and annual business plan development and associated long term financial plan update.

The Executive Leadership Team have reviewed and endorsed the recommendations.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

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

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

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

Legislative Requirements

Local Government Act 1999 Section 123

Local Government (Financial Management) Regulations 2011

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

There is no resourcing impact as Council is already resourced for this core work.

The Budget and LTFP indexation, assumptions and timetable are integral parts of financial planning to ensure an organised and thorough process is undertaken outlined in the body of the report.

COMMUNITY ENGAGEMENT

Included as part of the draft 2025/26 Annual Business Plan and Budget Plan consultation and adoption process.

DEBATE REPORT

7.3 Infrastructure and Environmental Services

7.3.1 ROAD NAMING - LOT 752 MENGE ROAD TANUNDA

Author: Manager, Engineering Services
24/111570

PURPOSE

The developer of the Allotment 752 Menge Road Land Division, Tanunda, has requested the naming of three new roads within the development (refer *attached* developer's plan).

RECOMMENDATION

That Council names the new roads within the Allotment 752 Menge Road Land Division as follows:

Road A – Schroeder Road
Road B – Wallace Drive
Road C – Riebe Street

REPORT

Introduction
Council staff have received formal application from Justin Fairweather, to name three new roads created within the land division at allotment 752 Menge Road, Tanunda.

At the 15 March 2016 Council Meeting, Council approved the naming of fifteen new roads within the nearby Sovereign Estate (Actium) Land Division to the south, being names of those who served in World War I. These were selected at the time from a list of prospective street names prepared by the former District Council of Tanunda. (Refer relevant minute from the 15 March 2016 Council Meeting attached)

Discussion
Due to various alterations of the Sovereign Estate Land Division layout since 2016 and the resulting reduction in the number of new roads that were required to be named, only twelve of the approved fifteen selected names were used, with three names remaining unallocated.

The developer of the Allotment 752 Land Division to the north requires three names for their three new roads and it seems appropriate to utilise these three unallocated names, being, Riebe, Schroeder, and Wallace.

Section 4.2 of the Policy "Sources for Road Names" states:

4.2.1 Sources for road names may include,
- Aboriginal names taken from the local aboriginal language;
- Early explorers, pioneers and settlers;

- Elected Members with a term of service greater than 10 years;
- Local identities of significant achievement in their field;
- Local history;
- Thematic names such as flora, fauna etc;
- War / casualty lists;
- Commemorative names.

In accordance with Council's Property Identification Policy, these names are warranted because of their "War / casualty" association, being names of Tanunda World War I Veterans.

The proposed names do not duplicate any other street name in The Barossa Council area and have tacit approval from the Developer.

Summary and Conclusion
Public road names are selected in accordance with The Barossa Council "Property Identification Policy" and the associated "Selection of Road and Public Place Names Process".

It is proposed that the three unallocated names from the nearby Sovereign Estate Land Division be used for the three required names in the Allotment 752 Menge Road Land Division, with the following designation:

Road A – Schroeder Road
Road B – Wallace Drive
Road C – Riebe Street

The three names are consistent with Council's Property Identification Policy, in terms of their War / casualty association, being names related to Tanunda World War I Veterans.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Allotment 752 Menge Road Land Division - Developers Plan - road naming ⇩

Attachment 2 Council Minutes - 15 March 2016 - pages 25 and 26 - Naming of streets - Sovereign Estate Land Division - Tanunda ⇩

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Infrastructure

Goal

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

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

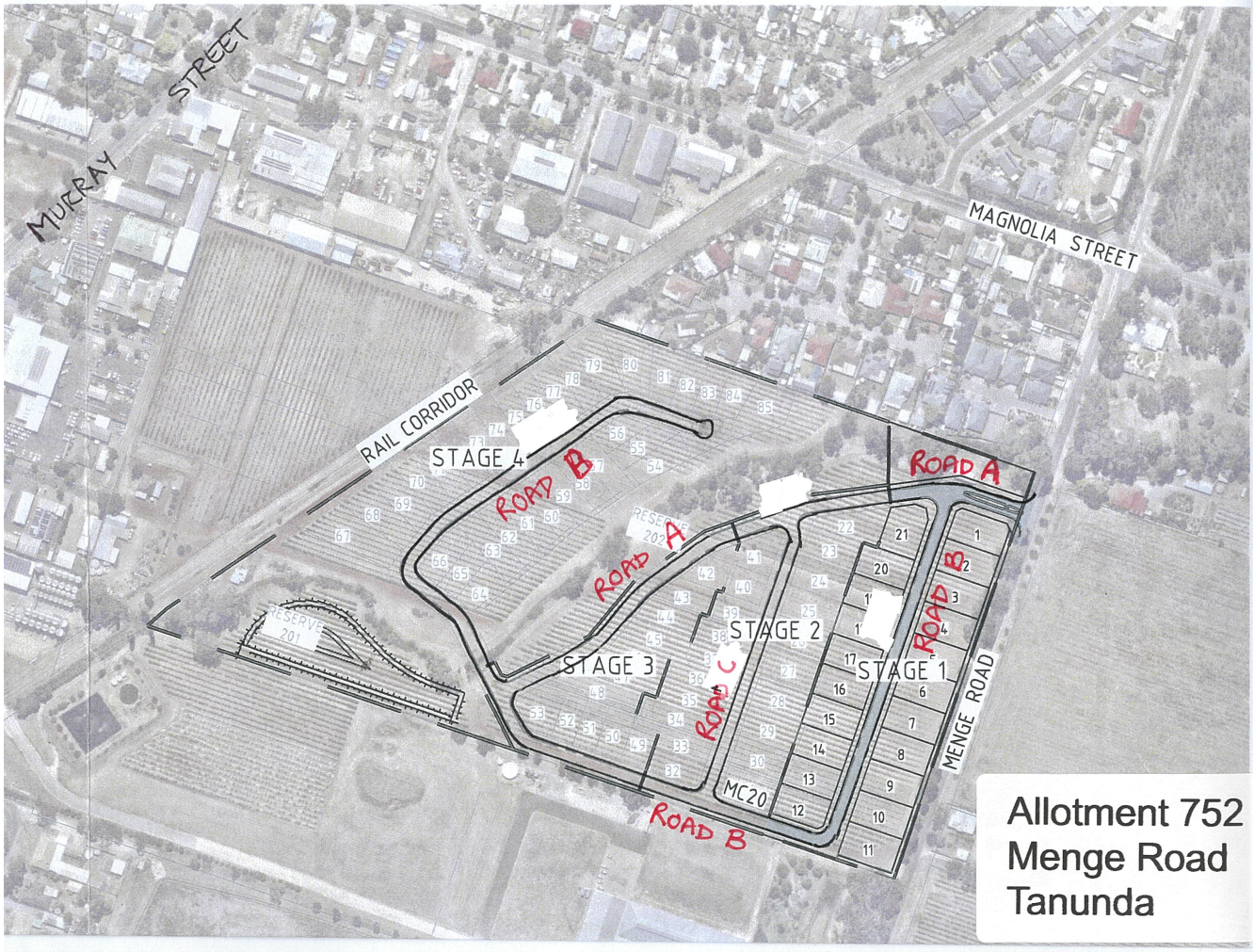
Legislative Requirements
Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The development approval process requires that the developer be responsible for all costs associated with implementing the name of the road.

COMMUNITY ENGAGEMENT

No formal community consultation has been engaged; however, reference has been made to The Barossa Council "Selection of Road and Public Place Names Process".


MURRAY STREET
MAGNOLIA STREET
RAIL CORRIDOR
STAGE 4
STAGE 3
STAGE 2
STAGE 1
ROAD A
ROAD B
ROAD C
MENGE ROAD
MC20
RESERVE 201
Allotment 752
Menge Road
Tanunda

2016/95

The 2016 course will once again commence and finish in the grounds of Faith Lutheran College.

Traffic Group Australia has been engaged by organisers to prepare the event Traffic Management Plan and to also implement and monitor the road closures on race day.

The proposed road closure is pursuant to Section 33 of the Road Traffic Act 1961.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Legislation –
Local Government Act 1999
Road Traffic Act 1961

Council strategic plan -
1.3 Recreation
2.1 Tourism

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The road closure is deemed necessary as a risk mitigation strategy to maintain the safety of participants and the general public.

The implementation and the cost of the road closure is to be met by the organisers. There are no other extra financial and risk management considerations.

COMMUNITY CONSULTATION

Road closures will be published in the local papers. Event notification is the responsibility of the event organiser.

7.4.1.3
NAMING OF STREETS– SOVEREIGN ESTATE LAND DIVISION – TANUNDA
B4267

MOVED Cr de Vries that the new roads within the Actium Land Division, Tanunda be named as per attachment,

Road A – Kennedy Street
Road B – Vintner Drive
Road C – Botten Road
Road D – Hetzel Street
Road E – Heuzenroeder Road
Road F – Juttner Close
Road G – Kindler Parade
Road H – Lindner Street
Road I – Olden Parade
Road J – Riebe Street
Road K – Rieschieck Close
Road L – Schrader Avenue
Road M – Schroeder Court
Road N – Trotter Crescent
Road O – Wallace Close

Seconded Cr Harms **CARRIED 2014-18/576**

INTRODUCTION

Actium Land Developments have requested names for the new roads in their land division extending on from Grocke Way, Tanunda. Council is required to name 15 roads within the development – see *attached* general layout plan.

2016/96

COMMENT

Actium Land Developments proposed a list of road names within their development as shown on the plan. They expressed a preference for names of those who served in World War I.

The former District Council of Tanunda prepared a list of names suitable for new roads in the district, which includes names of those that served in World War I - refer *attached.*

Comment was requested from the Tanunda RSL President and Vice President, Trevor Whitehorn and Trevor Klose. They suggested a priority preference for names of those that had lost their lives whilst serving in World War I, with a second preference to others that served in World War I.

Further information was gained from the World War I Honour Roll located in the Tanunda Soldiers Memorial Hall. Additional detail was gained from the school history research project, entitled "Our World War Heroes" by Nadia & Larisa Karklins - refer *attached*.

From the Tanunda World War I Honour Roll, the following persons served in World War I and lost their lives:

- Botten
- Hetzel
- Heuzenroeder
- Juttner
- Kindler
- Lindner (FC)
- Lindner (LW)
- Olden
- Riebe
- Rieschieck
- Schrader
- Schroeder
- Trotter
- Wallace

From these names the following comments may be made:

- Heuzenroeder and Rieschieck may be perceived as difficult to spell.
- There is an existing Kindler Avenue in Nuriootpa.
- There is an existing Lindner Road in Williamstown and existing Lindner Crescent in Lyndoch.
- Schrader and Schroeder are similar but sufficiently different in pronunciation and spelling.

Two additional names are required to make up the required 15 names within the development. The developer has requested:

- Kennedy - a Tanunda WWI veteran, from the list provided by District Council of Tanunda.
- Vintner – meaning a winemaker, and a secondary theme preferred by the developer.

Attachment 1: General Layout Plan
Attachment 2: List of Names
Attachment 3: World War I History

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

COUNCIL STRATEGIC PLAN

3.4 Infrastructure

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Nil

Cr Seager noted that supporting documentation supplied to Council had incorrect details of a relative who was killed in action during World War 1.

DEBATE REPORT

7.3 Infrastructure and Environmental Services

7.3.2 DEPARTMENT FOR INFRASTRUCTURE AND TRANSPORT - TRANSPORT STRATEGY - YOUR VISION OUR FUTURE - DRAFT SUBMISSION

Author: Manager, Engineering Services
24/111838

PURPOSE

To consider and endorse a draft submission to the Department for Infrastructure and Transport (DIT) responding the "Your Vision Our Future" Transport Strategy which has been released for public consultation.

RECOMMENDATION

That Council endorse the draft submission prepared responding to the Department for Infrastructure and Transport "Your Vision Our Future" Transport Strategy contained within Attachment 1.

REPORT

Background
The Department for Infrastructure and Transport (DIT) is developing a Transport Strategy for the next 30 years and beyond, entitled "Your Vision Our Future". DIT are committed to ensuring this strategy is informed by community and stakeholder insights and have released the Strategy for public consultation.

Discussion
The Transport Strategy will outline the 30-year vision for the state's transport network and will transform how people and goods move around the state. It will set the overall direction for future transport planning and guide decisions on which projects to prioritise and invest in. It will help ensure that the State's transport network is ready for the future and that South Australia remains a great place to live and do business.

The strategy will cover all forms of transport, from cycling, driving, and walking to public transport and freight. It will also align to other key state priorities, like the Greater Adelaide Regional Plan, to ensure DIT maximise the benefits of other changes happening in South Australia.

The Transport Strategy outlines high level vision and strategies. The Barossa Council priority is for identification of land use and regional transport demands, and development of a transport network which complements this, and the existing network. A priority focus is integrated transport networks associated with the Concordia Growth Area.

A public consultation period is open now, until 5pm on Monday 16 December 2024.

Officers have sought and been granted an extension to submit to enable the draft submission to be presented to the Elected Members for consideration and endorsement.

Summary and Conclusion
The Transport Strategy will provide a plan to ensure DIT are well prepared for the future and can make the most out of future opportunities.

DIT have asked everyone from everyday South Australians to local Councils and businesses to contribute, as they aim to make sure the transport network works for everyone.

Of specific importance to The Barossa Council are future transport networks associated with the Concordia Growth Area.

If endorsed, the submission will be taken into consideration by DIT to give them an understanding of our transport priorities to assist them to make sure the transport network works for everyone. The feedback will be used to better understand how we move, to shape the strategy, to balance priorities, and to tailor solutions to assist them to design a better transport network.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Submission - DIT - Transport Strategy - Your Vision Our Future ⇩

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Infrastructure



Business and Employment

Goal

6 The Barossa maintains and develops infrastructure that meets the needs of the region and is efficient.

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

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

Strategies

6.2 Continue to ensure that infrastructure considers place-making is inclusive and accessible for all.

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

11.1 Work closely with State Government, Federal Government and other key stakeholders to support economic growth, development and job creation.

Legislative Requirements
Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

Public consultation has is being undertaken by DIT.

Reference: 24/112522

10 December 2024

Department for Infrastructure and Transport

Russell Troup
Director – Transport Strategy ad Network Planning
Transport Strategy and Planning Division
DIT.TransportStrategy@sa.gov.au

Dear Mr Troup,

Re: "Your Vision Our Future" Transport Strategy Submission

The Barossa Council is pleased to respond to the DIT "Your Vision Our Future" Transport Strategy with this submission, endorsed at the 17 December 2024 Council meeting.

We appreciate the high-level vision and strategies outlined. Council priority is for identification of land use and regional transport demands, and development of a transport network which complements this, and the existing local, state, and national network. We value the contributions the Barossa Region makes to economic prosperity. We want our regional communities to thrive through sustained growth while reaping the economic benefits of their hard work.

Strategy priorities for The Barossa Council:

- Improve the Barossa Region's competitiveness through efficient freight transport networks and improved international links.
- Minimise the impact of **freight** vehicle movement on the Barossa community and environment by appropriately locating and protecting freight routes, including creation of strategic town bypass routes and alternative transport modes.
- Create and promote safe and intuitive **tourism** routes to improve the Barossa Region visitor experience.
- Improve **community access** connectivity for convenient and safe connection between Barossa Region community centres including alternative transport modes.
- Reduce potential conflict between freight, tourism, and community access users of the Barossa Region transport network.
- Revitalise public transport initiatives in the Barossa Region, including to growth areas, with targeted service subsidises.
- Encourage the shift to efficient rail transport for passenger transport movements were viable.
- Explore the case for efficient rail transport freight movements in the Barossa Region, reducing reliance on road networks.
- Support and investment in Smart City transport principles and initiatives.
- Ensure transport routes are well designed, efficiently constructed and sufficiently maintained, to ensure a safe and convenient Barossa Region transport network into the future.

Concordia Growth Area

- The planned Concordia Growth Area in the Northern Area of Greater Adelaide will result in significant pressures on the existing regional transport network. With forecast growth of an additional 30,000+ residents in Concordia and 60,000+ residents in Roseworthy as well as growth in the Adelaide Plains Local Government Area and increased freight activity

(08) 8563 8444 | barossa@barossa.sa.gov.au | barossa.sa.gov.au
43-51 Tanunda Road (PO Box 867), Nuriootpa SA 5355 | ABN: 47 749 871 215

around Murray Bridge, the pressure on the Barossa Region transport network over the next 30 years must be a priority for the State.
- A clear understanding of the strategic intent of DIT regarding future investment in, and sequencing of, development plans will enable stakeholders to align their own long term strategic activities in terms of prioritisation, advocacy, and budget funding.
- We strongly support the enhancement of regional connectivity generally by improving the quality of services and providing greater choice in how people travel. There is currently little choice in regional South Australia. Ensuring diverse transport mode connectivity in areas such as Concordia Growth Area is critical to the economic sustainability and liveability outcomes of the whole region.
- The protection of the interface with the Character Preservation District along key transport routes and growth areas is important, with the Barossa region and character providing significant economic value to the State.

The Barossa Council Concordia Growth Area Transport Priorities

- Concordia Growth Area transport plan completion
- Road connectivity of Barossa Valley Way to Sturt Highway - within 5 years
- Rail line Extension from Gawler to Concordia - within 10 years of rezoning

DIT Regional Transport Initiatives for completion

- Sturt Highway Truro Township Bypass
- Sturt Highway duplication from Nuriootpa to Truro
- National highway route around greater Adelaide, bypassing the Adelaide Hills and southern Barossa towns of Williamstown, Mount Pleasant etc.

We appreciate the high-level vision and strategies outlined in the "Your Vision Our Future" Transport Strategy. Its successful implementation will require clear understanding of the issues gained from key stakeholders, such as The Barossa Council, and further informed planning into future. The strategy roadmap needs to clearly address and commit to delivering transport solutions to support this growth.

The Barossa Council looks forward to working with DIT on developing this plan.

If you have any questions on the matter raised in this submission, please contact me on 8563 8470 or by email bclark@barossa.sa.gov.au.

Yours Sincerely,

Ben Clark
Director Infrastructure and Engineering Services

(08) 8563 8444 | barossa@barossa.sa.gov.au | barossa.sa.gov.au
43-51 Tanunda Road (PO Box 867), Nuriootpa SA 5355 | ABN: 47 749 871 215

DEBATE REPORT

7.4 Development and Community Services

7.4.1 PROPOSAL - PUBLIC PLACE 10C CONTAINER DEPOSIT RECYCLING TRIAL

Author: Sustainability Officer
24/108519

PURPOSE

To seek Council support to set up a twelve (12) month trial project to partner with up to two (2) local community groups and strategically place 10c container deposit recycling bins in some public locations. This initiative aims to boost recycling in public spaces, in a low-risk and sustainable way, that financially benefits local non-for-profit groups. Towards the end of the trial, an outcomes report with future recommendations will be presented to Council for further consideration.

RECOMMENDATION

That Council endorse a trial to partner with up to two (2) community groups for twelve (12) months to strategically place 10c container deposit recycling bins in the public space, with a report and future recommendations to be delivered to Council for further consideration before the end of the trial.

REPORT

Background
All public place bin infrastructure is maintained by Council and bin servicing is facilitated by the kerbside bin contractor, Solo Resource Recovery. There is currently no public place recycling. The organisation of public place bins and service level delivery is loosely linked to the Waste Management Services Policy and is an area of opportunity for future engagement at another time.

Two (2) community groups within the last 12 months, one in Mount Pleasant and the other from Lyndoch, have made enquiries about Council increasing public place recycling, particularly supporting 10c container deposit recycling.

State Government has also shown increasing interest in enhancing recycling in public spaces, specifically organics recycling. The recent discussion paper reviewing the Environment Protection (Waste to Resources) Policy 2010 asked whether the 3-bin system used at home should be adopted for public spaces also. The Single-use and Other Plastic Products (Waste Avoidance) Act 2020 has also driven gradual changes, such as requiring single-use takeaway cups to be compostable. These changes are varying the composition of waste generated in public spaces and increasing the focus on green organic bins.

The 10c container deposit recycling scheme is well established and understood in South Australia. People are accustomed to separating these containers from other recyclables, often collecting them at home or through sporting groups to claim the

10c refund available. Some Councils have already added 10c container collection systems to the side of bins to make it easier for informal recyclers to freely access the cans, reducing the need for them to rummage through the bins. Other Councils, such as the Copper Coast Council in Moonta Bay, have set up dedicated bins for 10c container deposits.

Some councils have also started trialling green organics bins in main streets and precincts to address the growing amount of compostable items found in public bins, that are being lost to landfill, but could be turned into compost. The administration will monitor these trials to assess potential fit and longer-term opportunities for the Barossa.

Discussion

The proposed trial will partner with up to two (2) community groups for twelve (12) months to strategically place 10c container deposit recycling bins in the public space. The trial was considered by the Executive Leadership Team to have merit and will be jointly coordinated by Sustainability and Infrastructure and Environmental Services.

A framework will be established as part of the proposed trial that will make community groups responsible for collecting and recycling materials at a frequency that maintains the good amenity of the public space. In return, they will keep the income from the materials they collect and recycle. If Council were to coordinate the emptying of these recycling bins, it would be more costly than the material value. Participating groups will be required to sign an agreement or statutory declaration that funds collected will be used to benefit the community group.

Council will maintain control of placement locations, approving and maintaining infrastructure, and provide instructions for community groups to perform this task safely and manage risk like contamination. Insurance and liability specifics will be confirmed. It is expected that an investment of up to $3000 will be required to establish the trial, largely for purchasing bin housing, signage, and communications. This investment will be funded from within existing budgets of Infrastructure and Environmental Services and Development and Community Services.

The trial will be monitored, and an outcomes report will be delivered to Council before the trial end. If the trial is deemed successful, recommendations will be presented to Council to strategically expand the locations and explore how contracting collections to groups can be achieved equitably. The approach will aim to recognise township groupings while being mindful of administration and coordination workload.

This initiative aims to boost recycling in public spaces, in a low-risk and sustainable way and that financially benefits local non-for-profit groups. High contamination is not expected because of the strong affinity that the public already have with the 10c container deposit recycling scheme. Considered bin enclosures, bin opening designs and labelling will also reduce the risk of contamination.

Introducing container deposit recycling in the public space will contribute to a more sustainable Barossa without introducing the complexities of managing contamination and increased cost that is synonymous with yellow commingle recycling bins in public places.

Summary and Conclusion

Council already encourages the community to take the ‘waste less, recycle more’ challenge in their homes, and this proposed trial is a low risk, strategic extension of

bringing this message and recycling infrastructure into the public space. Connecting this recycling initiative with local community groups is likely the most effective and sustainable way to bring recycling to key public places. Administrative controls will ensure that community groups can collect the materials safely and that revenue generated is used to benefit the community group. The investment to establish the trial will be funded from within existing budgets. A limited reach and 12-month trial, with the community groups that have expressed interest in supporting greater recycling, will test this idea and supporting frameworks, without any long-term commitments.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Legislative Requirements
Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The Barossa Council Waste Management Services Policy.

COMMUNITY ENGAGEMENT

No community consultation planned. Administration will work directly with the 2 community groups that have reached out to Council to establish the trial.

DEBATE REPORT

7.4 Development and Community Services

7.4.2 BUILDING AND CONSTRUCTION INDUSTRY REVIEW

Author: Manager Development Services
24/109491

PURPOSE

To seek Council endorsement of the draft submission prepared in relation to the Building and Construction Industry Review consultation.

RECOMMENDATION

That Council endorse the draft Building and Construction Industry Review submission contained in Attachment 1.

REPORT

Introduction
The State Government are reviewing laws that govern the building and construction industry. The review will look for opportunities to:

- Better protect consumers;
- Enhance industry compliance; and
- Support workers and businesses to deliver quality homes and infrastructure.

A Discussion Paper has been prepared that outlines a number of proposals that were identified at a series of roundtables convened by the Minister for Consumer and Business Affairs and Consumer and Business Services with key industry bodies, State Government agencies and training providers.

The *Factsheet: Overview of the Building and Construction Industry Review* is contained in Attachment 2.

Discussion
There are some interesting proposals identified within the Discussion Paper including the introduction of Certificate of Occupancy for pools, who can undertake building inspections and mandatory inclusions for contracts for pools and dwellings in respect to smoke detectors, fire water tanks/infrastructure and swimming pool fencing.

A number of the proposals are supported. The draft submission outlines that:

- Swimming pool safety barriers should be required to be installed by licensed installers;
- The Practice Direction for building inspections should be clearer in terms of what it is seeking to achieve;

- Timeframes for building inspections to be undertaken by Councils are not practical and should be reviewed;
- Notification requirements for builders/developers should be simplified to improve the level of notifications for Councils;
- Building inspectors should be suitably qualified, maintain professional standards and have insurance to protect consumers;
- Insurance should be mandatory for owner builders;
- Common infrastructure should be assured within the framework of the *Community Titles Act 1996;*
- Engineered stormwater systems should be required to be installed by licensed plumbers;
- Building work supervision requirements should require certificates for key stages of construction such as waterproofing, footings and framing.

Summary and Conclusion
It is recommended that Council endorse the draft Building and Construction Industry Review submission, contained within *Attachment 1.*

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Draft submission - Building and Construction Industry Review ⇩
Attachment 2 Factsheet - Overview of the building and construction industry review ⇩

Supporting references
Building and Construction Industry Review | YourSAy

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan
CS15 Land Use and Development - Assessment of development applications for construction, alteration or demolition of buildings, and the division of land and changes in land use.

Legislative Requirements
Building Work Contractors Act 1995
Planning, Development and Infrastructure Act 2016

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

The Building and Construction Industry Review is a state-led consultation and is open to everyone in the community. Therefore, the consultation did not trigger Council's Public Consultation Policy.

Reference: TRIM

21 May 2024

Submission – Building and Construction Industry Review
Regulatory Services – Reform
Consumer and Business Services

By email: CBSReforms@sa.gov.au

Dear Sir/Madam,

Building and Construction Industry Review

Thank you for opportunity to make submission in respect to the above-mentioned Building and Construction Industry Review.

We wish to provide the following comments in respect to the reform proposals outlined within the Discussion Paper:

2.1 Certificate of Occupancy and Swimming Pool Requirements

This initiative is supported but we would also request that swimming pool installers must be accountable for installing safety barriers. The pool installer should be licensed and be required to submit the Certificate of Occupancy.

Swimming pool safety features should be a mandatory installation for the pool installer. A significant number of non-compliances occur as a result of owners installing safety barriers themselves, after the pool has been installed.

3.1 Building Inspections – Inspections during Construction

The current Practice Direction inspection requirements are audit based. The Practice Direction is considered to be ambiguous. The Practice Direction should provide better guidance on the purpose of inspections.

The current timeframes for completion of inspections are not practical and should be reviewed. Adequate timeframe is necessary for Councils to conduct an inspection.

Swimming pools are generally found to be the most inadequate when inspected and often require 3-4 inspections or more to resolve matters, mostly due to concerns in relation to the installation of safety barriers.

Notification requirements for Councils should be reviewed to provide greater capacity for builders/contractors to log notifications via a simple app, which would improve the level of notifications for Councils.

Building Inspectors should be suitably qualified, maintain adequate professional standards and have insurance to protect consumers.

(08) 8563 8444 | barossa@barossa.sa.gov.au | barossa.sa.gov.au
43-51 Tanunda Road (PO Box 867), Nuriootpa SA 5355 | ABN: 47 749 871 215

3.2 Regulation of Owner Builders

Insurance should be mandatory for owner builders and construction should not be allowed to be split into construction stages in order to avoid thresholds for insurance.

3.3 Regulation of Building Developers

The *Community Titles Act 1996* should ensure that a developer provides security to the community corporation for all communal works such as roads, common service infrastructure and landscaping to ensure that the works are completed.

3.7 Installation of Stormwater Piping

Stormwater for a gravity system for class 1 or 10 buildings is not considered to be complex and it would be questioned as to the need for such work to be required to be completed by a licensed plumber. However, licensed plumbers should be used for all engineer designed systems such as involving retention, detention, sealed and/or pumped systems.

5.4 Building Work Supervision Requirements

There should be a requirement for certificates for key stages of construction, including waterproofing (by the supervisor), footings (by the engineer) and framing (by the supervisor).

We thank you for the opportunity to make submission during the public consultation period and look forward to receipt of further feedback regarding the outcomes from the consultation process.

Yours sincerely,

Martin McCarthy
Chief Executive Officer

(08) 8563 8444 | barossa@barossa.sa.gov.au | barossa.sa.gov.au
43-51 Tanunda Road (PO Box 867), Nuriootpa SA 5355 | ABN: 47 749 871 215



Factsheet: Overview of the building and construction industry review

The building and construction industry employs thousands of South Australians, drives growth and provides homes and important infrastructure. Reforms are proposed to modernise the laws which govern builders and tradespeople in South Australia (SA) to better support consumers and the building industry across five key areas.

More detail on each reform is provided in the discussion paper, along with information about how you can provide feedback, at yoursay.sa.gov.au/building-industry-review.

Part 1 – Improving building dispute resolution

Consumer and Business Services (CBS) receives a significant number of complaints about domestic building work each year. CBS provides a conciliation service for consumers, and if a dispute cannot be resolved, consumers can take civil court action. However, this can be a costly and time-consuming process. The Government is considering options for cheaper and more timely resolution of domestic building disputes.

1.1 Binding rectification order scheme

Such a scheme could be used where the contract value exceeds a certain amount. If a party applies to CBS for a binding rectification order, the process might involve the following:

- CBS engaging an independent building expert to assess the work (to be paid for by the lodging party), with a report provided to both parties for consideration and an opportunity to negotiate an agreement via conciliation.
- If the dispute isn't resolved, the Commissioner could make an order. The builder or consumer could apply for a review of the decision.
- If a builder doesn't comply with the order, CBS could take action – e.g. suspend the builder's licence. The consumer or builder could also end the contract and apply to another forum (e.g. the South Australian Civil and Administrative Tribunal (SACAT) or the courts) for an order.

Government of South Australia
Consumer and Business Services

1.2 Moving domestic building work disputes to SACAT

Matters heard by SACAT might be resolved more quickly and with less formality and cost than going to court. SACAT would need assistance from building experts, as is the case for building matters heard in the Magistrates Court. The law could be changed, so a SACAT order about a building matter could be enforced by a court as a minor statutory proceeding.

Alternatively, the monetary limit for building matters that can be heard in the Civil (Consumer and Business) Division of the Magistrates Court could be increased. This court already offers a low application cost, access to a court-appointed mediator at no cost, and orders that can be enforced.

1.3 Compulsory conciliation conferences for building disputes

Many building disputes are resolved through CBS' conciliation service. While CBS has no legal authority to impose an action or resolution on a builder or consumer, the Commissioner can call a Compulsory Conciliation Conference (CCC) where the builder must attend to discuss the issues with the consumer and a CBS conciliation officer. If a builder fails to attend, CBS can issue an expiation notice of $315 for minor offences (where the dispute value is $1,000 or less) or choose to prosecute, where the maximum penalty is $5,000 for minor offences or $10,000 in any other case.

It is proposed:

- to increase the expiation amount
- to allow CBS to issue an expiation notice when a builder fails to attend, regardless of the dispute amount. CBS could still choose to prosecute instead of issuing an expiation notice.

Part 2 – Regulation of building and construction industry contracts

2.1 Certificate of Occupancy and swimming pool requirements

A Certificate of Occupancy (COO) is issued by a private certifier or a council, indicating the dwelling is suitable for occupation and complies with certain legal requirements. Councils are also required to inspect swimming pools to ensure compliance with safety features. It is an offence to not comply with COO and swimming pool safety requirements, however enforcement could be strengthened. Some offences lie against the building owner, but the owner could defer non-compliance issues to the builder relying on the implied statutory warranty in the *Building Work Contractors Act 1995*.

It is proposed that domestic building work contracts must include information in relation to:

- the requirement to install smoke alarms.
- bushfire protection requirements where a building is in a high-risk bushfire zone.
- the required safety features where a swimming pool will be constructed.

The building owner would then be on notice of these requirements. If a COO could not be issued due to non-compliance, enforcement action against the building owner could be more effective.

2.2 Sunset clauses

A sunset clause allows either party to terminate a contract if building work is not completed within a set period of time. These clauses are designed to protect the parties if there are factors outside their control – e.g. unforeseen weather. There is concern that developers may be exploiting sunset clauses to cancel contracts and sell property at a higher price. SA is considering whether to limit when a seller can use a sunset clause for off-the-plan contracts – e.g. only with the purchaser's consent or court permission.

Part 3 – Licensing and registration reforms

3.1 Building inspections

Inspections during construction

The 'Building Confidence' Report delivered to the Building Ministers Forum in 2018 recommended each jurisdiction require on-site inspections at key stages during construction. In SA, councils undertake some inspections of building work.

The Government is seeking feedback about whether the current inspection scheme is effective and inspections are consistent across council areas and building types. The Government is also considering whether inspections could be done by other suitably qualified and experienced building professionals – e.g. private building certifiers, architects or engineers.

Building inspectors

Building inspectors are considered 'building consultants' under the *Building Work Contractors Act* and CBS can take disciplinary action for conduct such as acting negligently. Under the Australian Consumer Law, inspectors must also provide their services with due care and skill and take all necessary steps to avoid loss and damage. However, building inspectors do not need to be licensed, hold qualifications, demonstrate industry experience or have particular insurance. There is a risk inspectors could fail to identify defective building work or make incorrect findings. The Government is considering requiring building inspectors to be licensed or registered.

3.2 Regulation of owner builders for domestic building work

Genuine owner builders are not required to take out building indemnity insurance (BII). However, some people pose as owner builders to avoid builders licensing BII requirements and statutory warranty obligations. There is also concern that some builders are persuading people to submit development applications as owner builders, so that builders can avoid BII requirements.

The Government is considering closer monitoring of 'owner builder' development applications through information sharing with councils, or a permit or notification system administered by CBS.

3.3 Regulation of residential building developers

Consumers and subcontractors are disadvantaged when developers do not meet their contractual obligations. In one high profile case, a developer failed to complete an internal access road and common infrastructure services on a community title development which stopped building work for an extended time. CBS has seen similar behaviour with other developers, along with requests for additional payments that appear unfair or unjustified. The Government is looking at new measures to improve developer behaviour, such as registration requirements or sanctions for failure to meet contractual obligations.

3.4 Qualifications and Recognition of Prior Learning

CBS must accept qualifications obtained through Recognition of Prior Learning (RPL) when considering licence/registration applications. A person can apply to a Registered Training Organisation to have their prior learning assessed. However, there are concerns some qualifications obtained through RPL are being issued without proper assessment, putting consumers and licensees at risk. The Government is considering giving CBS discretion to reject qualifications gained through RPL. Such applicants would need to provide evidence of similar qualifications or experience used to gain the qualification.

3.5 Setting plumbing, gas fitting and electrical worker qualifications

The required qualifications and experience for plumbing, gas fitting and electrical licences/ registrations are prescribed by regulations and set by the Commissioner. Some qualifications in the regulations are almost 30 years old. It is proposed that qualifications and experience requirements are only set by the Commissioner, noting that older qualifications would continue to be accepted by CBS as they are included in the Commissioner-approved list.

3.6 Reviewing the scope of electrical work

As renewable energy and other technologies develop, the way electricity is generated, stored and used is changing. Electricians now commonly use unskilled labour, or trade assistants, to perform some low-risk manual handling tasks. The Government is looking to update the scope of work for electricians, without adding regulatory burden for industry, or compromising safety.

‘Off-grid’ electrical work

The current definition of ‘electrical work’ in the *Plumbers, Gas Fitters and Electricians Act 1995* and Regulations does not capture ‘off-grid’ installations – e.g. solar panels and fuelled generators. Changes are proposed to clarify that workers who install ‘off-grid’ electrical systems, and wiring and hard-wired electrical equipment connected to these systems, must be licensed/registered.

Electrical trade assistants and exempt electrical work

It is proposed that trade assistants be permitted to perform low risk activities on un-energised installations under the supervision of an electrician. In addition, some types of electrical work do not require a licence or registration, such as where the work is low risk or already managed by other regulatory schemes. For example, working on plug-in appliances. The Government is considering whether all current exemptions are appropriate.

3.7 Installation of stormwater piping

Plumbing and drainage work must be performed by a registered plumber, unless working on stormwater drainage pipes that are 90mm or less in diameter. This means anyone, including homeowners, can perform this work. Concerns have been raised about the quality of stormwater piping work done by people other than plumbers. The Government is considering whether to remove the exemption for work on pipes of 90mm or less, so that only licensed plumbers can install stormwater pipes connected to public disposal systems.

3.8 Access to Australian Standards

Builders and tradespeople may need to access an Australian Standard to ensure their work is compliant. It can cost between $75 and $500 to access an individual standard or purchase a bundle or subscription package, although some industry associations provide members with access to Standards at a discounted rate. The Government is considering options to advocate for fair and equitable access to the standards for builders and tradespeople working in SA.

Part 4 - Continuous Professional Development for workers

The ‘Building Confidence’ report found significant problems with the industry across Australia and recommended each jurisdiction require compulsory Continuous Professional Development (CPD) on the National Construction Code for some building workers. CPD could improve competency and the safety and quality of building work. Although in some cases, non-compliance may be due to a deliberate choice to cut corners and cost-save rather than a lack of knowledge. The Government is considering introducing mandatory CPD for builders, electricians, plumbers and gas fitters.

Part 5 – Strengthening compliance and enforcement

5.1 Increasing penalties

Penalties and expiations can apply for a range of offences such as: unlicensed/unregistered work; misleading or non-compliant advertising; providing false or misleading information; and failing to comply with contract requirements. Penalties range from an expiation fee of $80 to maximum penalty amounts of $50,000 for individuals and $250,000 for a company. Maximum imprisonment terms of 6 to 12 months also apply for third and subsequent offences of a more serious nature, such as unlicensed work.

All offences in the *Building Work Contractors Act* and *Plumbers, Gas Fitters and Electricians Act* are being reviewed to ensure current penalties are an effective deterrent and reflect the seriousness of the offence.

5.2 Using another builder’s licence in advertising

The law requires that licensed builders include their name and licence number in all advertising. It is an offence to provide false and misleading statements. However, there is no offence provision for an unlicensed builder who advertises using another person’s licence number. A new offence is proposed to prohibit unlicensed builders from advertising using another builder’s licence number.

5.3 Unlicensed subcontractors

Anyone who contracts for building work must be licensed. A contractor's licence covers all employees as they perform work under the direction and control of their employer. Subcontractors must have their own licence, although CBS is aware a number of subcontractors have been operating unlicensed.

A new offence is proposed to prohibit building work contractors from engaging unlicensed subcontractors. The Government is also considering whether subcontractors must demonstrate to a building work contractor that their licence covers the work they are contracting for.

5.4 Building work supervision requirements

Building work supervisors must ensure all work is performed to proper trade standards and building work complies with all codes and plans. The *Building Work Contractors Act* does not define the role or tasks of building work supervisors or provide a description of 'proper supervision'. CBS is aware some defects are not being identified by supervisors at an early stage, and in some cases supervisors are engaged in 'name only' and not overseeing building work.

The Government is considering putting a clearer description of supervision requirements into legislation, and requiring record-keeping of supervisor's inspections at key stages of the building process. New penalties are also being considered for supervisors who fail to meet supervision and record-keeping requirements.

5.5 New Commissioner powers relating to practitioner training

The Commissioner can suspend a licence/registration until conditions imposed on the licence/ registration are met, such as completing further training in a specific area. However, these powers can only be used where the circumstances are serious or the practitioner would no longer be granted a licence/registration if they were to re-apply.

It is proposed the Commissioner be allowed to direct a person to undertake training without suspending their licence/registration. For example, if a practitioner's work is defective in one area, they could do specific training whilst retaining their licence/registration to earn an income.

More information

For more information about consultation on the building and construction industry reforms visit yoursay.sa.gov.au/building-industry-review.

DEBATE REPORT

7.4 Development and Community Services

7.4.3 PROPOSED CHANGE TO NURIOOTPA LIBRARY OPENING HOURS

Author: Manager Library Services
24/110858

PURPOSE

To seek Council endorsement to change the Barossa Library pattern of opening hours on Wednesday evenings.

RECOMMENDATION

That Council endorses the permanent change to Wednesday open hours at Nuriootpa Library starting 1 February 2025 to:

a. 9am to 8pm on one Wednesday each month, and
b. 9am to 5pm on all other Wednesdays.

REPORT

Background

The 2022 Library Service Review included a recommendation to change Nuriootpa Library to be open from 9am to 7pm each Wednesday night (before this it was open 9am to 5.30pm) to enable community members to access library services after usual business hours. This change was prompted by community feedback and the night was selected to meet operational requirements and general knowledge of other activities available in the wider community on that night.

Introduction

Late opening (to 7pm) of Nuriootpa Library was introduced in November 2022. In a four-week rotation, activities have included an adult art class, a children's program (process art class or bedtime storytime) and a 1:1 local history help program. The fourth Wednesday has not had a program scheduled.

Discussion

In the 2023/2024 financial year the average number of library attendees from 5pm to 7pm on Wednesday evenings was 14. This rose to 24 on evenings a library program was delivered, and fell to 8 on evenings with no scheduled program.

To build on the success of Wednesday program nights we propose changing the hours, whereby the Nuriootpa Library is only open late only on one Wednesday each month, and increasing this to being open to 8pm (rather than 7pm). A minimum of one child and one adult program will be delivered that evening, and will be accompanied by promotions encouraging community members to come in to borrow and return collections items and obtain reading advice. The later opening will allow for adult programs to begin at 6pm (rather than 5pm), making it easier to attend after work.

The savings by only opening once a month will be re-directed into ensuring the Wednesday night programs provide for a better experience for our customers and worthwhile for all involved.

Programming for the evening will promote wellbeing and provide opportunities for social connection. Examples are introductory skill-based workshops for adults, teens and/or children, story and play sessions for young children, robotics and digital literacy workshops, and history help. Program content will be informed by the Wellbeing Plan data and feedback from community members. It is anticipated that combining the programs into one evening will provide a more vibrant, inviting library space and encourage casual visitation and social connection.

Summary and Conclusion
It is recommended that Elected Members endorse the change in opening hours of Barossa Library to open from 9am to 8pm on one Wednesday each month, and 9am to 5pm on all other Wednesdays.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references
Nil.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Legislative Requirements
Libraries Act 1982

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial

Currently over a four-week period the library is open 8 hours on Wednesday evenings (4 x 5pm to 7pm) staffed by a casual Level 1 library team member, and a permanent member of staff. The latter adjusts their hours to start later that morning, so the only additional salary cost for that staff member is loading for 5.30-7pm.

In the proposed model, the library will be open 3 hours on Wednesday evenings over a four-week period (1x 5pm to 8pm). This will be staffed by two casual Level 1 library team members, and 2 permanent members of staff (only additional salary cost is loading for 5.30-8pm).

The reduction of two casual staff hours per four-week period will be utilised by them starting at 4pm on Wednesday evenings to allow permanent staff time for program preparation.

There will be a nominal decrease in consumable costs (e.g. lighting, heating/cooling) associated with the library being open 5 fewer hours over a four-week period.

COMMUNITY ENGAGEMENT

This slight reduction in opening hours will have minimal impact on the community due to the current lack of library patronage at that time. Community members will be informed of the change via social media, printed material and Council/Library websites. A community consultation is not advised.

DEBATE REPORT

7.4 Development and Community Services

7.4.4 REQUEST FOR FUNDING - LUHR'S COTTAGE PRESERVATION SOCIETY INC. - DIGITIZE THE BAROSSA NEWS PROJECT

Author: Executive and Project Support Officer
24/111225

PURPOSE

To consider a request for financial support from Luhrs Cottage Preservation Society Inc., to assist with the 'Digitize the Barossa News' Project.

RECOMMENDATION

That Council:

(1) Endorses the request for funding support for the Luhrs Cottage Preservation Society Inc. 'Digitize the Barossa News' Project.

(2) Approves a budget variance of up to $5,000.00 to support the project.

(3) Should funding be approved, require Luhrs Cottage Preservation Society Inc. to appropriately acknowledge The Barossa Council as a funding source for the project through social media, signage, website, and promotional material.

REPORT

Background
Luhrs Cottage Preservation Society Inc. submitted an application for funding ($5,000.00) to Round One of the Community Assistance Scheme Committee to assist with the "Digitize the Barossa News' Project. The application forms Attachment 1.

The proposed project is a joint project by the Barossa Heritage Network of which Luhrs Cottage is a participant.

The project is supported by the Barossa, Light, Gawler and Mid Murray Heritage Network which is a group of twenty local historical groups and includes business units from three local Councils – the Gawler Cultural Heritage Centre, the Barossa Library and the Light Visitor Information Centre.

The Barossa News was a weekly newspaper published in Tanunda, and was established in 1908 by John Birdseye Cant, a West Australian printer and newspaperman. Initially just 500 copies were printed, but after a few years the circulation had risen to 2,500.

It was the first English newspaper to provide significant local news coverage to the region including Angaston, Tanunda, Truro, Nuriootpa, Greenock, Stockwell,

Keyneton, Moculta, Eden Valley and Murray Flats District. The newspaper was printed each Saturday and initially sold for one penny.

The newspaper has been microfilmed and the project aims to have it digitized at the State Library of South Australia and added to Trove. Electronic access to this archive will broaden the understanding and complexity of the Barossa's multicultural community and the impacts of the events such as both the World Wars had on the community.

Introduction
Following the review of the Community Grant Application at the meeting of the Community Assistance Scheme Committee held on 19 November 2024, the Committee resolved to refer the Application to Council for consideration, as it was felt that this was a more appropriate avenue for the Application, and that opportunities may be possible for a joint collaboration with Council's Library Services.

The resolution is included below:

MOVED Cr Angas

That Community Assistance Scheme Committee refers the Application for funding to Council for decision, to be considered at the meeting of Council to be held 17 December 2024.

SECONDED Cr de Vries **CARRIED CA 2022-26/67**

Discussion
Since the advent of Trove in 2009 most Australian newspapers from 1803 to 1954 are freely available for historians and interested community members to access online.

Currently there is no local newspaper version on Trove for the period 1908 to 1919, a key gap in time which was a period that saw significant changes.

The Barossa News documented the challenge to social cohesion that arose during both World Wars when anti-German sentiment saw the closing of Lutheran Schools and the renaming of towns with German names.

Summary and Conclusion
The total cost of the project has been quoted as $20,189.00 At the time of writing, Luhrs Cottage Preservation Society Inc. have raised approximately $3.250 via Go Fund Me, and have also applied for a FRRR grant of $10,000.00 to assist with the project.

The project can be completed in stages as funding allows.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Community Grant Application - Luhrs Cottage Preservation Society Inc - Redacted - 5 November 2024

Supporting references
Nil.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

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

Legislative Requirements

Local Government Act 2009

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

COMMUNITY ENGAGEMENT

Not required.

THE BAROSSA COUNCIL

COMMUNITY GRANT APPLICATION FORM

(Please read the Community Grant Guidelines and complete all sections of this form)

Related Policy/Process	**TBCPOC4450 Community Assistance Scheme Policy**	**Form Number:**	**TBCFOR4452**
Form Owner:	Manager – Community and Facilities Development	**Last Revised Date:**	**June 2017**
Document Control:	Manager – Community and Facilities Development	**TRIM Reference:**	**17/47438**
Date Approved:	**7 March 2018**	**Next Review Date:**	**June 2019**

Date of Application: 22 / 08 / 2024

1. ORGANISATION DETAILS

Name of organisation: Luhrs Cottage Preservation Society Inc.

Physical address of organisation clubroom/facilities/meeting place:
407 Light Pass Road, Light Pass

Postal address of organisation: PO BOX 38, Light Pass, 5355

2. CONTACT DETAILS FOR THIS ORGANISATION

Name: Darlene Cooper

Position: Secretary

Postal Address (for contact person):
PO Box 43, Light Pass, 5355

Mobile: [redacted]

Home Phone: ( )

Work Phone: ( )

Email: [redacted]

Preferred Method of contact

Home Phone ☐ Work Phone ☐ Mobile X Email X

3. GROUP/ORGANISATION GST STATUS (PLEASE TICK)

In accordance with current tax legislation, Council is obliged to withhold 46.5% of the grant and forward this amount to the Australian Taxation Office (ATO) if an Australian Business Number (ABN) is not provided

This electronic copy is the approved version and is stored in Council's Record Management System (TRIM). Printed copies are considered uncontrolled. Before using a printed copy please verify that it is the current version.

© The Barossa Council 2013

prior to payment of funds. Applicants that have an ABN and are GST registered must provide a tax invoice prior to payment being made. Council will gross up the Grant for the appropriate GST amount, provided all requirements in regard to GST are met to Council's satisfaction.

Applicants that are unable to provide an ABN must legitimately complete a "Statement by Supplier" form which is available from Council. If not provided, Council will be required to withhold 46.5%.

☐ No ABN and not registered for GST
(Please request and include a 'Statement by Supplier' form to go with your application)

☐ ABN but not registered for GST (please attach a copy of ABN Certificate)

X ABN and registered for GST (please attach a copy of ABN Certificate)

☐ Currently applying for ABN/GST registration
(When received, Council will require this information before funding can be made)

4. PROOF OF INCORPORATION (AS PER GUIDELINE 1.2)

Is your Organisation incorporated? Yes X No ☐
(If yes, please provide a copy of the Certificate of Incorporation and go to Section 5)

If No, are you affiliated with an incorporated body?

Yes ☐ (Please note: An auspice agreement is required if the organisation applying for funding is not part of an incorporated body.)

Auspice Information
Auspice Organisation Name: _____

Contact Person: _____

Postal Address: _____

Telephone (Bus. Hours) (___)_____ Email: _____

Auspice Declaration:
I,_____ certify that _____
will auspice this proposal and take legal and financial responsibility for the administration of any approved grant funds.

Full name of Authorised Officer: _____

Title of Authorised Officer: _____

Signature: _____ Date: / /

No ☐ You are ineligible to apply for a Community Assistance Grant.

5. ABOUT YOUR ORGANISATION

What are the Aims and Objectives of your Organisation?
(Please attach a copy of your organisation's Terms of Reference/Constitution)

See Constitiution

**This electronic copy is the approved version and is stored in Council's Record Management System (TRIM).
Printed copies are considered uncontrolled. Before using a printed copy please verify that it is the current version.**

© The Barossa Council 2013

How long has your organisation been established? 34yrs mths

Number of members associated with your organisation: 25

What proportion of members resides in The Barossa Council area? 40%

Is your organisation associated with or does it receive funds through it normal activity, such as bar or canteen facilities?
(See Community Grant Guideline 3.15) Yes ☐ No X

If yes – please detail

Is any form of Government funding received by your organisation?
Yes ☐ No X

If yes – please detail as you may be ineligible to apply for a Community Assistance Grant over $500.
(See Community Grant Guideline 3.3)

Has your organisation received assistance from The Barossa Council in the past 3 years?
(This includes cash or in-kind (e.g. Road closures, venue hire etc.)
(See Community Grant Guideline 3.6) Yes X No ☐

If yes – please detail
Helped pay for installations of new signs on Light Pass Road

CASH AND INVESTMENTS

Please provide information on what the cash and investment holdings are earmarked for.
(This will assist in the assessment of this application - See Community Grant Guideline 3.14)

6. PROJECT DETAILS

Project Title: Accessing our history – Community Newspaper digitization Project (The Barossa News)

Description of Project:
(Briefly outline your project, the goals and aims, and how it will benefit the community)

See attachment The project is a joint project by the Barossa Heritage Network of which Luhrs Cottage is a participant. The Heritage Network includes 20 member organisations across the region and takes in groups in Gawler, Barossa, Light and Mid Murray. This digitizing of the Barossa News will enable our community to access and search items of historical and social interest easily. A key gap is the time from 1908 to 1919.

**This electronic copy is the approved version and is stored in Council's Record Management System (TRIM).
Printed copies are considered uncontrolled. Before using a printed copy please verify that it is the current version.**

© The Barossa Council 2013

Amount of funding applied for: $ 5,000

Which Strategy from Council's Community Plan does your project relate to and how? (The Community Plan is available on Council's website via this link)

Social - how we improve people's lives

The digitization of the Barossa News program will enable our community such as teachers and historians to search online for information relating to the early history of the Barossa Valley and regional areas. The multicultural aspect of European and British multicultural settlement. By supporting family history searches will encourage visitation to the Barossa in search of family origins such as cemeteries. This will enhance the growing industry of cultural heritage tourism which will boost our economy.

Location of the project: online

Could the project/event proceed if only partial funding is received? Yes X No ☐

Provide details: The Barossa News started in 1908 and went until 1951. In those early years there was only the Barossa News as the Leader started in 1919. This is an important gap in our local history. Having the newspaper digitized onto Trove enables easy searches for key topic such as the coming of the Railway and World War 1. It was during that time that social history is very important to our community. Understanding of our past is important as we make connections and build a better community.

Proposed start date: 1/ 12 / 2024 end date: 1 / 3 / 2025

Is your project upgrading/enhancing land or a building? Yes ☐ No X

Who owns the land/building?
(If the applicant is not the owner, written consent must be obtained from the land/building owner and submitted with your application.)

Has Council been contacted in relation to whether approval is needed for this project?
Yes X No ☐

Who will benefit from your project?

How many people 4,000 Age range of people aged 10 to 90

Range of groups – primary and high school students, universities, historical groups, social studies students, historians near and far.
Activity areas

**This electronic copy is the approved version and is stored in Council's Record Management System (TRIM).
Printed copies are considered uncontrolled. Before using a printed copy please verify that it is the current version.**

© The Barossa Council 2013

How will you measure the benefit to these groups?

By survey through the Heritage Network

Has any other funding been sought for this project? If so, what was the outcome of the application?

We have raised $3,250 via a Go Fund Me. We are applying for a FRRR grant of $10,000

Any further information which may be relevant to this application

**This electronic copy is the approved version and is stored in Council's Record Management System (TRIM).
Printed copies are considered uncontrolled. Before using a printed copy please verify that it is the current version.**

© The Barossa Council 2013

7. BUDGET AND FUNDING

PROJECT INCOME	(Group's Contribution to Project)	
Group Funds	$	
Fundraising Activities	$	
Donations	$ 3,250	
In Kind (provide details)	$	
Other (provide details)	$ 10,000	
	Total Group's Contribution	$
Council Assistance Requested		$ 5,000
	TOTAL PROJECT INCOME	$ 18,250

PROJECT EXPENDITURE (Please provide an itemised list of expenses for the project)

The digitization process is undertaken by digitizing pages of microfilm. The total project cost for digitizing from 1908 to 1951 is $20,137 and is done by the State Library of SA. We aim to digitize as much as we can with the funding we can get. We may be able to have further fundraising to bridge the gap.

_____	$	_____
_____	$	_____
_____	$	_____
_____	$	_____
_____	$	_____
_____	$	_____
	TOTAL PROJECT EXPENDITURE	**$ 18,250**

**This electronic copy is the approved version and is stored in Council's Record Management System (TRIM).
Printed copies are considered uncontrolled. Before using a printed copy please verify that it is the current version.**

© The Barossa Council 2013

8. REQUIRED SUPPORTING DOCUMENTATION

The following documents for your organisation are mandatory and must be attached to this application. If you are not an incorporated body, your auspice organisation is also required to provide their documents.

ABN Certificate or Statement by Supplier form	X
A copy of your organisation's Certificate of Incorporation or Auspice information completed and a copy of their Certificate of Incorporation	X ☐
A copy of your organisation's Terms of Reference/Constitution	X
A copy of your organisation's most recent AGM Minutes	X
A copy of your organisation's last Audited Financial Statements	X

The following documents must be attached if applicable:

Endorsement from the asset owner (if applicable - see 3.11 of the Guidelines)	☐
Details of cash holdings exceeding application amount (if required – see 3.14 of the Guidelines)	☐
Letters of support for your project	X
Plans / quotes / images etc.	☐

This application must be signed by two current senior office holders of the organisation.
i.e. President, Treasurer, Secretary.

SIGNATURE	[signature]	SIGNATURE	[signature]
POSITION	Secretary	POSITION	TREASURER
DATE	30/08/2024	DATE	30/08/2024

This electronic copy is the approved version and is stored in Council's Record Management System (TRIM). Printed copies are considered uncontrolled. Before using a printed copy please verify that it is the current version.

© The Barossa Council 2013

LUHRS COTTAGE PRESERVATION SOCIETY INC

Financial Report
1st July 2022 - 30th June 2023

RECEIPTS	2021-2022	2022-2023
Donations Box	$ 1,641.20	$ 2,415.60
Donations - Direct	$ 330.00	$ 230.00
Memberships	$ 375.00	$ 180.00
Grants	$ -	$ 511.50
Sundry Income	$ 20.00	$ -
	$ 2,366.20	$ 3,337.10
PAYMENTS		
Utilities	$ 1,064.68	$ 943.63
Insurance	$ 618.00	$ 613.00
Repairs and Maintenance	$ 320.00	$ 170.00
Administration	$ 146.70	$ 136.12
Memberships	$ 126.50	$ 132.00
Stationary	$ 13.65	$ -
Supplies	$ 160.00	$ 445.77
Capital Expenditure	$ -	$ 26.00
Sundries	$ 313.00	$ 183.00
	$ 2,762.53	$ 2,649.52

BANK RECONCILIATION

Opening Bank Balance:	01-Jul-22	**$ 2,406.81**	
		$ -	**$ 2,406.81**
Plus Receipts		$ 3,337.10	$ 5,743.91
Less Payments		$ 2,649.52	**$ 3,094.39**
Closing Bank Balance:	30-Jun-23		**$ 3,094.39**
Credit (-Deficit) for the year		**$ 687.58**	

Audited & found correct in accordance with books & information presented
14/08/23

Project Title

Accessing Our History-Community Newspaper Digitisation Project

Project Summary

The Accessing Our History-Community Newspaper Digitization Project will allow anyone with a digital connection access to the Barossa News, the local newspaper that documented the people and events of the Barossa region from 1908-1951. This project will benefit both academic and family historians as they gain easy access to primary evidence and local school students will be able to research and understand more of the history of the region. The project involves the digitization of the newspaper and its uploading to the National Library's Trove website where it will be available free of charge and with 24-hour access. This will further the understanding of the history of the Barossa region, locally, nationally and internationally. This project is an initiative of the Barossa, Light, Gawler and Mid-Murray Heritage Network, a group of twenty historical societies dedicated to preserving and sharing local heritage across the region. The project is being led by the Angaston Penrice Historical Society Inc.

Contributing to a culturally vibrant community

Since the advent of TROVE in 2009 most Australian newspapers from 1803 to 1954 are freely available for historians and interested community members to access free online. The Barossa community has not had that ready access to our community history, and we would like to rectify that by digitising The Barossa News and making it available online through Trove.

The paper was published from 1908 until it amalgamated with another local newspaper to form the Barossa & Light Herald in 1951. It was the first English newspaper to provide significant local news coverage to the region and covered a wide region including Angaston, Tanunda, Truro, Nuriootpa, Greenock, Stockwell, Keyneton, Moculta, Eden Valley and Murray Flats Districts. The paper was printed each Saturday and initially sold for one penny.

Electronic access to this archive will broaden the understanding of the complexity of the Barossa's multicultural community and the impacts that events such as both World War's had on the cohesiveness of the South Australian community. We know from the numbers of national and international visitors who come to the Barossa each year to explore their heritage, there are many people who are connected to this region and interested in its history from multiple viewpoints, migration, religion, agriculture. Searchable access to this newspaper via TROVE will foster a greater understanding of our unique cultural heritage in this area.

The newspaper has been microfilmed and we are currently raising funds to have it digitized at the State Library of South Australia. and added to Trove. To digitize the Barossa News from 1908 to 1951 we have been quoted $20,189. We have raised $3430.00 from community members, and we are applying for a Barossa Council community grant of $5000. The project can be completed in stages with the number of years added to according to funds raised.

How have you involved your community in this project and what other groups or organisations are you working with?

This project is supported by the Barossa, Light, Gawler and Mid Murray Heritage Network which is a group of twenty local historical groups and includes business units from three local

Councils- the Gawler Cultural Heritage Centre, the Barossa Library and the Light Visitor Information Centre. We have promoted this project through the local newspaper The Leader and across the social media accounts of the various historical societies. We have set up a Go Fund Me page from which we have been collecting donations from local community members keen to help.

How do you know there is a need for your project?

Why does your community/organisation need this project? What will happen if the project does not occur? Can you provide evidence or data that demonstrates this? Please attach materials such as letters of support, community plans / data, survey results, media clips, photos etc to help demonstrate need in the Supporting Materials section.

The Barossa is a well-known destination across Australia, noted for its wine and its German heritage. We have a unique built heritage with many wonderful historic buildings that reflect the German cultural and aesthetic imprint on the region. What we lack is easy access to primary documents that detail the events and community attitudes that shaped this region.

The Barossa News operated across the first half of the 20th century and documented the challenge to local social cohesion that arose during both World Wars when anti-German sentiment saw the closing of Lutheran schools and the renaming of towns with German names. At a time when community cohesion across the world is once again challenged, projects such as this that allow people to better understand the past and reflect on the attitudes and activities that community members of the past undertook to support each other in the face of adversity.

We also believe that the inclusion of the Barossa News on Trove will be a driver of cultural tourism to this region. We already know that many family historians visit the Barossa because of family connections to this region. A searchable newspaper on Trove will make it easy for people to find a great deal more information on their family members and hopefully prompt people to visit.

What difference are you hoping your project will make to your community?

How will you know if your project has been successful.? How will you show/see this outcome? What information do you plan to collect to demonstrate this?

We believe that it will be of immense benefit to our community for them to be able to easily access a searchable database of old newspapers that record the activities and the people of this district. They will be able to look up family members, schools and businesses and build a great understanding of this district by understanding its history. They will gain a knowledge of the people and the events that have shaped the modern Barossa.

When will your project happen?

The Barossa News has been microfilmed and is ready for digitization. It is our intention to start this project with whatever funds are available from December 2024. The State Library of South Australia will then begin digitization and transfer to Trove.

Barossa Valley Archives & Historical Trust Inc.

P O Box 51

Tanunda 5352

Email; [redacted]

The Barossa Council,

I am writing this letter in support of the Luhrs cottage Preservation Society Inc. and their application to digitize the ***Barossa News*** onto Trove, The National Archive for online access to newspapers by way of a Community Assistance grant.

Newspapers record history as it occurs. To be able to access newspapers through Trove means that researchers, teachers, students, and the general public can search by subject and or names in the digitised newspaper.

At present the ***Leader*** which started in 1919 has been digitised, but not the ***Barossa News*** which began in 1908, thus there is this gap from 1908 till 1919 not covered in Trove for a local newspaper. During this time the railway came to the Barossa and World War I occurred, events which greatly affected the Barossa region. These events are of interest to researchers and teachers wanting to teach their pupils about these and many other events which took place then.

Understanding our past should help us understand the present and the future.

The Barossa Valley Archives & Historical Trust has pledged to give at least $1000 towards this project.

Respectfully submitted

Donald A Ross, Secretary

95 Murray Street,

Angaston

SA 5353

22nd August 2024

The Barossa Council

I write this letter in support of the Luhrs Cottage Preservation Society Inc. and their application to *Digitize the Barossa News* onto Trove, the National Archive for online access to newspapers by way of a Community Assistance Grant.

This project is important for our community to assist researchers of history access information from the internet. A community that knows its past will be able to plan for its future. The Angaston & Penrice Historical Society thinks **this is a good project for the community** enabling students of history to be able to find out more of the coming of the Railway to the Barossa in 1911 and the impact of the First World War as seen through the eyes of the local newspaper. Currently there is no local newspaper version on Trove for the period 1908 to 1919. (The Leader started in 1919).

The teaching of local history is made easier for teachers if they have an online version to search and access information easily. This gives students greater appreciation of their community and is better for their health and wellbeing by way of connecting.

We have contributed $1,000 towards this project.

Bill Gransbury

President

Angaston & Penrice Historical Society Inc.

Barossa Valley Archives & Historical Trust Inc.

P O Box 51

Tanunda 5352

Email; [redacted]

The Barossa Council,

I am writing this letter in support of the Luhrs cottage Preservation Society Inc. and their application to digitize the ***Barossa News*** onto Trove, The National Archive for online access to newspapers by way of a Community Assistance grant.

Newspapers record history as it occurs. To be able to access newspapers through Trove means that researchers, teachers, students, and the general public can search by subject and or names in the digitised newspaper.

At present the ***Leader*** which started in 1919 has been digitised, but not the ***Barossa News*** which began in 1908, thus there is this gap from 1908 till 1919 not covered in Trove for a local newspaper. During this time the railway came to the Barossa and World War I occurred, events which greatly affected the Barossa region. These events are of interest to researchers and teachers wanting to teach their pupils about these and many other events which took place then.

Understanding our past should help us understand the present and the future.

The Barossa Valley Archives & Historical Trust has pledged to give at least $1000 towards this project.

Respectfully submitted

Donald A Ross, Secretary

The Luhrs Cottage Preservation Society Incorporated
Minutes of the **A**nnual **G**eneral **M**eeting
Friday, September 1st 2023 in the Strait Gate Lutheran church hall, Light Pass
Meeting opened 6.08pm

Welcome : by Treasurer and acting-chair Wally Schiller in the resignation of president Rob Grope during the year to all Members, Life-Members, Friends of the Society, and Visitors

Present : 16 persons: Wally and Joan Schiller, Darlene and Peter Cooper, Christine Schmidt, Ian Falkenberg, Jill Boehm, Rhoda Schiller, Luke and Faye Rothe, David and Lyn Koop, Ross and Judy Colbey, Kelly and Lynn Mattner

Apologies : Trish Falkenberg

Minutes of 2022 AGM : report printed, and available on the night. No queries or corrections. Passed Ian, seconded Peter, all agreed

Secretary's Yearly Report : in the absence of a President, Darlene had copies available on the night of the summary of the past years events, tours, grants, repairs, upcoming plans with some in progress, and new public road signs. Darlene reported that the gold coin donation that has been in use since the Cottage's inception is now a $2pp entry fee, which she writes appears to be a success. Lynn Mattner passed, Jill second

Treasurer's Report : Wally highlighted his printed report. Reported under Payments for Repairs and Maintenance was for white ant inspections. Ian inquired if under Insurance if it includes Public Liability, replied yes, and it covers [1]public liability, [2]goods and physical, [3]property damage excess. Wally moved his report, seconded Peter

Elections : Wally asked Luke to preside over the elections. Luke thanked the whole team, and to keep up the good work as the Cottage is a unique feature done on trust when no-one is around. Luke encouraged us to ask (recruit) around locally. Luke opened the floor for nominations for the President's role, Peter nominated David Koop, declined. No nominations for Vice-president. Jill nominated Darlene for Secretary, agreed. Ian nominated Christine for Minutes Secretary, agreed. Peter nominated Wally for Treasurer, agreed. Current Auditor, and Committee Members all agreed. Ian nominated David Koop as Committee Member, agreed. All welcomed David with applause

President : vacant
Vice-President : vacant
Secretary : Darlene Cooper
Minutes Secretary : Christine Schmidt
Treasurer : Wally Schiller
Auditor : Wilfred Kubisch
Committee Members : Jill Boehm, Ian Falkenberg, Rhoda Schiller, **newly elected David Koop**

Business : *Subscription* – Ian inquired if the subs are still $15pp. Agreed to leave it at $15pp

New Business : *Upcoming Tours* – Darlene spoke of upcoming tours and handed out a sheet to members with all the information. Ian inquired where do visitors hear about the Cottage, Darlene replied mostly from the Tanunda Visitors Centre, Facebook, Barossa Heritage Network meetings. Jill inquired if we pay subs to the BHN, answer "no, they are there to help"

Meeting Closed : at 6.30pm

Dinner/Tea/Supper : approx. 7.05pm, six pre-ordered pizzas were delivered from Angaston's 40's Café: (Vegetarian, Garlic Cheese, Hawaiian, Mediterranean, Barbeque Chicken, and Pile it On), with Linkes Bakery kucken cake, and chocolates enjoyed over a cupppa

Evening Closed : approx. 8.30pm

CERTIFICATE OF INCORPORATION OF AN ASSOCIATION

Paragraph 20 (1) (c) and Regulation 18 (3)

tered No.: A0019085H

ASSOCIATIONS INCORPORATION ACT, 1985

THIS IS TO CERTIFY that

THE LUHRS COTTAGE PRESERVATION SOCIETY

Incorporated is on and from the 31st **day of** May , 19 90,

incorporated under the Associations Incorporation Act, 1985.

GIVEN under the seal of the Corporate Affairs Commission at Adelaide this 31st **day**

of May , 19 90

CORPORATE AFFAIRS COMMISSION SOUTH AUSTRALIA

ACTING

Commissioner for Corporate Affairs

Australian Government
Australian Business Register | **ABN Lookup**

We are updating our IP address on Thursday, 26 September 2024.

The new IP addresses are:

ABN Lookup 192.199.33.8
Superfund Lookup 192.199.33.10

Update your whitelist to include these new IP addresses. We recommend using our full web addresses **https://abr.business.gov.au** and/or **https://superfundlookup.gov.au** when accessing our services. Accessing by other names or by IP address will be blocked and disabled in the near future.

Current details for ABN 97 330 585 517

ABN details

Entity name:	LUHRS COTTAGE PRESERVATION SOCIETY INC
ABN status:	Active from 01 May 2000
Entity type:	**Other Unincorporated Entity**
Goods & Services Tax (GST):	Registered from 01 Jan 2022
Main business location:	SA 5355

Trading name(s)

From 1 November 2025, ABN Lookup will not display trading names and will only display registered business names. For more information, click **help.**

Trading name	From
LUHRS COTTAGE PRESERVATION SOCIETY INC	01 May 2000

Deductible gift recipient status

Not entitled to receive tax deductible gifts

ABN last updated: 18 Jan 2022 **Record extracted:** 20 Aug 2024

Disclaimer

The Registrar makes every reasonable effort to maintain current and accurate information on this site. The Commissioner of Taxation advises that if you use ABN Lookup for information about another entity for taxation purposes and that information turns out to be incorrect, in certain circumstances you will be protected from liability. For more information see **disclaimer**.

Warning Statement

If you use ABN Lookup for information about a person or entity that provides financial or investment products or advice, make sure they have an Australian Financial Services (AFS) licence. You can check licenced professional registers **here**.

"THE LUHRS COTTAGE PRESERVATION SOCIETY INCORPORATED"

CONSTITUTION

1. NAME

The name of the Association shall, after incorporation, be:
THE LUHRS COTTAGE PRESERVATION SOCIETY INC. (hereinafter referred to as 'the Society'

2. OBJECTS

The objects of the Society are:

(a) To hold and maintain the whole of the land at present being Allotment 509 in the Development Plan No. 961:D018:89 being portion of the land in Certificate of Title Register Book Volume 207 folio 164 (hereinafter referred to as "the land") and such other land from time to time as may be acquired leased donated or otherwise as may come under the care and control of the Society.

(b) To restore maintain and preserve as a Heritage Museum the cottage situated on the said land and known as Luhrs Cottage built in 1848 by A.H. Luhrs the first Lutheran School Teacher in Light Pass, and the room and underground cellar added in the 1870's to the east of the said cottage (hereinafter together referred to as 'the cottage').

(c) To hold maintain and preserve such items as have been donated or loaned to the Society which are presently included in the collection housed in and around the cottage, and any other items as shall be acquired, donated or loaned to the Society and as shall befit the cottage or the land.

(d) To encourage interest in the history of the Barossa Valley its people and early culture.

(e) To arrange for or carry out and do all lawful things necessary for the attainment of the above objects and any other objects which may seem desirable at any future time which are not inconsistent with the above objects.

3. POWERS

In furtherance of these objects the Society shall have the following powers:-

(a) To raise money and create funds for any purpose of the Society by subscription or donation or in any other manner whatsoever and to use such money or funds for carrying out or furthering the objects of the Society.

(b) To arrange for or to carry out and do all such things as may be necessary from time to time to secure fee simple ownership of the title to the land and to restore and maintain the cottage and all of the items housed therein or on the land as may be necessary from time to time; to secure advice on matters relating to authentic restoration as may be necessary and to engage such tradespeople and artisans as may be necessary to ensure that such work is carried out in the manner best befitting the cottage and to preserve and care for it as may be necessary or as may be required by virtue of its heritage listing from time to time.

(c) To confer co-operate and liaise with any other person group body corporate or government department having objects or interests similar to the Society as may be considered necessary or desirable from time to time.

(d) To invest any moneys of the Society not immediately required for any of its objects in such a way as the Committee of Management shall from time to time determine.

(e) To do all other such lawful things as may be incidental or conducive to or convenient for the attainment of the objects of the Society from time to time or as are permitted under the authority of the Associations Incorporation Act 1985 as amended from time to time.

MEMBERSHIP

(a) Ordinary members of the Society shall be those who have applied to the Secretary for membership and have paid the annual subscription. All members shall be termed **'Friends of the Society'**.

(b) Associate members of the Society shall be those who have applied to the Secretary for membership and paid the annual subscription, but who reside outside the boundaries of the Barossa Valley. The Barossa Valley shall for purposes of this Constitution mean the area of land situated and contained within the recognized gateways to the said area, namely Truro, Greenock, Gawler, Williamstown, Mt. Pleasant and Keyneton. Associate members shall have no voting rights and shall be ineligible to hold positions on the Committee of Management.

(c) The granting of membership will be at the discretion of the Committee of Management.

SUBSCRIPTION

The subscription shall be determined at the Annual General Meeting. Any ordinary or associate member who fails to pay such subscription by the end

of the sixth month after the commencement of the financial year shall be deemed to be no longer a member of the Society.

MANAGEMENT

(a) The management of the affairs of the Society shall be under the control of the Committee of Management hereinafter referred to as "the Committee").

(b) The Committee shall consist of the Chairperson, the Secretary and the Treasurer of the Society who shall be the Executive. The balance of the Committee shall consist of not less than three and not more than twelve financial members of the Society.

(c) The Committee shall have the power to co-opt any member to fill any casual vacancy occurring on the Committee from time to time. Any person so co-opted shall hold office only until the next Annual General Meeting of the Society.

(d) The Committee shall be elected annually by the members of the Society at the Annual General Meeting of the Society and shall also appoint an auditor for the ensuing year.

(e) The Committee shall meet at least four times per year or more often as required. A quorum shall be one half of the Committee members.

(f) The Committee may from time to time make by-laws not inconsistent with these rules for the management and conduct of the affairs of the Society; however such by-laws may be disallowed by the members in General Meeting.

(g) The Committee shall have the power to delegate its authority in any particular matter or matters to a sub-committee appointed by the Committee for that purpose. Any such sub-committee so appointed shall at all times be and remain under the overriding authority of the Committee to whom it shall be responsible and to whom it shall report.

(h) Voting within the Committee shall be by a show of hands unless the Chairperson shall decide otherwise, in which case the voting shall be by secret ballot. The decision of the Committee shall be by simple majority of those present and voting. The Chairperson shall have a casting vote.

SEAL

The seal holders of the Society shall be the Chairmperson and the Treasurer and Secretary. Any instruments to which the seal is affixed shall not be valid unless authorized by resolution of the Committee and

countersigned by any two of the seal holders.

PUBLIC OFFICER

The Public Officer of the Society shall be appointed by the members at any Annual General Meeting from time to time as shall be necessary.

FINANCIAL YEAR

The financial year of the Society shall end on the 30th day of June in each year.

ANNUAL GENERAL MEETING

(a) The Annual General Meeting shall be held in August of each year or such other month as the Committee shall determine. Notification of time, place and business proposed shall be given in writing to all members at least three weeks prior to the meeting.

(b) The quorum at the Annual General Meeting or any General Meeting shall be five members apart from the Committee.

(c) The Chairperson of the Committee shall report to the meeting the activities of the Committee during the preceding year.

(d) The Treasurer shall submit an audited financial statement.

(e) The election of officers and additional members (where vacancies occur or have occurred) shall take place at the Annual General Meeting.

(f) Notice of any special resolution proposed to be raised shall be sent to and received by the Secretary two weeks prior to the meeting.

(g) Voting at the Annual General Meeting or any Special General Meeting of the Society shall be by a show of hands unless the Chairperson shall decide otherwise in which case the voting shall be by secret ballot. The decision of the Committee shall be by simple majority of those present and voting. The Chairperson shall have a casting vote.

SPECIAL GENERAL MEETING

A Special General Meeting may be called by the Committee or by five or more financial members of the Society.

ACQUISITION AND SALE OF PROPERTY

The Society may accept as gifts or loans or may purchase any item suitable for display or preservation in the Museum. No items may be sold or otherwise disposed of except by the unanimous vote of those present and voting at a General Meeting.

APPLICATION OF FUNDS

The income and property of the Society shall be applied solely to the

carrying out of the objects of the Society and no portion thereof shall be paid or transferred directly or indirectly by way of dividend bonus or otherwise howsoever to the members or relatives of members of the Society provided that nothing herein shall prevent the payment in good faith or remuneration to any officer or servant of the Society or to any member of the Society in return for any services actually rendered to the Society or reasonable and proper rental for premises let by any member to the Society.

14. **WINDING UP**

If upon the winding up of the Society there shall remain after satisfaction of all its debts and liabilities any assets whatsoever the same shall not be paid or distributed amongst members of the Society but shall be given or transferred to any organization having objects the same as, or similar, to the objects of the Society.

15. **ALTERATION TO RULES**

These rules may be added to altered or amended at any General Meeting or at any Special General Meeting called for that purpose provided that notice in writing of the meeting specifying the proposed additions alterations or amendments has been given at least two weeks prior to the meeting at which such additions alterations or amendments are to be proposed and provided also that a two-thirds majority vote of the members present are in favour of the proposed alteration or amendment.

The Luhrs Cottage Preservation Society Incorporated
Minutes of the **A**nnual **G**eneral **M**eeting
Friday, September 1st 2023 in the Strait Gate Lutheran church hall, Light Pass
Meeting opened 6.08pm

Welcome **:** by Treasurer and acting-chair Wally Schiller in the resignation of president Rob Grope during the year to all Members, Life-Members, Friends of the Society, and Visitors

Present **:** 16 persons: Wally and Joan Schiller, Darlene and Peter Cooper, Christine Schmidt, Ian Falkenberg, Jill Boehm, Rhoda Schiller, Luke and Faye Rothe, David and Lyn Koop, Ross and Judy Colbey, Kelly and Lynn Mattner

Apologies **:** Trish Falkenberg

Minutes of 2022 AGM **:** report printed, and available on the night. No queries or corrections. Passed Ian, seconded Peter, all agreed

Secretary's Yearly Report **:** in the absence of a President, Darlene had copies available on the night of the summary of the past years events, tours, grants, repairs, upcoming plans with some in progress, and new public road signs. Darlene reported that the gold coin donation that has been in use since the Cottage's inception is now a $2pp entry fee, which she writes appears to be a success. Lynn Mattner passed, Jill second

Treasurer's Report **:** Wally highlighted his printed report. Reported under Payments for Repairs and Maintenance was for white ant inspections. Ian inquired if under Insurance if it includes Public Liability, replied yes, and it covers [1]public liability, [2]goods and physical, [3]property damage excess. Wally moved his report, seconded Peter

Elections **:** Wally asked Luke to preside over the elections. Luke thanked the whole team, and to keep up the good work as the Cottage is a unique feature done on trust when no-one is around. Luke encouraged us to ask (recruit) around locally. Luke opened the floor for nominations for the President's role, Peter nominated David Koop, declined. No nominations for Vice-president. Jill nominated Darlene for Secretary, agreed. Ian nominated Christine for Minutes Secretary, agreed. Peter nominated Wally for Treasurer, agreed. Current Auditor, and Committee Members all agreed. Ian nominated David Koop as Committee Member, agreed. All welcomed David with applause

President : vacant
Vice-President : vacant
Secretary : Darlene Cooper
Minutes Secretary : Christine Schmidt
Treasurer : Wally Schiller
Auditor : Wilfred Kubisch
Committee Members : Jill Boehm, Ian Falkenberg, Rhoda Schiller, **newly elected David Koop**

Business **:** *Subscription* – Ian inquired if the subs are still $15pp. Agreed to leave it at $15pp

New Business **:** *Upcoming Tours* – Darlene spoke of upcoming tours and handed out a sheet to members with all the information. Ian inquired where do visitors hear about the Cottage, Darlene replied mostly from the Tanunda Visitors Centre, Facebook, Barossa Heritage Network meetings. Jill inquired if we pay subs to the BHN, answer "no, they are there to help"

Meeting Closed **:** at 6.30pm

Dinner/Tea/Supper **:** approx. 7.05pm, six pre-ordered pizzas were delivered from Angaston's 40's Café: (Vegetarian, Garlic Cheese, Hawaiian, Mediterranean, Barbeque Chicken, and Pile it On), with Linkes Bakery kucken cake, and chocolates enjoyed over a cupppa

Evening Closed **:** approx. 8.30pm

DEBATE REPORT

7.4 Development and Community Services

7.4.5 REQUEST FOR REVOCATION OF COMMUNITY LAND - LOT 8 GEORGE STREET WILLIAMSTOWN

Author: Manager Development Services
24/111637

PURPOSE

To present a request from NEPCO Group Pty Ltd to commence a revocation of community land process applying to a land-locked reserve, formally described as Allotment 8, Certificate of Title Volume 5532 Folio 961, Deposited Plan 15967, at George Street, Williamstown and request to relocate and/or remove rights of way over Allotment 9, George Street, Williamstown.

RECOMMENDATION

That Council:

(1) Authorise the commencement of a Community Land revocation process pursuant to Section 194 of the *Local Government Act 1999* in respect of Allotment 8, Certificate of Title Volume 5532 Folio 961, Deposited Plan 15967 on condition all costs associated with the revocation process shall be borne by the applicant.

(2) Authorise the Chief Executive Officer to remove rights of way over Allotment 9, George Street, Williamstown post land division approval.

(3) Agree to transfer the land, subject to land revocation being approved, to the current landowner as the only possible landowner that could purchase the land, due to it being land locked and that the land shall be transferred in support of the land development proceeding, and not until land division approval is achieved.

REPORT

Background
Allotment 8 was created in 1997 and the Minutes of The Barossa Council Advisory Committee, dated 23 December 1997, indicate that "*This land was acquired as open space when the allotments on George Street were developed and was taken in this portion as part of a larger Reserve to be created when other land in this locality is developed*". The recommendation adopted in the Minutes was "*That the Reserve be Retained*".

Introduction
The applicant, NEPCO Group Pty Ltd, have requested Council support to commence a revocation of community land process applying to a land-locked reserve,

described as Allotment 8, Certificate of Title Volume 5532 Folio 961, Deposited Plan 15967, at George Street, Williamstown and request to relocate and/or remove rights of way over Allotment 9, George Street, Williamstown.

A copy of the request is contained in *Attachment 1.*

The request is tied with a proposed land division to develop the vacant site into 52 residential allotments, together with proposed public road and reserves. This land is Zoned Township Neighbourhood and represents the last remaining large undeveloped land parcel in Williamstown.

A copy of the plan of division is contained in *Attachment 2*.

The location of the existing reserve, measuring 22m x 25m (550m^2 in total), can be seen on the plan of new division and the reserve is proposed to be realigned with other reserve land under the land division, subject to development approval and approval under Section 194 of the *Local Government Act 1999.*

The request seeks that new reserves proposed within the land division are exchanged for the existing Allotment 8, which is located such that it will conflict with the proposed alignment of a public road. The applicant advises the land division is difficult to design without relocating the reserve land. The applicant proposes that the land division will provide reserve allocation in excess of what is required by Section 198 of the *Planning, Development & Infrastructure Act 2016* of 12.5%, such that financial consideration in support of the reserve exchange in their view should not be applicable. Ultimately, this consideration will be for Council to determine.

Discussion

Given that Allotment 8 is held as community land, Council needs to comply with the provisions of Section 194 of the *Local Government Act 1999* and undertake the necessary community consultation and consider any representations made before proceeding. If Council then proceeds with the revocation, it must first seek the approval of the Minister for Local Government and if that is approved, then make a resolution to revoke the community land status. The resulting parcel of land can then be created and Council will need to consider whether it wishes to accept the proposed exchange of reserves as outlined, pursuant to The Barossa Council Disposal of Land and Other Assets Policy. The process will take upwards of 6 months.

The applicant submits that new reserves proposed by the land division in exchange for Allotment 8 will fulfil the intent of the minutes of The Barossa Council Advisory Committee, 1997 in that a larger reserve will be created when the land is developed. The present Allotment 8 is of little current value, due to it being land locked by the surrounding Allotment 9 which is to be developed. A land exchange to facilitate the provision of a larger area of reserve will be far more beneficial for community use.

The applicant also seeks support to alter and/or remove rights of way over Allotment 9, George Street, Williamstown, which presently extend from George Street up to the reserve. The right of way is identified on the Certificate of Title for Allotment 9 and is 15m wide. Stage 1 of the land division will involve construction of a public road in alignment with portion of the right of way. The applicant would seek that the right of way is extinguished where duplicated by the new road and the balance of the right of way would remain until such time as the land exchange were to occur.

Summary and Conclusion
The land division is proposed upon the last remaining large undeveloped parcel of zoned land in Williamstown. The existing reserve was designated for provision of future open space and in its current configuration, is of little current value. The revocation of the community land classification will enable the applicant to proceed with a proposed land division that will incorporate new open space and the applicant proposes an exchange in reserves to fulfil the intent of the minutes of The Barossa Council Advisory Committee, 1997.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Application for Revocation of Community Land - Lot 8 George Street Williamstown ⇩
Attachment 2 Development Application 24039820 - Proposed Plan of Division ⇩

Supporting references
Guidance Paper No. 5 - Community Land Revocations

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Business and Employment

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

Strategies
11.2 Support proactive population growth that is incremental, well managed and is backed up by local planning and development opportunities.

Legislative Requirements
Local Government Act 1999
Planning, Development & Infrastructure Act 2016

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

In this case, the costs associated with the land revocation process shall be covered by the applicant. In addition, Council will need to resolve whether to support the proposed land disposal as outlined in the form of a land exchange, should the community land classification be revoked.

COMMUNITY ENGAGEMENT

Following completion of a report on the proposal prepared containing the matters prescribed by Section 194(2)(a) of the *Local Government Act 1999*, Council must undertake public consultation on the proposal in accordance with the relevant steps set out in its public consultation policy.

OUTHRED ENGLISH
Urban & Regional Planners

Our ref: 2437/124

3 December 2024

Mr Martin McCarthy
Chief Executive Officer
The Barossa Council
PO Box 867
NURIOOTPA SA 5355

Dear Martin

Re: Request to Initiate the land revocation process – Community Land– Lot 8 (Reserve) in C/T 5532/961, George Street, Williamstown.

I write on behalf of my client - NEPCO Group of Companies, in respect to a request for Council to Initiate the land revocation process for a small land-locked reserve (Lot 8). Allotment 8 is surrounded by land (Lot 9), owned by my client, and presently in the process of a land division application for 52 residential allotments.

Subject Land
The land subject to this revocation request is Allotment 8 contained in Certificate of Title Volume 5532 Volume 961.

Allotment 8 measures 22m x 25m, giving an area of 550m^2. Lot 8 is entirely surrounded by Lot 9.

Legal access to Lot 8 is via a 15m wide right-of-way, over Lot 9, connecting to George Street.

Background
I understand that Allotment 8 was created in 1997. I have been provided with the following information: - *'The minutes of The Barossa Council Advisory Committee, dated 23 December 1997 indicate that this land was acquired as open space when the allotments fronting George Street were developed and was taken in this portion as part of a larger Reserve to be created when other land in this locality is developed'.*

Land Division of Allotment 9
My client has been engaged in preparing a land division proposal for Lot 9 during 2024. The subject land is reasonably steep in places, resulting in significant time having been spent in achieving the most appropriate design to address the slope and the provision of services.

A final land division design was achieved in November, following consultation with Council

Outhred English Planners Pty Ltd
Trading As: Outhred English Urban and Regional Planners - ABN 77 663 685 416
Email: john@outhredenglish.com.au - Mobile: 0488 225 160
PO Box 20, North Adelaide SA 5006

staff. A development application for 52 residential allotments, roads and reserves in three stages was lodged on 27 November 2024. A copy of the land division plan is attached with the position of Lot 8 clearly marked.

The proposed land division provides a large reserve with an area of 15,646m^2. This is substantially in excess of the 12.5% reserve allocation required by a land division creating 21 or more allotments.

Thus, the proposal from my client is to provide other nearby land for reserve purposes, in exchange for Allotment 8. The calculations of reserve provision, are a follows:

- Lot 9 area – 62,257m^2
- 12.5% required for reserve = 7,782m2
- Amount of reserve to be provided in the subject land division, that is in excess of 12.5% = 7,864m^2 (15,646m^2 – 7,782m^2)

The Barossa Council Disposal of Land and Other Assets Policy
I note that Clause 3.1.1 of the policy, lists matters to consider in any decision to dispose of land. I would contribute the following brief comments, in respect to the relevant listed considerations:

- The land has little use in its present land-locked position
- The replacement reserve land, consolidated with additional reserve allocation from the land division, will be much more useful for community use
- The proposal is consistent with the intent of the 1997 minute of The Barossa Council Advisory Committee, in that it foreshadowed future consolidation into a larger Reserve to be created when other land in this locality is developed

Rights-of-way
My client is aware of the time involved in the process of Revocation of Community Land Classification pursuant to Section 194 of the Local Government Act 1999.

The time involved in the land division approval process, followed by the development of the 16 allotments in Stage 1, means it will be sometime before Stage 2 will commence. However, the rights-of-way over Lot 9, involve both Stages 1 & 2. Therefore, it would be appreciated if Council could consider what resolutions would be necessary to relocate the rights-of-way over the proposed public roads.

Should you wish to discuss further contact me on (08) 8342 4848.

Yours sincerely



John Outhred
Principal Planner - Planning and Property
Attachments:
C/T 5532/961 – Lot 8
C/T 5417/786 – Lot 9
Land Division Plan – DA ID 24039820 with position of Lot 8 marked

Attachment 1



LAND SERVICES SA

Product	Register Search (CT 5532/961)
Date/Time	21/11/2024 10:03AM
Customer Reference	13123
Order ID	20241121002178

REAL PROPERTY ACT, 1886 South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.

REGISTRAR - GENERAL SOUTH AUSTRALIA

Certificate of Title - Volume 5532 Folio 961

Parent Title(s) CT 4260/276

Creating Dealing(s) CONVERTED TITLE

Title Issued 08/05/1998 **Edition** 1 **Edition Issued** 08/05/1998

Estate Type

FEE SIMPLE (RESERVE)

Registered Proprietor

THE BAROSSA COUNCIL
OF PO BOX 867 NURIOOTPA SA 5355

Description of Land

ALLOTMENT (RESERVE) 8 DEPOSITED PLAN 15967
IN THE AREA NAMED WILLIAMSTOWN
HUNDRED OF BAROSSA

BEING A RESERVE

Easements

NIL

Schedule of Dealings

NIL

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

Copyright: www.landservices.com.au/copyright | Privacy: www.landservices.com.au/privacy | Terms of Use: www.landservices.com.au/sailis-terms-of-use

Product	Register Search (CT 5417/786)
Date/Time	04/11/2020 08:25AM
Customer Reference	
Order ID	20201104000420

REAL PROPERTY ACT, 1886 South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.

Certificate of Title - Volume 5417 Folio 786

Parent Title(s)	CT 4260/280				
Creating Dealing(s)	SC 8237383				
Title Issued	06/05/1997	**Edition**	1	**Edition Issued**	06/05/1997

Estate Type

FEE SIMPLE

Registered Proprietor

MARIA FLECKER
OF 22A MILLICENT STREET ATHOL PARK SA 5012

Description of Land

ALLOTMENT 9 DEPOSITED PLAN 15967
IN THE AREA NAMED WILLIAMSTOWN
HUNDRED OF BAROSSA

Easements

SUBJECT TO FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A

Schedule of Dealings

NIL

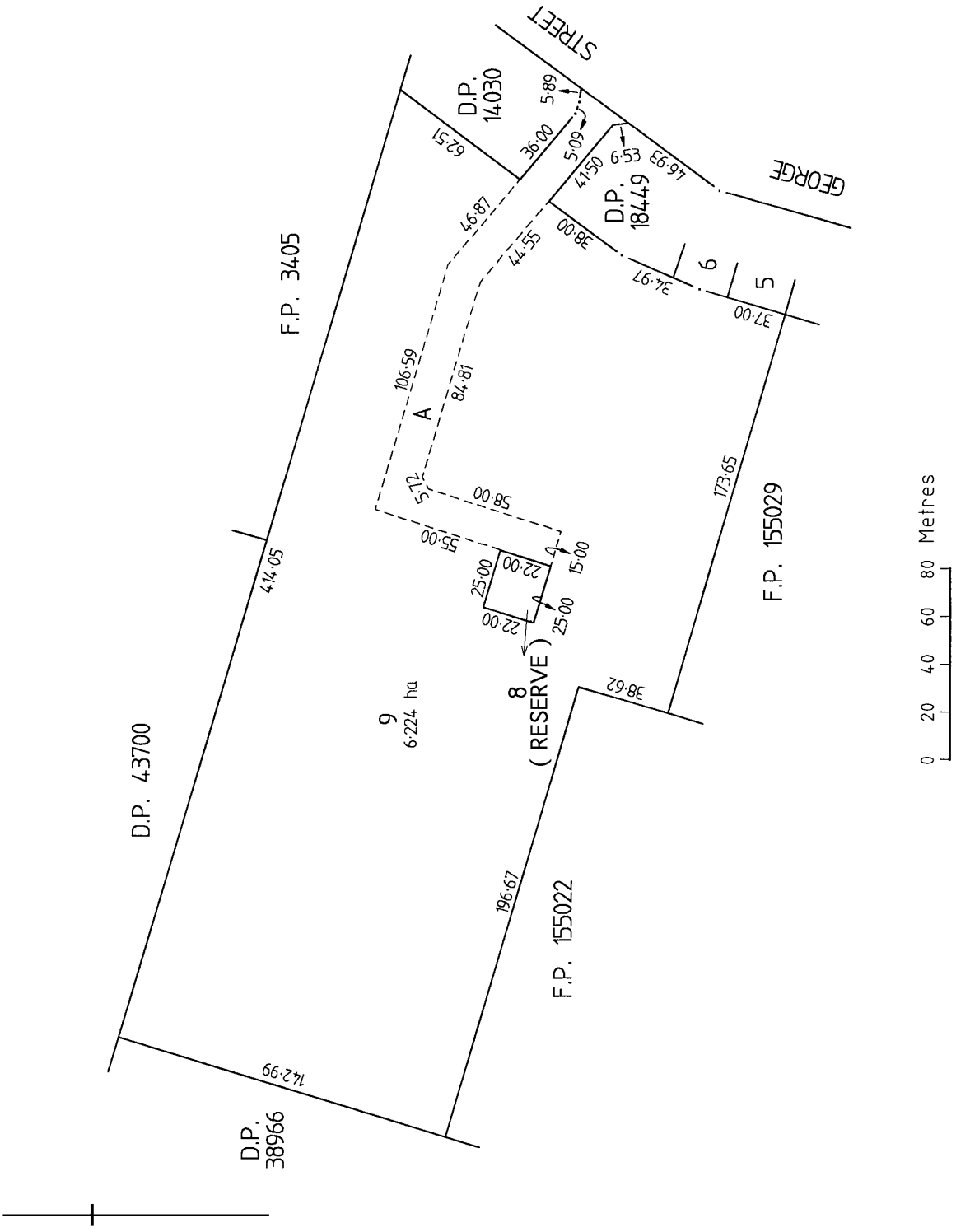
Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

Copyright: www.landservices.com.au/copyright | Privacy: www.landservices.com.au/privacy | Terms of Use: www.landservices.com.au/sailis-terms-of-use

LAND SERVICES SA

Product	Register Search (CT 5417/786)
Date/Time	04/11/2020 08:25AM
Customer Reference	
Order ID	20201104000420



Copyright: www.landservices.com.au/copyright | Privacy: www.landservices.com.au/privacy | Terms of Use: www.landservices.com.au/sailis-terms-of-use

Product	Historical Search
Date/Time	04/11/2020 08:25AM
Customer Reference	
Order ID	20201104000420

Certificate of Title

Title Reference:	CT 5417/786
Status:	CURRENT
Parent Title(s):	CT 4260/280
Dealing(s) Creating Title:	SC 8237383
Title Issued:	06/05/1997
Edition:	1

Dealings

No lodged Dealings found.

Copyright: www.landservices.com.au/copyright | Privacy: www.landservices.com.au/privacy | Terms of Use: www.landservices.com.au/sailis-terms-of-use

Development No.
Application ID:

SCALE 0 15 30 45 60 75 METRES

ORIGINAL SHEET SIZE A1

REGISTERED PROPRIETOR ..... WILLIAMSTOWN DEVELOPMENT PROJECT PTY LTD

TOTAL AREA 6.281ha (62,807m²)

No OF EXISTING ALLOTMENTS 2
No OF ADDITIONAL ALLOTMENTS 50

52 TOWNSHIP NEIGHBOURHOOD ALLOTMENTS
TOTAL AREA OF NEW RESIDENTIAL ALLOTMENTS 35,626m²

4 ROADS:
ALLOT 201 (PUBLIC ROAD)
ALLOT 202 (PUBLIC ROAD)
ALLOT 203 (PUBLIC ROAD)
ALLOT 204 (PUBLIC ROAD)
TOTAL AREA OF ROAD 11,535m²

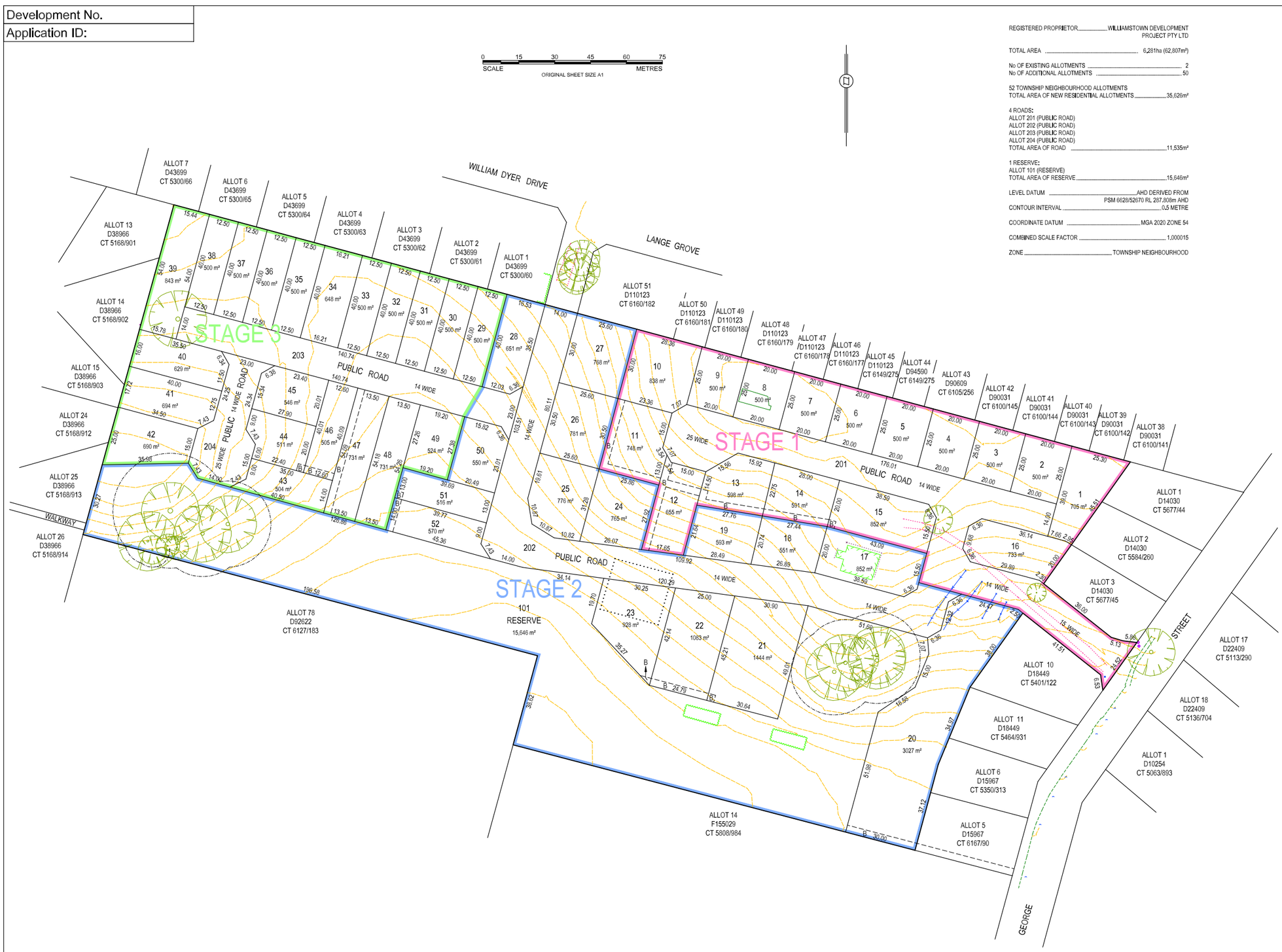
1 RESERVE:
ALLOT 101 (RESERVE)
TOTAL AREA OF RESERVE 15,646m²

LEVEL DATUM ..... AHD DERIVED FROM PSM 6628/52670 RL 287.808m AHD
CONTOUR INTERVAL ..... 0.5 METRE

COORDINATE DATUM ..... MGA 2020 ZONE 54

COMBINED SCALE FACTOR 1.000015

ZONE ..... TOWNSHIP NEIGHBOURHOOD



PROPOSED PLAN OF DIVISION

SHEET 1 OF 1

MAP REF: 6628-17-E

COUNCIL: BAROSSA COUNCIL

LAND DESCRIPTION

HD OF BAROSSA
ALLOT 8 (RESERVE) & 9 IN D15967
OF SECTIONS 984 & 985
in the area named
WILLIAMSTOWN
C.T. VOL. 5532 FOL. 961
C.T. VOL. 5417 FOL. 786

EASEMENT NOTES AND OTHER ANNOTATIONS:

SECTION 90E OF THE REAL PROPERTY ACT APPLIES TO THIS PLAN.

PORTIONS OF ALLOTMENTS 11-15, 20-23, 44, 46, 47, 51 & 52 MARKED B ARE TO BE SUBJECT TO SERVICE EASEMENTS TO THE COUNCIL FOR THE AREA FOR DRAINAGE PURPOSES.

NEW EASEMENTS ARE 3.00 WIDE UNLESS OTHERWISE SHOWN.

STAGING:
STAGE 1: ALLOTS 1-16 (INCL)
STAGE 2: 17-28 (INCL), 50-52 (INCL)
STAGE 3: ALLOTS 29-49 (INCL)

DIMENSIONS AND AREAS ARE SUBJECT TO SURVEY.

LEGEND:
TMP = TELECOM MARKER
DO = DRAINAGE OUTLET
GP = GRATED PIT
UMH = UNCLASSIFIED MANHOLE
BORE
UIN = UNCLASSIFIED UTILITY
POST/STRAINER
TREE
NATURAL SURFACE
BOUNDARY
BOUNDARY
EASEMENT BOUNDARY
MAJOR CONTOUR
MINOR CONTOUR
BOTTOM OF BANK
TOP OF BANK
FENCE
G/LFENCE
GUT = GUTTER
EAV = EAVES
BUILDING
SHED
FTG = FOOTING
EDGE OF CONCRETE
EDGE OF PATH
CENTRE OF DRAIN
UG DRAINAGE
WT = WATER TABLE
EB = EDGE OF BITUMEN
TK = TOP OF KERB
DRIVEWAY

REV	DATE	DESCRIPTION
3.1	17/11/24	AMEND ALLOTMENT LAYOUT
3.0	17/09/24	FIRST ISSUE

ADDITIONS & AMENDMENTS

VOUCHED FOR IN ACCORDANCE WITH SCHEDULE 8 OF THE PLANNING, DEVELOPMENT & INFRASTRUCTURE (GENERAL) REGULATIONS 2017

H.M.POHL 17/09/24
LICENSED SURVEYOR DATE

IMPORTANT NOTE: This plan was prepared for ANANTA GHISING as a proposed subdivision to accompany a subdivision application to THE BAROSSA COUNCIL and should not be used for any other purpose.
The dimensions, areas and total number of allotments shown hereon are subject to field survey and also to the requirements of Council and any other authority which may have requirements under any relevant legislation.
In particular, no reliance should be placed on the information on this plan for any financial dealings involving the land.
Steed Surveyors therefore disclaims any liability for any loss or damage whatsoever or howsoever incurred arising from any party who uses or relies upon this plan for any purpose other than as a document prepared for the sole purpose of making a subdivisional application to Council and which may be subject to alteration for reasons beyond the control of Steed Surveyors.
This is not a plan of an approved subdivision.
This note is an integral part of this plan.

surveyors + land divisions
Info@steedsurveyors.com.au
ACN 614 910 691

Steed
Norwood - 08 8362 7900
23 Sydenham Road 5067
Murray Bridge - 08 8532 5200
Murrundi Building, 30 Seventh Street 5253
Kangaroo Island - 08 8559 4283

REFERENCE: 13123P3.1 17/11/24 JEH,FJT,ELT

DEBATE REPORT

7.4 Development and Community Services

7.4.6 DEPARTMENT OF HUMAN SERVICES COMMUNITY TRANSPORT SA TENDER

Author: Team Leader Community Programs
24/112058

PURPOSE

To seek a decision on the open tender for the Department of Human Services Community Transport Program. The tender submission deadline is January 17, 2025. The Barossa Council's current contract, originally set to conclude in February 2025, has been extended until August 2025.

RECOMMENDATION

That Council:

(1) Proceed with the Tender for Barossa and Light Regions Only not that submitting a tender limited to the Barossa and Light regions aligns with existing operational capacity and mitigates risks related to unknown demand in Gawler and Adelaide Plains. This approach ensures continued service to current clients without overstretching resources.

(2) Continue to provide transport for under-65 residents attending cancer-related appointments. This targeted service would ensure the continuity of a critical community benefit while avoiding the significant resource demands of a broader service expansion.

REPORT

Background
Community Transport and Home Assistance (CTHA) under Community Services are funded to provide services under two separate funding agreements:

Department of Human Services (DHS) (State Government Funding): The Council operates under a funding contract with the Department of Human Services (DHS) valued at approximately $90,000 and is in effect through February 2025*. This contract is for the Council to provide transport either directly in a vehicle with a worker or volunteer or indirectly by utilising vouchers or referral to another transport service to support South Australians under 65 who are experiencing transport disadvantages or cannot access existing transport options.

**Council has received confirmation that the DHS funding contract will be extended until August 31, 2025, to facilitate the successful tender applicant's transition into the new program.*

Department of Health and Aged Care (DoHAC) (Commonwealth Funding):
The Department of Health and Aged Care's Commonwealth Home Support Program is valued at approximately $580,000 through to June 2025 to provide home assistance, social support, and community transport to our cohort of over 65 years and 50 years of Aboriginal and Torres Strait Islander people.

The current fleet includes 10 vehicles: 8 cars and 2 buses, with two of the cars provided by Barossa Area Fundraisers for Cancer to support cancer-related appointments.

Although this report is focused on the DHS (Under 65) program tender, it is important to note that our current operational model does not separate the two programs. This means that state and federally funded clients are transported in the same vehicles for administrative and operation efficiency.

Introduction

The DHS program funds transport for under-65 residents experiencing transport disadvantages, complementing federally funded services for seniors. The Council currently delivers 950 one-way trips annually across Barossa and Light regions, leveraging a shared fleet and volunteer resources for operational efficiency. Proposed tender changes include an expanded service area to Adelaide Plains and Gawler, likely presenting operational and financial challenges.

Discussion
New Tender Requirements:
The base funding for the DHS program has been increased to $128,000 annually, representing a $40,000 increase compared to the prior year.

- The due date of the tender is January 17, 2025.
- The tender will expand service area boundaries to align with state requirements.
- The current service area will be expanded to include the Adelaide Plains and Gawler regions.
- CTSA will be integrated into the Community Connections Program, strongly focusing on social connection transport within this framework.
- CTSA must achieve measurable outcomes per the Participant Level Theory of Change for its participants and volunteers.
- CTSA must achieve system-level outcomes as part of the DHS System Level Theory of Change.

Council staff have engaged in discussions with DHS regarding the service area change and have received confirmation that Council may choose to submit tenders only for our current regions when completing the application.

Summary and Conclusion
This report provides an analysis of The Barossa Council's engagement in the DHS Community Transport Program and the potential implications of the upcoming tender process. The proposed changes in the new tender, including expanded service areas and increased funding, present both opportunities and challenges. While the funding increase to $128,000 annually is notable, the operational and financial risks associated with

expanding to the Adelaide Plains and Gawler regions are significant, given the uncertainty of demand and resource requirements.

This report highlights the importance of maintaining transport services for under-65 residents who face transport disadvantages, given the limited availability of alternative options. Reputational risks of reducing services, coupled with operational pressures of aligning volunteer and fleet resources to expanded service areas, underscore the need for a focused and sustainable approach.

Recommendation
Based on this evaluation, it is recommended that The Barossa Council retender solely for the current Barossa and Light regions. This approach aligns with the Council's operational capacity, maintains service continuity for existing clients, and mitigates risks associated with unknown demand in Gawler and Adelaide Plains.

Additionally, continuing cancer transport services for under-65 residents ensures ongoing support for a critical community need while maintaining relationships with key community stakeholders.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1	P353 Delivery of the Community Transport SA Program - Part A ITS Procurement Process Guidelines ⇩
Attachment 2	P353 Delivery of the Community Transport SA Program - Part B - Attachment 1 - CTSA Program Guidelines ⇩
Attachment 3	P353 Delivery of the Community Transport SA Program - Part B ITS Specification ⇩
Attachment 4	P353 Delivery of the Community Transport SA Program - Part C(a) NFP Sector Funded Services Agreement example ⇩
Attachment 5	P353 Delivery of the Community Transport SA Program - Part C(b) Standard Goods and Services Agreement example ⇩
Attachment 6	P353 Delivery of the Community Transport SA Program - Part D ITS Supplier Response Form ⇩

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

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

Legislative Requirements
Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The Community Services team has reviewed the previous and current DHS Community Transport Program tender. This evaluation identified considerations to guide decision-making regarding the upcoming tender process. The analysis highlights potential risks and opportunities associated with the proposed service expansions and operational adjustments required under the new tender framework.

Reputational Risks

- Impact on Under-65 Clients: Reduced accessibility to transport services could significantly impact under-65 clients who rely on these services due to limited public transport and other provider options.

- Community Trust: Reducing transport options could harm public perception of Council's commitment to vulnerable groups, potentially damaging trust and relationships built with the community.

Operational Risks

- Service Area Expansion:

    - Adelaide Plains and Gawler: While Adelaide Plains has experience with the DHS program, Gawler does not, introducing uncertainty in service demand and operational needs.

    - Resource Forecasting: Unknown service demand in the new areas complicates forecasting and planning for required resources.

- Operational Capacity Adjustments:

    - Expanding services will strain current fleet, staff, and scheduling resources, requiring significant operational adjustments.

- Volunteer Services Alignment:

    - Current volunteer services are structured for the Barossa and Light regions. Expansion to include Barossa, Light, and Lower North councils introduce logistical challenges.

    - Managing a larger volunteer workforce will require additional training, coordination, and supervision resources, potentially increasing service levels for both CTHA and Volunteer Services

COMMUNITY ENGAGEMENT

Not applicable

Government of South Australia

Department of Human Services
("Public Authority")

Invitation to Supply

P353 Delivery of the Community Transport SA Program

Part A: Procurement Process Guidelines

CONTENTS

SECTION 1: INVITATION TO SUPPLY ('INVITATION') SUMMARY 4
1.1 Invitation Details 4
1.2 Structure of Invitation 4
1.3 Contact Officer 5
1.4 Important Invitation Dates and Times 5
1.5 Indicative Evaluation Timetable and Contract Commencement Date 5
1.6 Offer and Lodgement Details 6
1.7 Industry Briefing 6
1.8 Site Visit 6
1.9 Additional Information 6
1.10 Complaints Officer 6
SECTION 2: EVALUATION CRITERIA 7
2.1 Mandated Criteria 7
2.2 Weighted Criteria 7
2.3 Non-Weighted Criteria 7
2.4 Industry Participation Policy (IPP) Requirements 7
SECTION 3: INVITATION TO SUPPLY CONDITIONS 8
1. INVITATION 8
1.1 Public Authority's Requirements 8
1.2 Additions and Amendments 8
1.3 Accuracy of Invitation 8
1.4 Your Use of Invitation 8
1.5 Your Use of third-party Websites 8
1.6 Procurement Process does not create a contract 8
2. COMMUNICATION 8
2.1 Contact Person 8
2.2 Requests for Clarification 8
2.3 Industry Briefing and Site Visits 8
3. YOUR OFFER 9
3.1 Format of Offer 9
3.2 Conforming Offer 9
3.3 Alternative Offers 9
3.4 Cost of Preparing Your Offer 9
4. LODGING AN OFFER 9
4.1 Electronic Lodgement 9
4.2 Hardcopy Lodgement 9
4.3 Late Offers 9
4.4 Validity 10

4.5 Public Authority's Use of Your Offer Materials 10
5. CONSORTIA AND SUB-CONTRACTING 10
5.1 Consortia 10
5.2 Sub-contracting 10
6. PROCUREMENT PROCESS CONDUCT 10
6.1 Your Conduct 10
6.2 Public Authority Conduct 10
6.3 Confidentiality 10
7. EVALUATION PROCESS 11
7.1 Evaluation 11
7.2 Discontinue Process 11
7.3 Shortlisting 11
7.4 Negotiation 11
7.5 Contract Formation 11
8. COMPLAINTS AND FEEDBACK ABOUT PROCUREMENT PROCESS 12
8.1 Complaints 12
8.2 Supplier Feedback 12
9. GOVERNMENT POLICIES 12
9.1 South Australian Industry Participation Policy 12
9.2 Employment of Ex-Government Employees 12
9.3 Disclosure of Government Contracts 12
9.4 Allocation of Risk - Liability 12
9.5 State Federal Cooperation on Trade Practice Matters 13
9.6 Agency Specific Requirements 13
10. GLOSSARY 13

SECTION 1: INVITATION TO SUPPLY ('INVITATION') SUMMARY

1.1 Invitation Details

Public Authority Name:	Department of Human Services
Procurement Title:	Delivery of the Community Transport SA Program
Invitation Reference Number:	P353
Procurement objectives / expected outcomes ('Public Authority's Requirements'):	The Department of Human Services' Community and Partnerships Directorate is seeking to engage multiple service providers to deliver services across South Australia (excluding the APY Lands) under the Community Transport SA Program for an approximate period of five years and ten months.

1.2 Structure of Invitation

This Invitation is made up of the following documents.

Part A	**Procurement Process Guidelines** Part A contains general information about the Procurement Process and how You can make an Offer.
Part B	**Specification** Part B sets out the Public Authority's Requirements in detail.
Part B – Attachment 1	**Community Transport SA Program Guidelines** The Guidelines outlining the wider program requirements and intended outcomes.
Part C (a)	**Draft Contract – NFP Sector Funded Services Agreement** Part C (a) contains the proposed terms of the contract that may be entered into between You and the Public Authority if Your Offer is successful where You are a Not For Profit entity.
Part C (b)	**Draft Contract – Standard Goods and Services Agreement** Part C contains the proposed terms of the contract that may be entered into between You and the Public Authority if Your Offer is successful where You are different type of legal entity, such as a Council or a For-Profit organisation.
Part D	**Supplier Response Form** Part D sets out the format and information that You are required to provide in Your Offer. You must complete the Part D Supplier Response Form.

	You must submit with your Offer a signed declaration, in the form set out in Section 4 of Part D. If Your Offer is submitted jointly with another party or parties then each party must provide a signed declaration in the form set out in Section 4 of Part D.
Part D – Attachment 1	**Budget Template** The Budget Template sets out the format with suggested budget lines You are required to submit

1.3 Contact Officer

Name:	Stephanie Kostevsek
Position:	Principal Procurement and Grants Advisor
Email:	stephanie.kostevsek@sa.gov.au

Please do not attempt to contact any persons from the public authority who are not listed above to discuss this Invitation.

1.4 Important Invitation Dates and Times

Invitation Issue Date	9am on Monday, 21 October 2024.
Industry Briefing Session Date and Time (South Australian Time)	11am on Thursday, 31 October 2024. See table 1.7 for further details on the Industry Briefing Session.
Last Queries Date and Time (South Australian Time)	4pm on Friday, 10 January 2025.
Invitation Closing Date and Time (South Australian Time)	2pm on Friday, 17 January 2025.

1.5 Indicative Evaluation Timetable and Contract Commencement Date

Completion of evaluation	March 2025
Approvals	April 2025
Notification to successful Supplier(s)	April 2025
Contract executed	May 2025
Notification to unsuccessful Supplier(s)	April 2025
Supplier debrief(s)	June 2025
Contract commencement	1 September 2025

1.6 Offer and Lodgement Details

Alternative Offers may be submitted	☐ Yes ☒ No An alternative offer is an offer to supply the desired outcomes through another method, such as different technology, methodology, goods etc.
Method of lodgement	☒ Electronic only - SA Tenders and Contracts website: www.tenders.sa.gov.au
Offer Validity Period	180 days

1.7 Industry Briefing

Industry briefing session	☒ Briefing Session ☐ No Briefing Session
Location	Via Teams (link will be emailed to RSVPs) Thursday, 31 October August 2024 at 11am
Registration process	RSVP to the Contact Officer listed at 1.3 before 3pm, Wednesday, 30 October 2024
Attendance is	☒ Optional ☐ Mandatory

1.8 Site Visit

Public Authority Site Visit	☐ Site Visit ☒ No Site Visit

1.9 Additional Information

Additional information	This Invitation to Supply is independent to all other tenders advertised within the State of South Australia. The outcomes from any other tender, similar or otherwise, have no bearing on the decisions made by DHS nor the final outcomes of this process.

1.10 Complaints Officer

Name	Tony Allwood
Position	Manager Internal Audit
Address	Riverside Building, North Terrace, Adelaide SA 5000
Email	tony.allwood@sa.gov.au

SECTION 2: EVALUATION CRITERIA

Offers will be evaluated on their merits according to the following evaluation criteria.

2.1 Mandated Criteria

Mandatory criteria	☒ Mandatory criteria apply The mandatory criteria are: • Respondents must indicate whether they have current DIT Operator Accreditation, or whether they will attain it through their planned transition in to service provision.

Please note: mandatory criteria are pass/fail and if not met may result in an Offer not being considered further.

2.2 Weighted Criteria

Weighted criteria	Weighted criteria (in no particular order of importance): • Service model • Organisational capacity and experience • Community and transport connections • Inclusion • Industry Participation Plan

2.3 Non-Weighted Criteria

Non-weighted criteria	Non-weighted criteria (in no particular order of importance): • Risk consideration • DHS Screening confirmation • Pricing consideration • Geographic consideration

2.4 Industry Participation Policy (IPP) Requirements

IPP Requirements	Industry Participation Plan as per requirements

SECTION 3: INVITATION TO SUPPLY CONDITIONS

1. INVITATION

1.1 Public Authority's Requirements

The Public Authority invites You to make an Offer in accordance with this Invitation for the provision of the Public Authority's Requirements.

1.2 Additions and Amendments

The Public Authority may amend or add to the information in this Invitation or the Specifications at any time before the Closing Date and Time and may extend the Closing Date and Time to enable You to amend Your Offer.

1.3 Accuracy of Invitation

The Public Authority makes no promise or representation that any factual information supplied in or in connection with this Procurement Process or Invitation is accurate.

Information is provided in good faith and the Public Authority will not be liable for any omission from this Invitation.

1.4 Your Use of Invitation

Without the express prior written consent of the Public Authority, You must not re-produce, re-advertise and/or in any way use the contents of this Invitation either in whole or in part, other than for the purpose of preparing and lodging an Offer.

1.5 Your Use of third-party Websites

All information necessary to submit Your Offer in response to this Invitation can be accessed via www.tenders.sa.gov.au (the SA Tenders and Contracts Website). You can download the Invitation documentation, upload Your Offer and receive notifications about this Invitation through that website for free.

For all other tender websites, controlled by a third party, the South Australian Government does not guarantee that the information contained is accurate, complete or current, or that Offers submitted through these sites will be logged as received by the South Australian Government.

If you choose to access information about this Invitation and submit Your Offer through a site other than www.tenders.sa.gov.au you do so at your own risk.

1.6 Procurement Process does not create a contract

Your participation in this Procurement Process, (including the preparation and lodgement of Your Offer), is at Your sole risk.

Nothing in this Invitation, the Procurement Process, or Your Offer must be construed as creating any binding contract or other legal relationship (express or implied) between You and the Public Authority.

2. COMMUNICATION

2.1 Contact Person

Unless otherwise advised by the Contact Person, You may only communicate with the Contact Person about this Invitation.

2.2 Requests for Clarification

Up to and including the Last Queries Date and Time, You may submit a query or request for further information in writing to the Contact Person.

The Public Authority does not guarantee that it will respond to any query, particularly queries received after the Last Queries Date and Time.

The Public Authority reserves the right in its' discretion to inform all other Suppliers of any question or matter You raise and the response given (but may choose not to do so).

The Public Authority is not obliged to consider any clarification from You that it considers to be unsolicited or otherwise impermissible.

Additional information about this Invitation may be made available at the tenders page of the SA Tenders and Contracts website (www.tenders.sa.gov.au).

2.3 Industry Briefing and Site Visits

If specified in the Invitation Summary the Public Authority will hold an industry briefing session/site visit related to the Public Authority's Requirements.

Your attendance is required where the industry briefing session/site visit is specified as mandatory in the Invitation Summary.

If You fail to attend a mandatory industry briefing session/site visit, the Public Authority may exclude You from further consideration.

3. YOUR OFFER

3.1 Format of Offer

Your Offer must be completed using the Part D Supplier Response Form, (unless You are otherwise directed).

Your Offer must:

a) be in English

b) be endorsed by an appropriately authorised officer with any alterations or prices clearly and legibly stated and any alterations initialled

c) quote prices in Australian Dollars that are GST inclusive and, in relation to GST, must state where the GST is applicable and show that amount separately

d) stipulate fixed prices (unless otherwise specifically required or indicated)

e) observe word limits where specified as the Public Authority reserves the right to disregard any part(s) of Your Offer that exceed any specified word limit

f) be concise and only provide what is sufficient to present a complete and effective response.

The Public Authority may disregard any content in an Offer that is illegible.

3.2 Conforming Offer

You must submit a Conforming Offer.

3.3 Alternative Offers

You may also submit an additional Alternative Offer if this option is specified in the Invitation Summary. When submitting an Alternative Offer, You are encouraged to consider innovative ways to deliver the Public Authority's Requirements.

Where You propose an Alternative Offer, You must:

a) identify, in detail, the proposed alternative approach or solution

b) specify how the Alternative Offer differs from the Conforming Offer (including the effect(s) on any pricing)

c) state the reasons for each instance of change

d) demonstrate how the Alternative Offer is beneficial to the Public Authority.

3.4 Cost of Preparing Your Offer

You are responsible for the cost of preparing and submitting Your Offer(s) and all other costs arising from Your participation in the Procurement Process.

4. LODGING AN OFFER

The Closing Date and Time for lodging Your Offer(s) is nominated in the Invitation Summary. The Public Authority may extend the Closing Date and Time in its absolute discretion.

4.1 Electronic Lodgement

If You are lodging an Offer electronically via email or the SA Tenders and Contracts Website You must satisfy the requirements for Electronic lodgement specified in the Invitation Summary.

You must virus check any Offer (including all constituent files and/or documents) before lodging electronically.

You are encouraged to lodge Your Offer at least two hours before the Closing Date and Time.

Where an Offer is lodged electronically via email or the SA Tenders and Contracts Website, each lodgement will be regarded as full and complete. If You need to modify a single document or a group of documents, You will need to submit all documents again.

Offer(s) lodged electronically cannot exceed 20MB.

4.2 Hardcopy Lodgement

If You lodge an Offer in hardcopy You must satisfy the requirements for hardcopy lodgement identified in the Invitation Summary.

Any Offer lodged in hardcopy must be:

a) prominently endorsed with its Reference Number and the Closing Date and Time

b) enclosed in a sealed envelope

c) delivered to the Location by the Closing Date and Time.

You must include the requested number of copies as specified in the Invitation Summary. The copies must be numbered and the original must be clearly marked.

If You lodge an Offer by postal mail any loss or delay is at Your own risk.

4.3 Late Offers

If an Offer is lodged after the Closing Date and Time, it may be ineligible for consideration unless:

a) the Public Authority determines in its sole discretion that the Public Authority has caused or contributed to the failure to lodge by the Closing Date and Time; or

b) the Public Authority decides that exceptional circumstances exist which warrant consideration of the late Offer and that acceptance of the late Offer does not compromise the integrity of the Procurement Process.

4.4 Validity

By lodging an Offer You agree that the Offer will remain open for acceptance by the Public Authority for the validity period specified in the Invitation Summary.

4.5 Public Authority's Use of Your Offer Materials

Upon lodgement, all of Your Offer Materials will become the property of the Public Authority.

Intellectual Property owned by You or any third parties forming part of the Offer Materials will not pass to the Public Authority with the physical property comprising the Offer Materials. However, You acknowledge and agree that You have the authority to grant to the Public Authority an irrevocable, royalty free licence to use, reproduce and circulate any copyright material contained in the Offer to the extent necessary to conduct the Evaluation and in the preparation of any resultant contract.

5. CONSORTIA AND SUB-CONTRACTING

5.1 Consortia

If You are a member of a consortium then your Offer must stipulate which part(s) of the Public Authority's Requirements that each entity comprising the consortium will provide and how the entities will relate with each other to ensure full provision of the Public Authority's Requirements. All consortium members that are not natural persons are to provide details relating to their legal nature and any relevant corporate structure.

The Public Authority will treat You as the preferred contact person for any consortium Offer.

5.2 Sub-contracting

If Your Offer relies on a sub-contracting arrangement, then You must stipulate in Your Offer the tasks that the proposed sub-contractor(s) would undertake. You remain legally responsible for meeting the Public Authority Requirements.

6. PROCUREMENT PROCESS CONDUCT

6.1 Your Conduct

You must:

a) Unless otherwise advised by the Contact Person, ensure all communications are undertaken via the Contact Person

b) declare any actual or potential conflict of interest

c) not employ or otherwise engage any person who has either a present or past duty to the Public Authority in relation to this Procurement Process as an adviser, consultant or employee

d) not offer any incentive to, or otherwise attempt to influence or provide any form of personal inducement, reward or benefit to any employee or representative of the Public Authority or any member of an evaluation team at any time

e) not directly or indirectly approach any employee or representative of the Public Authority (other than the Contact Officer) to lobby or solicit information in relation to the Invitation.

f) not engage in any collusive or anti-competitive conduct with any Supplier

g) comply with all laws in force in South Australia applicable to this Procurement Process

h) disclose whether You are acting as agent, nominee or jointly with another person(s) and disclose the identity of the other person(s)

i) not issue any news releases or responses to media enquiries and questions regarding this Procurement Process or this Invitation without the Public Authority's written approval.

If You act contrary to the expectations outlined above, the Public Authority reserves the right (regardless of any subsequent dealings) to exclude Your Offer from further consideration.

6.2 Public Authority Conduct

The Public Authority will:

a) preserve the confidentiality of any information marked as confidential (subject to conditions concerning confidentiality)

b) give Suppliers the opportunity to compete fairly.

6.3 Confidentiality

You must identify any aspect of Your Offer that You consider should be kept confidential including reasons. The Public Authority is not obliged to treat information as confidential and in the absence of any agreement to do so, You acknowledge that the Public Authority has the right to publicly disclose the information.

Any condition in Your Offer that seeks to prohibit or restrict the Public Authority's right to disclose will not be accepted.

Notwithstanding any undertaking regarding confidentiality, by submitting an Offer, You agree that the Public Authority may forward information relating to You or Your Offer to the Australian Competition and Consumer Commission (ACCC) if the Public Authority reasonably suspects, or is notified by the ACCC that it reasonably suspects, that there is cartel conduct or unlawful collusion in relation to this Procurement Process (whether or not the suspicion relates to Your Offer).

Information supplied by or on behalf of the Public Authority is confidential to the Public Authority and You are obliged to maintain its confidentiality. You may disclose confidential information to any person that

has a need to know the information for the purposes of submitting Your Offer.

7. EVALUATION PROCESS

7.1 Evaluation

In evaluating Offers the Public Authority will consider:

a) the Evaluation Criteria

b) the overall value for money of the Offer

c) references from referees (where applicable)

d) any presentations, interviews or site visits (where applicable)

e) compliance with applicable Government Policies including the South Australian Industry Participation Policy (https://industryadvocate.sa.gov.au/policy-and-resources/) applying at the Closing Date and Time (Please see clause 9.1 for further detail about this policy)

f) any other information that the Public Authority considers relevant.

Where mandatory criteria are specified in the Invitation Summary and Your Offer does not comply with these criteria the Public Authority may choose not to further evaluate Your Offer.

The Public Authority may seek the advice of external consultants to assist the Public Authority in evaluating the Offers.

The Public Authority may in its absolute discretion:

a) take into account any relevant consideration when evaluating Offers

b) invite any person or entity to lodge an Offer

c) allow a Supplier to change its Offer

d) consider, decline to consider, or accept (at the Public Authority's sole discretion) an Offer lodged other than in accordance with this Invitation

e) seek further information from You regarding Your Offer including but not limited to requests for additional information or presentations by, or interviews with You or Your key personnel

f) seek and evaluate relevant financial viability data concerning any Suppliers' business and related entities including seeking any assistance from third party providers

g) make enquiries of any person or entity to obtain information about any Supplier and its Offer (including but not limited to the referees)

h) visit facilities operated by any Supplier, proposed subcontractors of any Supplier and/or by their customers in order to assess their capabilities and performance (at a mutually convenient time).

7.2 Discontinue Process

The Public Authority may decide not to proceed any further with the Procurement Process for the Public Authority's Requirement.

7.3 Shortlisting

The Public Authority may choose to short-list some Suppliers and continue evaluating Offers from those short-listed Suppliers. The Public Authority is not at any time required to notify You, any Supplier or any other person or organisation interested in making an Offer of its intentions or decision to short-list.

7.4 Negotiation

The Public Authority may choose to:

a) enter into negotiations with You or any Supplier (including parallel negotiations with more than one Supplier) in order to vary its Offer on grounds of capability / capacity, technical issues, cost, effectiveness, to finalise agreement on the terms of the contract, or any other matters

b) re-evaluate Offers generally after any negotiation

c) suspend, discontinue or terminate at any time negotiations with You or any Supplier or any other person or organisation

d) negotiate with You or any Supplier for the provision of any part of the Public Authority's Requirement and negotiate with any other Supplier with respect to the same or other parts of the Public Authority Requirement and to enter into one or more contracts for part or parts of the Public Authority's Requirement

e) negotiate at any time with any organisation that is not a Supplier and enter into a contract in relation to the Public Authority Requirement or any part of the Public Authority's Requirement with that organisation on such terms as the Public Authority, at its absolute discretion, considers appropriate

f) seek best and final offers from all or some of the Suppliers. Irrespective of the Public Authority's right to negotiate and/or seek a best and final offer, You are bound by Your Offer, and if selected, You must be willing to enter into a contract on the basis of Your Offer.

7.5 Contract Formation

The Public Authority may make partial or multiple awards of contract for selected portions of the Public Authority's Requirement, or accept a portion or the whole of any Offer at the price or prices proposed or subsequently agreed.

No legal relationship will exist between a Supplier and the Public Authority for the supply of the Public Authority's Requirement until such time as a binding contract is executed by both parties.

8. COMPLAINTS AND FEEDBACK ABOUT PROCUREMENT PROCESS

8.1 Complaints

If at any time during the Procurement Process, You consider that You have been unfairly treated, You must first notify the Contact Person in writing.

If the matter is not resolved, You may then notify the nominated Complaints Officer in writing setting out the details of the complaint.

The issue will then be dealt with in accordance with the Public Authority's complaint management process.

8.2 Supplier Feedback

You may provide feedback directly to the Public Authority through the Contact Person.

If You access this Invitation via the SA Tenders and Contracts website, You can provide anonymous feedback using the survey tool on the website:

https://www.tenders.sa.gov.au/tenders/index.do.

A link to the survey tool is also available on the Procurement Services SA website at: http://procurement.sa.gov.au/

Your feedback may be provided, either:

a) after You have downloaded the Invitation but decided not to proceed with lodging an Offer or

b) at the end of the Procurement Process following debrief or contract award (as applicable).

If using the survey tool for the first time, additional information about the Supplier feedback initiative is included on both websites.

9. GOVERNMENT POLICIES

South Australian Government policies apply to all South Australian Government purchasing and related activities.

9.1 South Australian Industry Participation Policy

Government agencies and private parties contracting to the Government of South Australia are required to comply with the South Australian Industry Participation Policy (SAIPP) and the supporting procedural and reporting requirements.

The SAIPP is the high-level framework for delivery of the South Australian Government's objectives including promoting capable businesses based in South Australia being given full, fair and reasonable opportunity to participate in government contracts.

You are required to complete an IPP Plan as specified in the Invitation Summary. The IPP and supporting information, including the IPP template that can be completed and submitted online is available at: https://industryadvocate.sa.gov.au/policy-and-resources/

Part D, the Supplier Response Form, also contains the link to the IPP online template

It should be noted under the functions of the *Industry Advocate Act 2017* the Industry Advocate has the discretion to review and assist in the negotiations for IPP Plans to ensure that they comply with the SAIPP prior to the finalisation of contract conditions.

The Office of the Industry Advocate (OIA) is available to help You understand how this policy may apply to Your Offer and can also help You to prepare any required SAIPP documentation. Contact details for the OIA are:

Office of the Industry Advocate
Level 17 Wakefield House
30 Wakefield Street
ADELAIDE SA 5000
Tel: (08) 8226 8956
Email: oia@sa.gov.au

9.2 Employment of Ex-Government Employees

Unless an exemption has been granted by the Treasurer, the Public Authority will not accept the services of any former public sector employee, either directly or through a third party, for a period that corresponds with the number of weeks of a targeted voluntary separation package received from the South Australian Government, where such engagement may breach the conditions under which the separation package was paid to the former public sector employee.

9.3 Disclosure of Government Contracts

If a contract is entered into, the Public Authority may disclose that contract and/or information in relation to it in either printed or electronic form and either generally to the public or to a particular person as a result of a specific request.

9.4 Allocation of Risk - Liability

On 25 July 2016 the South Australian Cabinet approved a policy that for low to medium risk standard government procurement contracts, a supplier's liability will be capped at a multiple of between 1 and 5 of the total contract value with the multiple to be based on a risk assessment conducted by the procuring Public Authority.

For high risk government procurement contracts, the procuring Public Authority will conduct a risk assessment and in consultation with SAICORP and the Crown Solicitor's Office, include appropriate clauses dealing with risk and liability based on that risk assessment.

9.5 State Federal Cooperation on Trade Practice Matters

You must submit with your Offer a signed declaration, in the form set out in Section 4 of Part D to this Invitation.

If Your Offer is submitted jointly with another party or parties then each party must provide a signed declaration in the form set out in Section 4 of Part D to this Invitation.

9.6 Agency Specific Requirements

You are required to comply with any agency specific requirements of the Public Authority if specified in the Invitation Summary or Specification.

10.GLOSSARY

In this Invitation, unless the contrary intention is apparent:

a) “Alternative Offer” means an offer that:

   (i) does not conform with the exact requirement set out by the Authority in the tender documents, but

   (ii) does achieve the desired outcomes through using different technology, methodology, goods etc.

b) "Closing Date and Time" means the date and time nominated in the Invitation Summary by which Offers are required to be lodged

c) “Complaints Officer” means the person nominated in the Invitation Summary authorised to deal with complaints about the Procurement Process

d) “Conforming Offer” means an Offer by the Supplier that includes all requested information, is received by the Closing Date and Time, is open for the minimum validity period and satisfies all Mandatory Criteria

e) "Contact Person" means the person nominated in the Invitation Summary authorised by the Public Authority to communicate with Suppliers about the Procurement Process

f) “Evaluation” means the process for considering and evaluating Offers in accordance with clause 7.1

g) "Public Authority" means the agency of the State Government of South Australia conducting the Procurement Process

h) "Public Authority’s Requirement" means the requirements specified in the Invitation, the Specification and the contract

i) “Intellectual Property” means any patent, copyright, trademark, trade name, design, trade secret, knowhow, semi-conductor, circuit layout, or other form of intellectual property and the right to registration and renewal of the intellectual property

j) "Invitation” means this document inviting persons to lodge an Offer

k) "Invitation Summary” means the Invitation Summary in Part A of this Invitation

l) “Last Queries Date” means the date and time nominated in the Invitation Summary as the last date for Suppliers to seek information or clarification of any matters relating to this Invitation

m) “Mandatory Criteria” means the criteria considered by the Public Authority to be critical to the supply of the Public Authority’s Requirement and identified in the Invitation Summary

n) "Offer" means the documents constituting an offer lodged by a Supplier to meet the Public Authority’s Requirement in accordance with this Invitation

o) “Offer Material” means all documents, data, computer programs, computer discs and other materials and things provided by a Supplier in relation to an Offer arising out of this Invitation

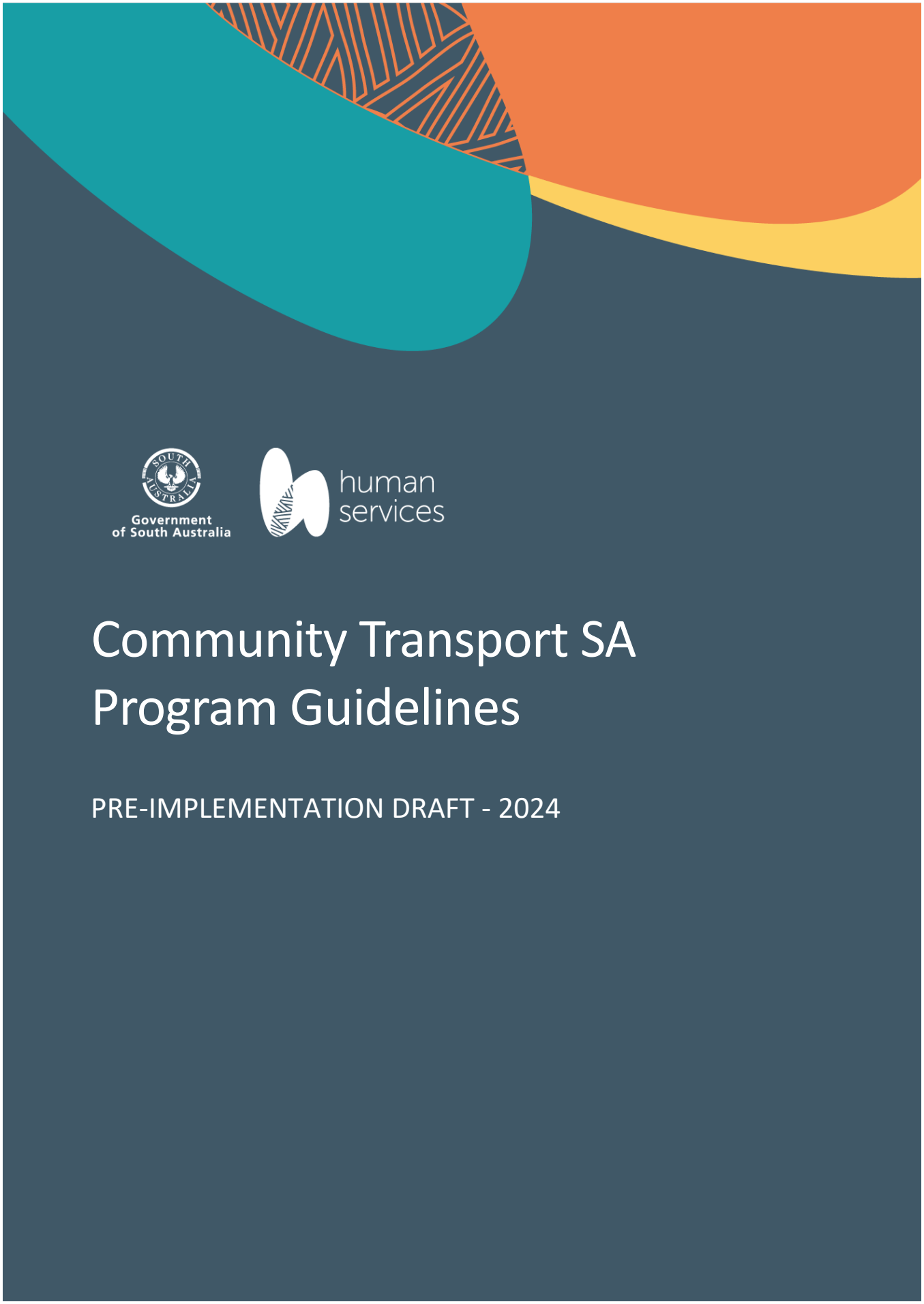
p) “Part” means a part of this Invitation

q) "Procurement Process" means the process commenced by the issuing of this Invitation and concluding upon the award of a contract (or other outcome as determined by the Public Authority) or upon the earlier termination of the process

r) “South Australian Time” means the time applicable to South Australia, as defined at http://www.australia.gov/about-australia/our-country/time

s) "Specification" means the information about the Public Authority’s Requirement described in Part B

t) "Supplier" or “You” or “Your” means any person or organisation responding to this Invitation by lodging an Offer.


Government of South Australia
human services
Community Transport SA Program Guidelines
PRE-IMPLEMENTATION DRAFT - 2024

1. Contents

1. Contents 2
2. Acronyms 3
3. About the Program 4
4. Service Principles 6
5. Eligibility 7
6. Program Exclusions 9
7. Delivery model 10
8. System Level Objectives 13
9. Outcomes 14
10. Reporting 17
11. Quality Assurance 18
12. Administration Expenses 19
13. Participant Contribution for Services 20
14. Participant Feedback 20
15. Strategic Alignment 20
16. Glossary 23
17. References 25
Appendix A: Transport Disadvantage Map 27
Appendix B: Support for South Australians Experiencing Transport Disadvantage 28
Appendix C. Community Connections Program Overview 29
Appendix D: Coordination of DIT Regional Bus Bookings 30
Appendix E: Participant Contribution for Services Principles (PCSP) 35
Appendix F: South Australian Government Regions 36

2. Acronyms

ADLO	Aboriginal Disability Liaison Officer
CCP	Community Connections Program
CALD	Culturally and Linguistically Diverse
CTSA	Community Transport SA
DCP	Department for Child Protection
DCS	Department for Correctional Services
DHS	Department of Human Services
DIT	Department for Infrastructure and Transport
LAC	Local Area Coordinator
NDIS	National Disability Insurance Scheme
NEC	New and Emerging Communities
MAC	My Aged Care
PATS	Patient Assistance Transport Scheme
R2D2	Results Reporting Data Dock
SATSS	SA Transport Subsidy Scheme
SAPTA	SA Public Transport Authority
SIO	Social Impact Objective
VDAP	Volunteer Driver Accreditation Program

3. About the Program

3.1 Overview

Community Transport SA (CTSA) is administered by the Department of Human Services (DHS) on behalf of the Minister for Human Services. DHS funds a network of CTSA Partners to deliver the Program across regional and outer metropolitan South Australia.

CTSA provides transport support to South Australians under 65 experiencing transport disadvantage to participate in the life of their community and access services, supports, and activities that facilitate social inclusion and independence.

CTSA support includes:

- Information and connection to transport and other services in the region;
- Direct transport support, using a vehicle driven by a worker or volunteer; and/or
- Indirect transport support, using taxi vouchers.

CTSA succeeds the former DHS Community Passenger Network Program.

3.2 Program purpose and evidence base

Addressing transport disadvantage through the CTSA Program is a vital component of DHS' strategy to strengthen South Australians' social inclusion and independence.

The evidence shows transport disadvantage is linked to social exclusion, poorer physical and mental health, and poorer subjective wellbeing (Ma et al., 2018; Delbosc & Currie, 2011; Lucas, 2012; Stanley et al., 2011). While transport disadvantage and social exclusion are not always related, the evidence shows experiencing both transport disadvantage and social exclusion is associated with poorer wellbeing than experiencing transport disadvantage or social exclusion alone, or neither (Delbosc & Currie, 2011).

Researchers propose transport disadvantage leads to social exclusion by restricting access to social, economic, and community participation, and this effect can be further exacerbated when accompanied by other aspects of social disadvantage such as low income, unemployment, poor physical health, and housing stress (Lucas, 2021). This is why CTSA provides transport support alongside connection to other relevant services and supports.

Certain population groups are more likely to experience transport disadvantage than others, including young people, people on low incomes, people who are unemployed, people who don't own a car, older people, Aboriginal peoples, and people with disability (Currie et al., 2007; Delbosc & Currie, 2011). This is why CTSA is aimed at specific Priority Access Groups.

Finally, transport disadvantage is more prevalent in outer suburban, regional and rural Australia where there is typically limited private and public transport access and greater dependence on cars to access education, employment, services, and participate in social/community life (Currie et al., 2007). This is why CTSA services operate in regional and outer metropolitan areas, specifically, and are targeted at locations experiencing the greatest transport disadvantage (see *Appendix A*).

3.3 Context

South Australians use various methods of transport to get from A to B, including walking, cycling, cars, buses, trains, and trams. We use public transport infrastructure provided and maintained by local, state, and Commonwealth governments, and private transport such as taxis and rideshare.

The South Australian Department for Infrastructure and Transport (DIT) is responsible for the design, delivery, and maintenance of state transport infrastructure, and for managing and developing transport networks, including our public transport system.

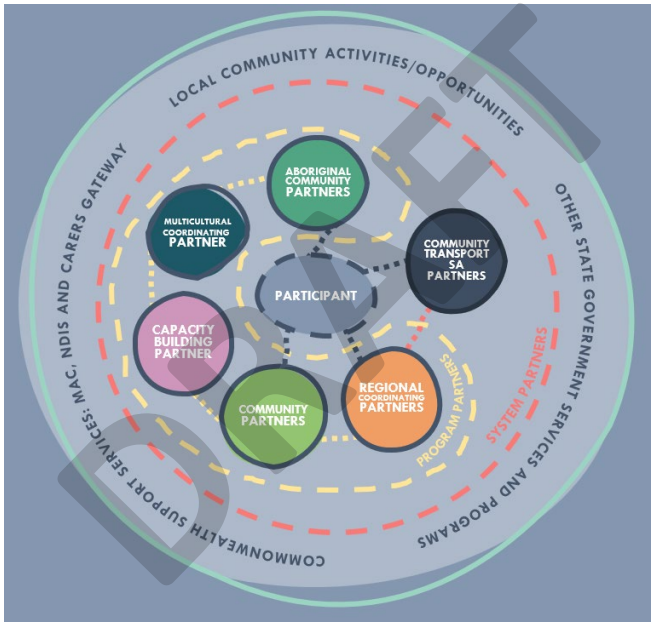
Where these public and private transport options are not accessible, Commonwealth, State, and Local Governments provide a range of services and subsidies to provide additional transport support to specific populations (e.g., the NDIS for people with permanent and significant disability, My Aged Care for people aged 65 and over with functional support needs) and in specific locations (e.g., regional buses and the Patient Assistance Transport (PATS) scheme in regional SA). See *Appendix B* for a snapshot of the South Australian transport support landscape.

3.3.1 Community Connections System

Within the DHS service landscape, CTSA sits alongside the DHS Community Connections Program (CCP) within the **Community Connections System**: an integrated network of Partners delivering place-based services within each the 12 state government regions, with the ultimate aim of building more socially connected communities.

Partners in the same Program are known as 'Program Partners', and Partners in the same System are known as 'System Partners'.

See *Figure 1* below for a visual view of the Community Connections System and see *Appendix C* for more information about the CCP:



While System Partners do not all operate under the same service model, they are considered part of the same system, supporting the same communities towards the same (or strongly aligned) long-term outcomes. As such, System Partners connect, share information, and collaborate with each

other, in line with the System-Level Objectives *(see Section 8)* and System-level Outcomes (see Section 9).

The 'System Design Elements' shared by all System Partners and the 'Program Design Elements' that are distinct to each Program are outlined below:

System Design Elements Shared	Program Design Elements Distinct
Participant-level outcomes (high-level)	Participant-level outcomes (short-medium term)
System-level outcomes (inc. system outcomes measurement)	Service model
System-level objectives	Eligibility criteria
Service principles	Program-specific data collection
Local coordination support from Regional Coordinating Partner	Community transport community of practice
Capacity-building support	
Minimum demographic dataset and referral system (TBC)	

DHS will work closely with CTSA and CCP Partners to support the successful implementation of the Community Connections System model, particularly in the early stages of the new CTSA contracts.

3.4 Collaborative program development

DHS and CTSA Partners will work together to continuously develop and refine the CTSA Program model. This may include:

- Participation in engagements to refine the Program Guidelines, participant/system outcomes, performance measures and reporting requirements.
- Providing suggestions and advice on program improvements and opportunities for innovation.
- Providing quantitative and qualitative data and feedback as requested.

4. Service Principles

The delivery of CTSA services is guided by the following principles:

4.1 Strengths-based services

Support services provided in the CTSA recognise and build on participants' existing strengths and abilities, assisting them to achieve greater wellbeing and to take greater control of managing their own needs into the future.

Participants are supported to build on their strengths to enhance their wellbeing and increase their capacity to engage in the community. A key aim here is to empower participants to achieve positive and sustainable outcomes by strengthening their capability to connect with the local community and services by identifying and accessing long-term transport options, wherever possible, to avoid reliance on CTSA services.

4.2 Flexible, people-centred delivery

CTSA Partners build rapport and work respectfully with each participant, and their carers and families as needed, to deliver services that are tailored to the personal preferences of each individual.

CTSA Partners uphold respect for cultural strengths and the right to self-determination, taking the time to listen and understand how culture informs a participant's needs. CCP Partners are committed to actively considering and strengthening their cultural responsiveness and implementing strategies to support Aboriginal peoples and those from CALD new and emerging communities as Priority Access Groups.

4.3 Choice and control for each person, their carers and families

CTSA Partners understand that independence relies on individuals and their carers and families being empowered to make decisions about the issues that affect them. CTSA Partners help participants make informed choices about which support they receive, when and where they receive it, who delivers it and in what manner, and what to do if they are unsatisfied with the support they have received (see *Section 14* for more information about participant feedback and complaints).

CTSA Partners commit to maintaining an in-depth understanding of local transport options and other relevant services to present all appropriate options to enable participants to make informed choices.

5. Eligibility

CTSA Partners are responsible for designing and undertaking intake processes to determine the eligibility of a person requesting CTSA support.

5.1 Target population

CTSA's target population is people aged under 65 who experience transport disadvantage and who are not eligible to receive the same supports from other service systems, such as the National Disability Insurance Scheme (NDIS).

Transport disadvantage is defined as: *no or limited access to private or public transport due to a functional disability, mobility limitations, financial disadvantage, location (in particular regional and remote), and availability and accessibility of existing transport services.*

5.2 Eligibility Criteria

To be eligible for CTSA, a person must:	
• live in the South Australian community and	☑
• be aged under 65 years and	☑

• experience transport disadvantage and be: ○ unable to access public transport due to distance, functional disability, mobility limitations, financial disadvantage and/or availability or accessibility of transport services; and ○ unable to drive themself; and ○ unable to access another person to transport them.	☑

Note: These criteria may be reviewed in collaboration with CTSA Partners and may be subject to change in response to evidence of community needs.

5.3 Prioritisation of services

CTSA Partners are responsible for allocating their resources in a way that best meets the needs of their local community, in line with the CTSA Participant- and System-Level Outcomes.

In general, services should be prioritised for participants who are unable to access their local community through any other means, based on the initial assessment.

Where demand for services exceeds capacity, CTSA Partners will prioritise delivery of services as follows:

1. People who do not have access to other transport options, including subsidies or supports such as the SA Transport Subsidy Scheme (SATSS), Patient Assistance Transport Scheme (PATS), or Veterans' Transport.
2. People who identify or belong to one (or more) of the following Priority Access Groups, who may face additional barriers to accessing services:

- Aboriginal peoples
- People from new and emerging (NEC) culturally and linguistically diverse (CALD) communities
- Carers providing unpaid care and assistance to a person living with disability, chronic illness or mental illness.
- People who require support to manage their own needs, participate in community and/or maintain independence due to current functional limitations
- LGBTIQA+ people
- People who are financially disadvantaged (for example unemployed, in receipt of government support payments, health care card)
- People residing in communities identified as places where persistent and/or relative location-based disadvantage exists (including rural/remote)[1]

5.4 Equity of Access

CTSA Partners will ensure participants have equitable access regardless of gender, ethnicity, language, marital status, religion, sexual preference, ability to pay or location.

[1] More information about assessing priority access, including location-based disadvantage, can be found in the CTSA Assessment Guide.

CTSA Partners will ensure that they provide culturally and linguistically respectful and appropriate service responses to Aboriginal peoples and people from CALD communities.

All CTSA facilities should be accessible to people with physical, neurological and/or sensory functional impairment.

6. Program Exclusions

CTSA cannot replicate supports a person is receiving or is eligible for under another government program. CTSA Partners may, however, help connect people with MAC, their NDIA Local Area Coordinator (LAC), Aboriginal Disability Liaison Officer (ADLO) or other relevant services to support their individual needs. See *7.2 Connection Support* for more information.

6.1 Commonwealth-funded supports

To maximise impact for people who are unable to access other support systems, CTSA cannot duplicate, 'top up' or permanently substitute Commonwealth funded forms of packaged care and support from:

- My Aged Care community services for older people (that is people aged 65 years and over).
- National Disability Insurance Scheme (NDIS) for disability support services.

6.1.1 Commonwealth Aged Care Programs

People who are eligible for MAC cannot access CTSA services, except Aboriginal peoples aged 50 to 64 years. CTSA Partners can provide support to Aboriginal peoples aged 50 to 64 years under the following conditions:

- Priority is given to participants aged under 50 years due to limited similar supports,
- The participants' needs have been fully assessed,
- All possible efforts have been made to support access to MAC, NDIS or to other relevant programs, and
- Support needs/service provision are reviewed regularly to determine if an alternative service is more appropriate to meet the needs of the participant.

For participants approaching the age of 65, CTSA Partners will provide information to support in their planning for transition to the MAC system.

6.1.2 National Disability Insurance Scheme

The NDIS funds the reasonable and necessary cost of taxis, rideshares or other private transport, for NDIS participants who can't use public transport without great difficulty because of their disability. As such, CTSA aims to support the many other transport disadvantaged South Australians who are not eligible for NDIS.

CTSA Partners will familiarise themselves with the NDIS eligibility criteria, including the list of medical conditions likely to meet disability requirements, to ensure that people who may be eligible for the NDIS are connected with their LAC or ADLO (if available in their region) to make an access request.

Where a change in circumstances means an existing participant becomes eligible for the NDIS, CTSA Partners will connect them with their local LAC or ADLO.

Where a participant is expected to be eligible for the NDIS and has contacted the NDIA to make an access request, CTSA Partners may provide a service until eligibility is confirmed by the NDIA.

Where a participant is confirmed as eligible for NDIS support, CTSA Partners may continue to provide support until NDIS services are in place.

6.1.2.1 NDIS considerations

DHS acknowledges there are currently limits to NDIS transport funding and some NDIS participants may fully exhaust their yearly transport funding or their NDIS plan may not include transport. As a result, some NDIS participants may seek to access CTSA where there is no other option available.

In this situation, at their own discretion, CTSA Partners may consider allowing service access for an NDIS participant provided:

- NDIS participants utilise NDIS funds for CTSA services, where possible;
- NDIS participants should not be prioritised for CTSA services over participants who have no other support options;
- If the participant's NDIS plan does not include transport, or the transport component of their plan is fully exhausted, it is recommended the participant request a review of their NDIS plan to include adequate transport support.

This policy will be reviewed based on the outcomes of the national NDIS review.

7. Delivery model

7.1 Outline of Service Model

CTSA supports participation in community life and access to services, supports, and activities, to facilitate social inclusion and independence.

CTSA services includes:

- Information and connection to (non-transport) services in the region, as required;
- Information and connection to existing transport options in the region;
- Direct transport support, using a vehicle driven by a worker or volunteer; and/or
- Indirect transport support, using taxi vouchers.

These service types are explained in detail below.

7.2 Connection Support

CTSA Partners recognise transport disadvantage typically exists alongside other forms of social disadvantage. Participants referred to CTSA services, therefore, often present with non-transport support needs that would benefit from information and referrals to other local services.

DHS recognises this Connection Support takes time and requires strong relationships and a strong understanding of the local service landscape. This support is also critical to addressing the root causes of transport disadvantage, ensuring participants are supported to build on their existing strengths to maximise their capacity and independence.

As such, the time taken to identify participants' support needs and priorities, and provide information and referrals is acknowledged as a distinct service type and encouraged as an important component of the CTSA service model.

Connection Support includes:

- Participant assessment including screening for eligibility, determining needs and priorities, monitoring and review, and data collection.
- Provision of information, guidance, and referrals to appropriate resources, supports, and services.
- Referrals to the DHS Community Connections Program, where a participant is experiencing social isolation and/or loneliness and may benefit from and be eligible for:
    - Support to build stronger social and community connections or build the skills and confidence to do so, and/or
    - A greater level of support (i.e., over up to 12 weeks) to connect with local community activities, supports, and services, including through warm referrals and service coordination support. See Appendix C for more information about the CCP.

7.3 Transport Connection Support

CTSA Partners prioritise working alongside participants to build the skills and confidence to access existing public, private, and community transport services, wherever possible (i.e., where accessible and affordable).

The goal here is to achieve positive and sustainable outcomes by strengthening participants' capability to utilise long-term transport options and avoid reliance on CTSA services. Additionally, supporting access to long-term transport options for those who *can* access them helps extend the reach of CTSA services to those who *can't*.

Transport Connection Support includes providing information and support to access:

- Public transport, provided by:
    - Adelaide Metro, or
    - Regional Transport SA i.e., DIT regional intra- and intertown, social, school, and medical buses
- Private transport, including support to access subsidised learner driver programs
- Transport subsidies, such as PATS, SATSS, and the Non-SATSS Access Taxi Card
- NDIS and MAC transport services
- Department for Education school transport services
- Other local community transport services

7.3.1 Coordination of Bookings for DIT Regional Buses

Applicable only to Murray and Mallee and Yorke and Mid North service regions.

DIT funds regional bus services in certain regions, provided under a Service Contract by a transport provider.

There is no eligibility requirement for travel on general passenger transport services, travel on the Medical Bus is based on eligibility criteria, namely:

- Passengers must have a disability and/or mobility constraint that limits their ability to access general public transport services operating in the region; and
- Transport must be for a medical or specialist appointment.

The role of the CTSA Partner is to be the first point of contact regarding this service by assessing a person's eligibility to use the service (based on the above criteria) and then coordinating bookings on behalf of the contracted provider. More information is provided in *Appendix D*.

7.4 Direct Transport Support

Where no other transport option is available or appropriate, CTSA Partners can provide direct transport support, through a CTSA vehicle driven by an appropriately accredited volunteer or paid staff member.

Direct Transport Support offers CTSA participants a transport service (typically door-to-door i.e., individualised pick and drop of points), facilitated by a trained and friendly CTSA driver. This provides additional value over and above transport alone, providing a welfare check, support, and social connection, which is further enhanced where the trip is shared with other participants. Direct Transport also provides positive benefits for volunteer drivers e.g., social connection, confidence, and a sense of purpose and belonging.

This is why Direct Transport Support should be prioritised over Indirect Transport Support, wherever possible.

7.5 Indirect Transport Support

Where no other transport option is available or appropriate, including Direct Transport, CTSA Partners can provide Indirect Transport Support through a taxi voucher or other subsidy.

7.6 Transport Purpose

CTSA Partners provide Direct and Indirect Transport Support to assist participants to participate in the life of their community and access services, supports, and activities that facilitate social inclusion and independence.

This may include transport for the purposes of:

- Accessing social and community activities and events
- Shopping for groceries (including subsidised and low-cost food outlets), medications, and other requirements for daily living
- Accessing local services, such as the library, bank, community centre, and community/social services
- Attending medical appointments

CTSA Partners may provide transport for purposes other than those listed above, at their own discretion, provided that such trips:

- Are limited, with the above defined trip types forming the majority of all CTSA trips in any given reporting period,
- Have a clear link to CTSA's intended purpose and outcomes, and

- Are only provided where no other appropriate, existing transport option exists for this purpose.

8. System Level Objectives

To meet its purpose and commitment to participants, the Community Connections system has a driving objective of **connecting the systems that connect people.**

System Partners work together with support from DHS, to achieve outcomes in line with the System Level Theory of Change. This is achieved through a shared commitment to the following functions:

A Cohesive System

- Build collaboration by sharing information, expertise, resources, and community and services network contacts with other System Partners
- Maintain frequent and meaningful communication with other System Partners, including contributing to network meetings
- Engage in effective referral practices to ensure participants' needs are appropriately supported and service fragmentation within the system is minimised
- Prioritise support to Priority Access Groups and effectively manage participant demand
- Contribute to shared decision making regarding the ongoing development of the system and program models within the region.

An Integrated System

- Integrate with other Commonwealth, state and local government funded service systems, community organisations and local communities by:
    - Identifying and connecting with local community infrastructure, resources, services, and grant-funded projects to support priority access groups.
    - Engaging regularly with adjacent service systems to maintain understanding of the services available to participants, and support other services' understanding of CTSA's scope and purpose.
- Identifying and connecting with local community infrastructure, resources, services, and grant-funded projects to support priority access groups
- Engaging regularly with adjacent service systems to maintain understanding of the services available to participants, and support other services' understanding of CTSA's scope and purpose
- Engage with community networks to maintain understanding of regional capacity and needs
- Utilise understanding of CTSA's role in the service system to support responses to regional needs, gaps, and any potential overlap.

A Responsive System

- Gather and collectively respond to evidence of regional needs and opportunities, including data, participant and community feedback, and community or service system changes.
- Connect participants that present with significant complexities to relevant, specialised supports across the continuum of care, applying appropriate risk management processes.

- Regularly and actively seek participant feedback on service system appropriateness, effectiveness and responsiveness and share with regional System Partners to inform service and program improvement
- Identify and address barriers that may impact the ability or willingness of priority access groups to engage with support, including service level (or structural) barriers, family-level barriers, cultural or language barriers, and relational or interpersonal barriers
- Contribute to evidence-informed community projects or capacity-building initiatives to enhance the system's responsiveness to emerging community needs
- Strengthen cultural responsiveness across the system by:
    - Seeking advice from recognised community leaders and stakeholders on local community needs, key issues, and responses.
    - Actively engaging with a range of Aboriginal cultural groups, including Aboriginal Community Controlled Organisations and Aboriginal Community Controlled Health Organisations and community Elders to support the delivery of culturally responsive programs.
    - Actively engaging with CALD and new and emerging communities to support the delivery of culturally responsive programs.

9. Outcomes

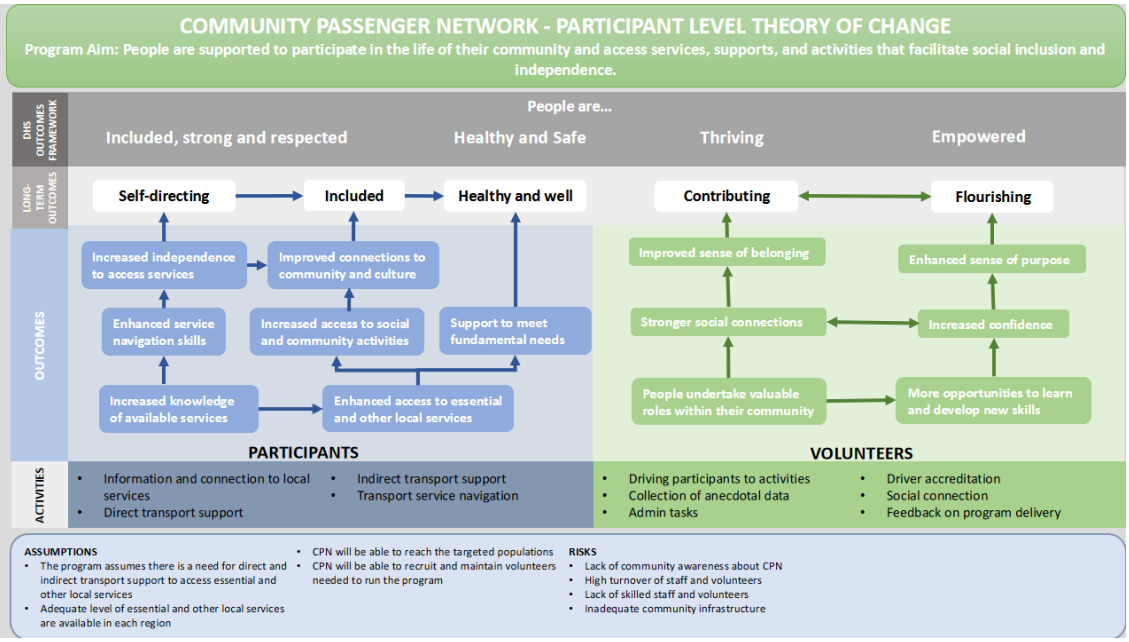
CTSA facilitates services that support participants to achieve the following outcomes:

- Increased independence in the community to access and navigate services thereby enhancing quality of life;
- Improved connections and access to social, cultural and community activities that support social inclusion;
- Increased access to support to meet fundamental needs for living and enjoy high level of mental and physical health and wellness;
- Where appropriate, participants are better connected to the ongoing or long-term transport supports (such as NDIS, SATSS); and
- Increased capacity to utilise other existing transport options in the community, where possible, including in some cases education to use public transport.

DHS will work with CTSA Partners to co-design performance measures in line with the above outcomes.

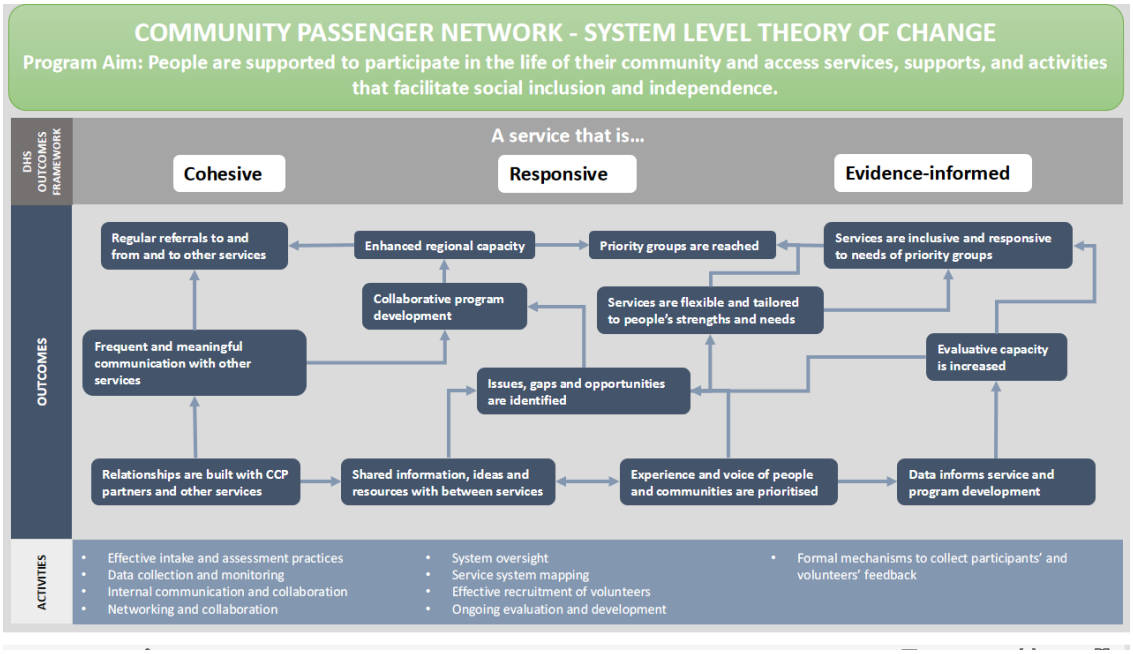
9.1 Participant and Volunteer Level Theory of Change

CTSA aims to achieve measurable outcomes for its participants and volunteers, in line with the Participant and Volunteer Level Theory of Change below. Data reporting requirements relate directly to one or multiple outcomes in the Theory of Change (see *Section 10 Reporting*).



9.2 System Level Theory of Change

The Community Connections system aims to achieve system level outcomes as illustrated in the System Level Theory of Change below. DHS uses data reported by System Partners and data gathered through other evaluations to monitor system performance against the Theory of Change (See *Section 10 Reporting*).



7.7 Assessment Principles

Assessments are guided by the following principles which cover the basic elements of effective assessment of eligibility and service needs:

- Program eligibility: All assessment models must incorporate the eligibility criteria outlined in these Program Guidelines.
- Flexibility and choice: The assessment process should enable differences in individual requirements and identified transport needs to be reflected in the appropriate service response.
- Privacy and confidentiality: Assessment practices must protect participant privacy and confidentiality and comply with legislation. In certain circumstances, de-identified data is shared with DHS and other System Partners, particularly Regional Coordinating Partners. Further information about this is contained within the Service Agreement.
- Participant complaint mechanisms: Assessment processes should include proactively providing information about internal and external avenues for feedback and complaints
- Participant record systems: CTSA Partners use appropriate tools and processes for participant record and referral systems. This helps participants maintain control of their personal information.

7.8 Participant Eligibility and Priority Assessment

Each CTSA Partner will establish a participant assessment approach to screen for eligibility, determine support needs and priorities, identify potential referrals to alternative services, and to capture relevant participant data for internal service monitoring and DHS data collection requirements. While this is still under development, it may include but not be limited to capturing the following data:

- Name
- Date of Birth (DOB) (Year of Birth at a minimum) and Age
- Gender
- Residential street address (Postcode at a minimum)
- Contact details
- Aboriginal status
- Culturally and Linguistically Diverse or New Arrival Communities status
- Disability status
- Chronic Health Condition status
- Carer status
- Employment status
- Recipient of another transport subsidy (e.g. SATSS)

10. Reporting

CTSA Partners actively contribute to ongoing monitoring and evaluation of the program by submitting regular reports during the program's development phase. These reports may include data related to service delivery, including trip numbers and types, volunteer numbers and hours and referrals, and participant demographics. DHS uses this reporting to assess and understand service demand and identify any changes or improvements that are required during and following the development phase. While the reporting frequency is still under review, it is anticipated that these will be submitted biannually.

During the development phase, DHS may seek additional data or reporting on specific areas of service delivery. DHS will provide sufficient notice of any additional data to be collected and reported to allow CTSA Partners to put in place data collection processes. This may include aggregate participant and/or volunteer surveys to be implemented and reported biannually.

Reported data may include but is not limited to the following:

- Basic data on trips delivered or facilitated – number of, purpose of.
- Referral source and destination
- Trip distance
- Medical trips within contracted Region
- Medical trips outside of contracted region
- Shopping and access to services trips
- Social connection trips
- Indirect transport (e.g. taxi vouchers)
- Other

- Participant engagement including whether they are new or ongoing in the service, with the expectation of participant turnover in each reporting period to ensure service delivery encourages independence where possible
- Participant demographics
- Volunteer demographics
- Volunteer hours

8.1 Results Reporting Data Dock

CTSA Partners report quantitative and qualitative data to DHS via the Results Reporting Data Dock (R2D2), a DHS online portal.

DHS uses R2D2 to collect and analyse outcomes and service data to inform ongoing program development and future program design decisions. More information and access to the R2D2 portal is available at https://dhs.sa.gov.au/services/community-services/results-based-accountability/rba-data-management.

11. Quality Assurance

9.1 Australian Service Excellence Standards

CTSA Partners endorse and promote the principles and practices of quality improvement by working towards attaining and maintaining continuous accreditation in the Australian Service Excellence Standards (ASES), or a DHS approved equivalent. CTSA Partners may negotiate accreditation against other quality Standards with DHS to ensure alignment with the ASES outcomes.

9.2 Community Transport Operator Accreditation

DIT has advised that CTSA services fall within the category of "Special vehicle" transport under the Transport Operations (Passenger Transport) Act 1994. Therefore, CTSA service providers have obligations under section 12(1) of the Act.

These obligations include obtaining and maintaining 'Operator' accreditation for the CTSA service, as well as VDAP accreditation (described further in section 11.3) for volunteer drivers.

Operator accreditation aims to uphold the high standards required for operating a passenger service in South Australia, ensuring that service operators comply with relevant regulations and standards. This includes verifying appropriate insurances with DIT and ensuring the roadworthiness of vehicles used in the service (annually).

CTSA Partners are required to obtain Operator Accreditation from DIT. DIT may waive administrative expenses associated with accreditation, such as adding or removing vehicles during the contract period for CTSA partners. However, CTSA Partners remain responsible for expenses related to changes in premium class, insurance, and vehicle inspections.

9.3 Volunteer Driver Assessment Program

The Volunteer Driver Assessment Program (VDAP) enhances safety, service quality, and program effectiveness. For participants, accreditation ensures that volunteer drivers meet thorough safety standards, including background and driving history checks, instilling trust in the reliability and responsibility of the drivers and enhancing peace of mind during trips.

All volunteer and paid drivers involved in the delivery of CTSA services are required to obtain VDAP accreditation from DIT.

9.4 Child Safe Environments

CTSA Partners commit to establishing appropriate policies and procedures in line with Child Safe Environment requirements in accordance with chapter 8 of the Child and Young Person safety Act 2017.

9.5 Volunteer Management

In accordance with the National Standards for Volunteer Involvement, CTSA Partners will ensure:

- Opportunities for volunteering are actively promoted and championed
- Volunteer roles are meaningful and maximise the use of volunteers' skills and experience, with appropriate recognition of their contribution
- The health, safety, and wellbeing of volunteers is protected
- Volunteers are supported to develop or maintain confidence, connection with others, new skills, and a sense of personal purpose and belonging, whilst contributing to the CTSA service.
- Appropriate volunteering policies are developed and continuously improved, in line with the National Standards for Volunteer Involvement

12. Administration Expenses

Funding is provided for the delivery of programs which involve staffing, associated on-costs and program costs, that is, the operational costs required to deliver the program. It is expected that funding will contribute to the centralised organisational costs of funded providers, often referred to as Administration Expenses.

DHS maintains a policy of supporting the efficient administration of programs. Where block funding occurs, providers must limit administration expenses (indirect expenses) to 18% for services delivered in Adelaide metropolitan regions and 22% for services delivered in regional and remote South Australian regions.

Administration expenses (indirect costs) for CTSA may include:

- Infrastructure costs, for example depreciation, repairs and maintenance, property expenses including utilities, rates and cleaning.
- Rental of offices.
- Governance functions, for example Board, audit, insurance (except Workcover), and CEO functions.

- Quality assurance programs.
- Human Resources management including Work Health and Safety (WHS).
- ICT functions, for example IT support services, telecommunications.
- Administrative services, for example payroll, accounting.
- Office supplies, for example printing, stationery, postage, photocopying, minor equipment and furniture, equipment repairs and maintenance.

It is important to note that program costs, including direct program expenses and salaries/wages for staff involved in the provision, supervision or management of services, are not deemed administration costs.

Note: CTSA funding cannot be used to *purchase* vehicle infrastructure but may contribute to vehicle leasing costs as a direct program expense.

13. Participant Contribution for Services

Acknowledging that participants' capacity to financially contribute to services will vary from individual to individual, and over time throughout service engagement, CTSA Partners are required to develop policies for their services, specifying the level of participant contribution towards those fees and the method of collection.

In developing and implementing a participant contribution for services policy, CTSA Partners must ensure that the Participant Contribution for Services Principles (PCSP) are reflected and adhered to. The PCSP is provided in Appendix E.

14. Participant Feedback

CTSA Partners are committed to engaging people with lived experience, including CTSA participants, to improve service design, delivery, and evaluation.

CTSA participants must be informed about internal and external avenues for appeal and complaints at intake and exit from the service. This includes information about how to provide feedback and/or complaints directly to the organisation, as well as DHS Feedback and Complaints and the Health and Community Services Complaints Commissioner.

15. Strategic Alignment

13.1 Social Impact Framework

The DHS Social Impact Framework (SIF) supports service providers and government to assess how well a program is meeting the evidence-based conditions for social impact. The framework represents a significant shift in thinking about how government:

- Assesses and optimises the impact that community sector and government activities have on society, and
- Builds collaborative partnerships with the non-government sector.

13.1.1 Social Impact Objectives

The SIF identifies five Social Impact Objectives (SIO) that act as Outcomes Clusters across DHS investment to ensure there is a mechanism for greater whole-of-government coordination and assessment. The SIOs include:

Creating	Connecting	Building	Aspiring	Belonging
Safe environments and wellbeing	With opportunities to engage and participate	Resources and skills for self-direction and a fulfilling life	Towards economic, social and civic empowerment	To communities that are inclusive, equitable and resilient

Underpinning this shift toward outcomes-led investment is the need to foster more collaborative, cross-organisational approaches to tackling complex social problems and entrenched disadvantage within families and communities.

These five objectives underpin quality of life, however, it is only when we take a system level view of investment that we see where and how individual programs, policies and strategies are contributing.

At a system level, achieving all five objectives will require a well-coordinated eco–system of interventions, with regular review to detect potential gaps, and in response, identify opportunities to create or extend partnerships to address those gaps.

13.1.2 Design Criteria

The SIF's Design Criteria seek to ensure individuals can access a continuum of support to meet their needs within a family, community, and place-based context. The Design Criteria aim to:

- enshrine best practice approaches to community and family services support across human services investment
- systemise collaboration and partnerships.

The Design Criteria are organised into three categories, which encompass a range of elements proven to enhance the effectiveness of program and service decisions, design, and delivery. These are:

- evidence-informed
- people-centred approaches
- systemised alliances

CTSA's program model has been designed in line with these criteria, including its location within the Community Connections system in line with the systemised alliances criterion which encourages:

- building alliances across Social Impact Objectives
- valuing existing place-based networks and assets
- strong referral partnerships for Continuum of Care
- managed transition points and connection into community for sustainable outcomes

13.1.3 Partnership Principles

The SIF outlines a set of Partnership Principles designed to enable joint stewardship of system quality so that service delivery is more responsive and effective in generating social impact.

DHS commits to working with CTSA Partners in alignment with these principles, utilising the SIF as a mechanism to build shared accountability, co-contribution and capacity building.

13.2 Inclusive SA: State Disability Inclusion Plan 2019-2023

DHS is currently in the process of developing the next State Disability Inclusion Plan (see details of our Consultation Process here).

CTSA aligns with the objectives of the State Disability Inclusion Plan 2019-23 and contributes to several of its priority areas. In particular, CTSA supports the Plan's vision for Accessible Communities:

> *'The accessibility of the built environment, quality services and information is key to ensuring people living with disability are included and have the opportunity to equally participate in all aspects of community life. It is our aim to increase accessibility to public and community infrastructure, transport, services, information, sport and recreation and the greater community.'*

13.3 South Australian Funding Policy for the Not for Profit Sector

In our work with not-for-profit organisations, DHS follows the principles of the South Australian Funding Policy for the Not for Profit Sector which aims to provide a consistent approach to government funding, with clear requirements for agencies, to reduce the administrative burden on NFPs and maintains their independence.

- Robust planning and design
- Collaboration and partnership
- Proportionality
- An outcomes orientation
- Achieving value with relevant money
- Governance and accountability
- Probity and transparency
- Community development principles

DHS supports these principles through:

A focus on outcomes

- Embedding performance measures based on expected outcomes
- Increasing focus on evidence informed practice, including a service model with a clear program theory that is informed by the best available evidence
- Ensuring an appropriately capable and qualified workforce delivers services

A continuous improvement approach

- Maintaining ongoing learning and continuous improvement
- Requiring providers to adhere to good governance as well as achieving and maintaining continuous whole-of-organisation quality accreditation
- Using participant feedback and aspirations to inform service design, delivery and evaluation

A community development approach

- Actively pursuing partnerships and collaborations with other services
- Decision making based on evidence of need and intention to build community resilience and capacity
- Sharing data and information appropriately to assist community-based and location-based action

Cultural responsiveness

- Providing an inclusive environment that values diversity and builds cultural responsiveness
- Ensuring provision of culturally appropriate services

Accountability

- Achieving value for money by collaborating to deliver activities and services
- Articulating expected outcomes through guidelines, service agreements and performance measures with a commitment to evaluation
- Complying with the terms and conditions of service agreements, as well as government procurement policies and relevant laws

16. Glossary

Aboriginal

These Guidelines respectfully use the term 'Aboriginal' to refer to people who identify as Aboriginal, Torres Strait Islander, or both.

Carer

A natural person who provides ongoing care and assistance to:

a) a person who has a disability within the meaning of the *Disability Services Act 1993* or
b) a person who has a chronic illness, including mental illness, within the meaning of the *Mental Health Act 2009* or
c) a person who, because of frailty, requires assistance with the carrying out of everyday tasks.

A person is not considered a carer if the person provides care or assistance:

d) under a contract for services or a contract of service or
e) in the course of doing community work organised by a community organisation within the meaning of the Volunteers Protection Act 2001.

A person is not a carer for the purposes of this guideline only because the person:

f) is a spouse, domestic partner, parent or guardian of the person to whom the care or assistance is being provided or
g) provides care to a child who has been placed in the care of that person under the *Children and Young People (Safety) Act 2017* or any other Act.

Chronic Health Conditions

Are long lasting conditions with persistent effects and defined broadly as conditions that last more than 6 months and require ongoing medical attention or limit activities of daily living or both.

The Australian Institute of Health and Welfare commonly reports on 10 major chronic condition groups: arthritis, asthma, back pain, cancer, cardiovascular disease, chronic obstructive pulmonary disease (COPD), diabetes, chronic kidney disease, mental health conditions and osteoporosis.

Community

Community can be defined in many ways.

It can denote those who live in a specific region and/or those who share certain characteristics (for example cultural history, religious belief), and/or those who come together through shared interests or concerns (Maguire & Cartwright, 2008).

Communities can be located within a bound physical space or be geographically dispersed, as with online or virtual communities (Porter 2004).

Families and individuals can belong to multiple communities and can move among different communities at different times. A community can be thought of as "any existing or potential network of individuals, groups and organisations that share or have the potential to share common concerns, interests and goals" (Dower & Bush 2003).

Community Connections Program Partners

Funded organisations in each region that provide CCP services, including Aboriginal Community Partners, Regional Coordinating Partners, Community Partners, and statewide Capacity Building Partners.

Community Transport

Services that are run for social purpose, not for profit, and support people who are vulnerable and/or isolated to participate in their local community and access vital services. These services typically operate with a network of volunteers.

CTSA Partners

Organisations funded to provide CTSA services

Disability

According to the Disability Inclusion Act 2018, disability in relation to a person is defined as:

'long-term physical, psychosocial, intellectual, cognitive, neurological or sensory impairment, or a combination of any of these impairments, which in interaction with various barriers may hinder the person's full and effective participation in society on an equal basis with others.'

It is important to acknowledge that through the self-organising of people with disability, there has been a shift from the "medical model" of disability towards the "social model" of disability, which posits that 'disability' is the result of the interaction between people living with impairments and an environment filled with physical, attitudinal, communication and social barriers. It therefore carries the implication that the physical, attitudinal, communication and social environment must change to enable people living with impairments to participate in society on an equal basis with others" (People With Disability Australia, 2018). This shift is seen in rights-based approach of The Convention on the Rights of Persons with Disabilities(2006) and described in the World Health Organisation's World Report On Disability(2011).

In relation to CTSA data collection, the disability status of a participant is categorised as follows:

- Diagnosed
- Undiagnosed
- Both diagnosed and undiagnosed

- No
- Not stated.

Diagnosis should be undertaken by someone appropriately qualified to do so, e.g. a doctor or specialist. It is not Partners' responsibility to diagnose.

Self-disclosure without a formal diagnosis should be recorded as 'Undiagnosed'. Capturing undiagnosed disability is important given the barriers people may face to obtaining a diagnosis

Functional limitation

A barrier that reduces a person's ability to perform the tasks and activities they find necessary or desirable in their lives.

New and Emerging CALD communities

People from new and emerging CALD communities includes those who:

- Were born outside Australia
- Arrived in the last 10 years
- Speak a language other than English at home.

Participants

Any person who receives services and support through CTSA.

Program Partner

Services funded under the same DHS-funded program

Region

Region means the 12 South Australian Government Regions (see Appendix F)

System Partner

Services funded under the same DHS-funded system

Transport Disadvantage

Having no or limited access to private or public transport due to a functional disability, mobility limitations, financial disadvantage, location (in particular regional and remote), and availability and accessibility of existing services.

17. References

Currie, G., & Delbosc, A. (2010). Modelling the social and psychological impacts of transport disadvantage. *Transportation, 37,* 953-966.

Currie, G., & Stanley, J. (2007). No way to go: Transport and social disadvantage in Australian communities.

Delbosc, A., & Currie, G. (2011). Exploring the relative influences of transport disadvantage and social exclusion on well-being. *Transport Policy, 18*(4), 555-562.

Lucas, K. (2012). Transport and social exclusion: Where are we now?. *Transport Policy, 20,* 105-113.

Ma, L., Kent, J. L., & Mulley, C. (2018). Transport disadvantage, social exclusion, and subjective well-being. *Journal of Transport and Land Use, 11*(1), 31-47.

Stanley, J. K., Hensher, D. A., Stanley, J. R., & Vella-Brodrick, D. (2021). Valuing changes in wellbeing and its relevance for transport policy. *Transport Policy, 110,* 16-27.

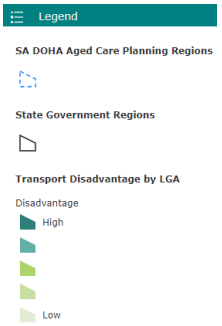
Appendix A: Transport Disadvantage Map

CTSA services are targeted to communities with greater levels of transport disadvantage.

DHS has developed an interactive map of Local Government Areas LGAs showing each area's level of relative transport disadvantage, based on a measure developed by DHS in 2024 for the South Australian community transport context.

The measure provides visibility of the areas with greatest need for transport support, based on the following population-level data:

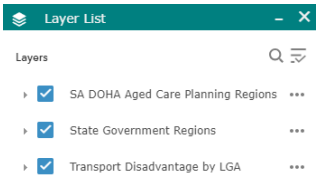
- Proportion of households with no motor vehicle;
- Proportion of households with income < $800 per week;
- Number of people receiving a disability support pension; and
- Remoteness (i.e., distance from a major service centre).

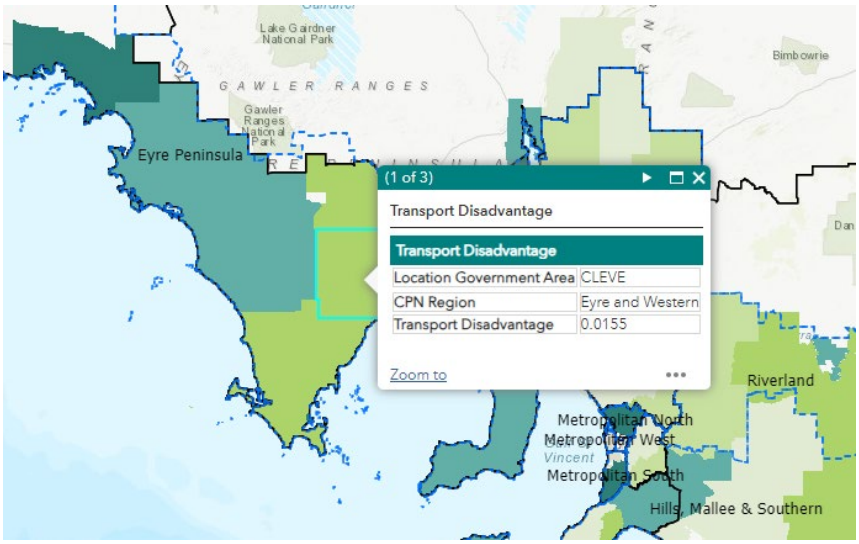


Click here to view the interactive map

Instructions:

1. Clicking this button displays the legend:
2. Clicking this button displays the layer list where you can turn layers on and off by ticking/unticking the boxes
3. The search button on the left-hand corner allows you to search the map, e.g., by suburb, post code, or even road.
4. Clicking on any area and a pop up box - the example on the next page shows 1 of 3 views. Clicking the arrows on the top right-hand corner scrolls through each layer of information (i.e., the relevant State Government region and Aged Care Planning region)





Appendix B: Support for South Australians Experiencing Transport Disadvantage

Government of South Australia

	Community Transport SA	Patient Assistance Transport Scheme	Regional Buses	South Australian Transport Subsidy Scheme	Non-SATSS Access Taxi Card	NDIS	My Aged Care	Other Community Transport Services
Overview	CTSA provides transport support to South Australians under 65 experiencing transport disadvantage to participate in the life of their community and access services, supports, and activities that facilitate social inclusion and independence.	PATS provides financial assistance towards transport and accommodation costs when required to travel > 100km each way to access necessary medical specialist services not available locally.	Regional buses, operated by private transport providers, provide regular bus routes for schools, between smaller towns and centres, and between regional SA and Adelaide.	SATSS provides subsidised taxi travel to eligible members travelling within South Australia and interstate.	The non-SATSS Access Taxi Card, launched in November 2023, supports drivers in providing a lifting service to assist customers with a wheelchair, scooter or large (ride-on) mobility aide.	The NDIS funds the reasonable and necessary cost of taxis, rideshares or other private transport, for participants who can't use public transport without great difficulty because of their disability	Transport support is provided through the Commonwealth Home Support Programme, or as part of a Home Care Package, to help older people stay get around and stay connected with their community.	Other Community Transport services are provided across South Australia to various population groups.
Funder	Department of Human Services	SA Health, administered through the six regional Local Health Networks	Department of Infrastructure and Transport	Department of Infrastructure and Transport	Department of Infrastructure and Transport	Commonwealth Government	Commonwealth Government	Various inc. local councils, NGOs, community centres

Eligibility	• Live in the South Australian community
	• Aged under 65
	• Ineligible for equivalent support under the NDIS
	• Experience transport disadvantage and be:
	  ○ unable to access public transport due to distance, functional disability, mobility limitations, financial disadvantage and/or availability or accessibility of transport services; and
	  ○ unable to drive themself; and
	  ○ unable to access another person to transport them.
		• Permanent SA resident
		• Enrolled in, and receiving treatment claimable through, Medicare
		• Not receive or be eligible for other financial assistance including private health
		• Have an appointment with or receive treatment from the nearest medical specialist
		• Be travelling more than 100 km from their residence to their appointment or treatment location
			Intertown, social and school buses
			• No specific eligibility
			• Fare types reflect concessions
			Medical Buses
			• Must have a disability or mobility constraint limiting ability to access public transport services operating in the region; and
			• Transport must be for a medical/specialist appointment
				• Permanent SA resident.
				• Have a severe and permanent disability limiting their capacity to use public transport independently. Functional assessment, not diagnosis or condition, is the basis for eligibility.
				• Applicants who may be eligible for the NDIS are required to be assessed for eligibility in the first instance.
					• Uses a wheelchair, scooter, or large (ride-on) mobility aide;
					• Holds a non-SATSS Access Taxi Care
					• Not currently a SATSS member
					• Trip is booked through the Access Taxi Centralised Booking Service
						• Aged 7-65
						• Lives in Australia and an Australian citizen or has a Permanent or Special Category Visa
						• Has a permanent and significant disability
						• A participant is generally eligible for transport funding where unable to use public transport without substantial difficulty due to their disability.
							• Aged 65 years or older (50 years or older for Aboriginal or Torres Strait Islander people)
							• Experienced functional decline or reduced mobility, been diagnosed with a medical condition, experienced a change in family care arrangements, or experienced a recent fall or hospital admission.
								• Various
								• Many local councils offer community transport services primarily for residents over 65 years or with a disability under Commonwealth-funded schemes
								• Some community services provide transport support for clients of their services

Service Description	• Information and connection to non-transport services • Information and connection to existing transport options • Direct transport support, using a vehicle driven by a worker or volunteer • Indirect transport support, using taxi vouchers • Door-to-door service. • Trip fees vary, based on capacity to pay	• Payment by reimbursement of subsidy for travel and accommodation if required. • Subsidy can apply to use of private vehicle, public transport, CTSA, air travel • On 1 January 2023, the fuel subsidy increased from 16c to 32c a kilometre for private vehicle travel.	• Operated by commercial provider who collects fares. • Medical bus regions: Mid North, Upper North, Southern Yorke Peninsula and Murray Mallee. • CTSA in those regions promote service and administer bookings. • Not door-to-door. CTSA Partners may transport people from home to meet bus.	• Subsidised taxi travel in SA. • Ambulant members - 50% of fare up to $20 per trip. • Members who use a wheelchair – 75% of fare up to $30 per trip. • Subsidy applies to first $40 of a taxi fare, however members can use multiple trip subsidies (up to 3) for longer journeys. • SATSS members can travel with up to 3 passengers.	• Expansion of the $25 lifting fee to non-SATSS members supports taxi drivers to assist customers with a wheelchair, scooter or large (ride-on) mobility aide to ensure a consistent, accessible and reliable taxi ride. • The lifting fee is paid by the South Australian Government, at no additional cost to the customer.	• Funding for transport assistance • Funding amount varies depending on the extent to which transport is required for work, study, participating in day programs and other social, recreational or leisure activities, or simply to enhance community access.	• Indirect transport support including help arranging a driver service or via vouchers or subsidies • Direct transport support to provide assistance with shopping, medical appointments, and attending social activities	• May include local transport to community facilities, shopping centres, and to access community events and activities
Service Length	Ad hoc service. Aims to build capacity and independence.	Unlimited	Unlimited	Up to 80 trips in 6 months.	Unlimited	Indefinite, unless support no longer deemed necessary following Plan review	Unlimited	Various

Appendix C. Community Connections Program Overview

The Community Connections Program supports people to enhance their wellbeing by strengthening connections with communities, social networks, and services. The Program is designed to address social isolation and loneliness in the community and engage people who are at heightened risk.

CCP Partners

DHS funds organisations across various Partner types to deliver this statewide system of support:

- **Regional Coordinating Partners** lead coordination of the program across each of the 12 State Government Regions, including overseeing implementation and informing program evolution. RCPs administer flexible funding and represent their region on the Program Advisory Group.
- **Community Partners** use their community development expertise and local community connections to support participants to build social connections and community participation through 1:1 support and/or group activities.
- **Aboriginal Community Partners** provide flexible, non-clinical, culturally appropriate services to protect and strengthen the social and emotional wellbeing of Aboriginal peoples through a focus on connection to community, culture and services, and building a sense of belonging.

All service delivery Partners provide **Connection Services**, including intake and assessment through a no wrong door approach whereby participants can access the program through any Partner.

Partners work with participants to identify their goals for the support period (typically 12 weeks) and then help identify and connect with specialist services, community activities, and support networks to achieve these goals.

The CCP system is critically supported by three non-service-delivery Partners:

- The **Capacity Building Partner** helps build the capability of all Partners in priority areas by delivering training, providing advice and support, and facilitating communities of practice.
- The **Multicultural Coordinating Partner** supports Partners' cultural responsiveness by providing advice and training and facilitating connections with multicultural organisations and communities.
- The **Aboriginal Coordinating Partner** supports the system's cultural responsiveness for Aboriginal peoples and communities through advice and training.

Eligibility

The CCP's **target population** is people aged 18 to 64 years whose wellbeing is at risk because they are disconnected from necessary support and face heightened vulnerability due to social isolation.

To be **eligible** for the CCP a person must live in the South Australian community, be aged 18 to 64 years, and require support to re-establish, develop or maintain connections with supportive networks (carers, family, friends, peers and communities) and/or access relevant services and community supports to enhance wellbeing.

Appendix D: Coordination of DIT Regional Bus Bookings

Applicable to Murray and Mallee and Yorke and Mid North services only

These requirements are managed by DIT. Any questions can be directed to DIT.SAPTAAdmin@sa.gov.au

Overview

DIT funds regional bus services in certain regions, provided under a Service Contract by a transport provider. The Murray and Mallee and Yorke and Mid North CTSA services are responsible for receiving and coordinating bookings for service routes operated in the following regions:

CTSA Partner	Contract/ Contractor	Service Description	CTSA Coordinated Services
Murray and Mallee	**Tatiara** BusBiz	Routes operate at low frequency to provide medical, and social services connecting residents from the region with key activity centres.	• Murray Mallee Medical Service
Yorke and Mid North	**Mid North** Peninsula Coaches	Routes operate within the Clare Valley and Burra region and between Peterborough, Orroroo, Burra, Clare and Adelaide at low frequency to provide medical and social services connecting residents from the region with key activity centres.	• Mid North Medical Service • Service No. A1 Clare and Surrounds • Service No. A2 and B3 Clare Intratown • Service No. B1 Burra to Clare • Service No. B2 Burra Intratown
	Yorke Peninsula Coaches	These routes operate at varying frequency between Yorketown, Minlaton, Moonta, Wallaroo, Kadina and Adelaide to provide medical, shopping and social services, connecting residents from the region with key activity centres.	• Yorke Peninsula Medical Service • Copper Coast Dial A Ride • Marion Bay to Minlaton
	Spencer *Kent Group*	Services include low frequency services between Peterborough and Port Pirie, and Peterborough and Port Augusta to provide medical, shopping and social services connecting residents from the region with key activity centres, as well as a medical service from the Upper North region to Adelaide.	• Service No. 1 Peterborough to Port Pirie via Terowie • Service No. 2 Peterborough to Port Pirie via Orroroo • Service No. 3 Peterborough to Port Augusta • Service No. 4 Peterborough to Port Augusta • Medical Service from Port Augusta/Port Pirie to Metropolitan Adelaide

DIT Regional Bus contract and contractor details correct as at 31 July 2024

Passenger eligibility

Community / General Passenger transport services

- In regards to the CTSA booking/coordination of SA Public Transport Authority (SAPTA) regional public transport service, the services are for all passengers that are transport disadvantaged regardless of their age or whether the passenger is receiving other Government funding i.e. NDIS or Aged Home Support Package.

Medical services

- Passengers must have a disability and/or mobility constraint that prevents them from using general public transport services AND are travelling to a medical appointment. Passengers can take a carer with them, however if there is limited space on the bus then passengers attending medical appointments will take precedence over carers, depending on the level of care required by the passenger. It must also be confirmed that the passenger does not have any other means of support to get to an appointment (e.g. if a friend or family member can provide transport, or if the person can drive themselves, then they are not eligible to use the Medical Bus).
- Eligibility needs to be assessed for each trip request (for example, a client may ordinarily be able to drive themselves to an appointment, but if they are having day surgery, or receiving eye drops and cannot safely drive home).
- Eligibility criteria is in place for the medical services with the requirement for passengers to be attending a medical or specialist appointment and who are frail or have mobility issues which that makes them unable to utilise SAPTA's other regional bus services.

Roles & responsibilities

The following Roles and Responsibilities are a guide on what may be required based on past arrangements. Roles, responsibilities, and timings may differ depending on the specific regional bus contract area.

CTSA Partners:

- Assess eligibility of clients to receive transport via the Medical Bus.
- Coordinate with Medical facilities, such as aligning client appointments to Medical Bus time frames, locating patients, determining delays, and communicating schedule updates with the Operator for the operator. When necessary, locate alternate travel options and make bookings.
- Provide call centre access for clients Monday-Friday excluding holiday closures, between *9.00am-4:30pm*.
- Book transport for eligible clients, create lists of booked rides for each service day and forward to the operator for manifesting.
- Take cancellations and update the list of booked rides provided to the operator.
- Contact passengers to advise of the pick-up times the day prior to their scheduled trip.
- Track violations of passenger responsibilities, late cancellations, and "no-shows". Contact passengers with violations, issue exclusions, and manage the grievance process.

Contractor:

- Provide safe, friendly, and efficient bus operation under the requirements of the DIT contract.
- Schedule pick up and drop off times for the Medical Service.
- Schedule drivers and manage daily running sheets.
- Coordinate cancellations and daily activities with CTSA Partners.
- Contact the appropriate CTSA Partner for assistance finding passengers, care providers, or medical facilities.

DIT:

- Arbiter of operational concerns.
- Owner and manager of services contract between the Department and the Contractor. And as such, responsible for investigating concerns, complaints, and performance of these services.
- Step 3 of the grievance process for excluded passengers.

Passenger rights and responsibilities

Passenger responsibilities

In order to allow sufficient time for coordination and planning of transport passengers must abide by the following rules:

- Bookings for all transport should be made (a minimum of three (3) days) prior to the day of the appointment.
- Bookings with less than three days' notice can be accepted in consultation between the CTSA Partner and the Contractor.
- On the day of transport, patients must be ready to leave on time and help the driver by making their collection as easy as possible.
- Appointment times in Adelaide need to be arranged (between the hours of 11.00am and 2.00pm).
- Passengers who travel on the Medical Bus Service will be charged a fee which is payable to the bus driver on the day of transport.
- Passengers must notify the CTSA Partner of any delays, changes or cancellations as soon as possible.
- Passengers must notify the CTSA Partner of any specific conditions or requirements that may impact the delivery of their transportation, e.g. need for oxygen bottle, frequent stops etc.
- No smoking is permitted in or around the vehicle.
- Passengers must be respectful and considerate of drivers and fellow passengers.
- Passengers must keep the vehicle clean and tidy by taking any rubbish with them upon leaving the vehicle.
- Passengers unable to care for themselves may bring a carer free of charge.

- Passengers must follow the safety directions of the operator at all times and immediately. An example is the request to evacuate the bus in an emergency situation or assist the driver as they respond to a passenger in a medical crisis.

Passenger Rights:

- Be treated with respect and care at all times.
- Receive comfortable and reliable transportation.
- Have privacy and confidentiality respected.
- Be assisted in a timely manner. Note that drivers can give some limited assistance with luggage, but may not be out of sight of the bus.
- Have service refusals explained and alternative transport options offered or booked on their behalf if available. Alternate transportation or overnight accommodations are the financial responsibility of the passenger.
- Have CTSA staff advocate on the passenger's behalf to change appointments or access other services.
- Be informed of the complaints and grievance process and have complaints and grievances investigated and processed in a timely manner and be kept apprised of any results or resolutions.
- Have an advocate speak on the passenger's behalf to the CTSA Partner.
- Have transport options clearly explained.

Late cancellations and no-shows:

A late cancellation is defined as any trip cancelled after noon the day before the scheduled ride.

A "no-show" is any failure by the passenger to present themselves for the booked ride.

Two late cancellations or "no shows" within a rolling 30 day period is grounds for service exclusion on the Medical Bus. If a passenger has 5 late cancellations or "no shows" in a calendar year they will receive permanent service exclusion. Health emergencies that cause late cancellations or "no shows" or other types of situations that keep the passenger from reasonably being able to notify the CTSA Partner of a delay or inability to travel will not count against the client. It is the responsibility of the client to explain the situation and assist the CTSA Partner to clear the violation if it is right to do so. Clearance of a violation is at the discretion of the CTSA Partner.

Grievance process

Exclusion notices may be issued to passengers who violate the passenger responsibilities, have late cancellations or no shows in excess of the policy, or refuse driver safety instructions. Anyone to be denied service will be contacted by the CTSA Partner via phone to discuss their exclusion. When the CTSA Partner has confirmed the violations and cleared any violations out of the control of the passenger they will send a written exclusion notice that includes the grievance process.

An excluded passenger has the right to appeal the exclusion by submitting within 14 days of the written exclusion notice, a request to have the exclusion removed or modified in writing.

Step 1: The Passenger must mail or deliver their written appeal to the CTSA Partner within 14 calendar days for investigation by the CTSA Coordinator.

Step 2: The Passenger will receive a written response within 10 business days of receipt of the request. Based on collected information and investigation of the complaint, exclusion may be removed, shortened, or modified. Any further violations can result in additional exclusions including permanent exclusion.

Step 3: If the Passenger is dissatisfied with the ruling made by the CTSA Coordinator they may mail an appeal to the Regional Manager for Public Transport with DIT and present any testimony. A final decision will be returned no later than 10 business days following receipt of the request or any testimony presented, whichever is later.

Mail to: Department for Infrastructure and Transport

Regional Contract Manager

South Australian Public Transport Authority

GPO Box 1533

Adelaide, SA 5001

Medical discharge:

CTSA and the Medical Service do not provide hospital to hospital transfer. If a person requires transport on the medical bus upon discharge from a hospital, a Transport Authorisation Form needs to be filled out by the hospital for a person to travel either by the Medical Bus or volunteer transport to confirm that they are safe to travel and do not require assistance*. (*If a person does require assistance then ambulance transport will need to be arranged and is the responsibility of the hospital staff).

This form is also required if the passenger is having day surgery, or any procedure that could impact on their ability to travel (e.g. cataract surgery, colonoscopy, endoscopy, etc. that may involve a light anaesthetic). Patients must be considered fit to travel on the Medical Bus and not be in any risk of requiring any first aid/medical care.

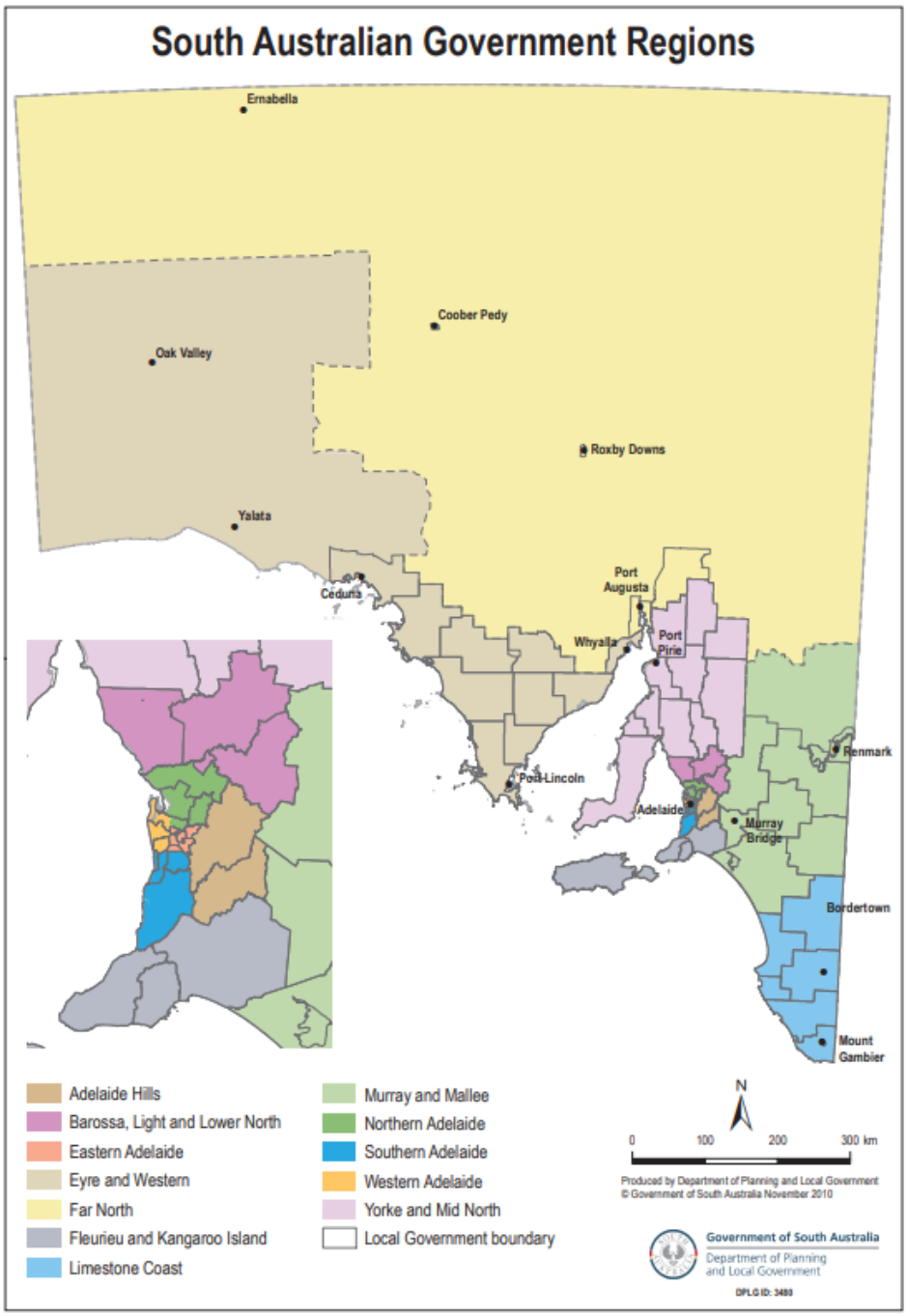
CTSA Partners are to have arranged in advance with the hospital a completed and signed Transport Authorisation Form to be forwarded to them.

Appendix E: Participant Contribution for Services Principles (PCSP)

CTSA Partners shall develop policies in respect of the services that attract fees, the level of those fees and the method of their collection. In developing and implementing a Fee Policy for services, CTSA Partners shall comply with the following principles:

- Inability to pay cannot be used as a basis for refusing a service to people who are assessed as requiring a service;
- All participants assessed as having capacity to pay must contribute to the cost. This should be done in accordance with a scale of fees appropriate to their level of income, the number of services used, and any changes in circumstances;
- Agencies funded under CTSA should charge the full cost of the service where participants are receiving, or have received, compensation payments intended to cover the cost of transport;
- Participants with similar levels of income levels and service usage patterns should make equivalent contributions for equivalent services;
- Participants with high and/or multiple service needs are not to be charged more than a specified maximum amount of fees in a given period, irrespective of actual number of services used;
- For purposes of this policy, solicited donations for services are equivalent to fees and are subject to this policy;
- Participant contributions should not exceed the actual cost of service provision;
- Participants must not contribute in respect of services such as information, advocacy and referrals;
- Participant contribution for a service should be all-inclusive and cover all material used in delivery of the service;
- Collection of participant contributions should be administered efficiently and the cost of administration should be less than the income received from fees;
- Revenue from participant contributions must be used to enhance and/or expand services funded under this agreement;
- Procedures for the determination of fees, including assessment criteria, should be clearly documented and publicly available;
- Procedures to determine and collect participant contributions should consider the circumstances of special needs groups;
- Assessment of a person's capacity to contribute towards the cost of services should be simple, unobtrusive and confidential; and
- Participants and their advocates have the right of appeal against contribution determinations.

Appendix F: South Australian Government Regions



Government of South Australia

Department of Human Services
("Public Authority")

Invitation to Supply

P353 Delivery of the Community Transport SA Program

Part B: Specification – Services

TABLE OF CONTENTS

1 INTRODUCTION 3
1.1 Purpose 3
1.2 Background 3
2 REQUIREMENTS – SERVICES 5
2.1 Procurement Objectives 5
2.2 Scope 5
2.3 Contract Sites/Delivery Locations 6
2.4 Allocated funds by region 6
2.4.1 Co-Contribution of Funding 7
2.5 Mandatory Requirements 7
2.6 Requirements 8
2.6.1 Transport Purpose 9
2.6.2 Coordination of Bookings for DIT Regional Buses 9
2.6.3 System level requirements 9
2.6.4 Quality requirements: 9
2.6.5 General service requirements: 10
2.6.6 General organisational requirements 11
2.7 Timeframes 11
2.8 Performance 12
2.9 Contract Management 12
3 TRANSITION 13
3.1 Transition In 13
3.2 Transition Out 13
4 GLOSSARY 13
5 ATTACHMENTS 14

1 INTRODUCTION

1.1 Purpose

The purpose of this procurement is to engage multiple organisations to deliver services under the Community Transport SA (CTSA) program. Services will be delivered across 10 distinct Regions across South Australia, excluding the central Adelaide metropolitan area and the APY Lands.

CTSA is designed to provide transport support to South Australians under 65 experiencing transport disadvantage to participate in the life of their community and access the services, supports, and activities that facilitate social inclusion and independence.

1.2 Background

CTSA is the successor to the Community Passenger Network (CPN) program which has operated in South Australia since 1994. The CPN Program's remit and delivery model has changed significantly since its inception due to various factors including the Commonwealth NDIS and My Aged Care reforms.

A comprehensive review of the CPN program had not occurred since it was transferred to DHS in 2009. As such, DHS engaged with key stakeholders throughout 2024 to better understand the current state of community transport (CT) in South Australia. This has informed the development of a stronger, more contemporary service model for the future.

The resulting CTSA Program, which is administered by the Department of Human Services (DHS) on behalf of the Minister for Human Services, seeks to address transport disadvantage as a vital component of the Department's strategy to strengthen South Australians' social inclusion and independence.

CTSA will operate in the context of the state's social services and transport systems.

Where public and private transport options are not accessible, affordable, or appropriate, Commonwealth, State, and Local Governments provide a range of transport services and subsidies to specific populations (e.g., NDIS, My Aged Care) and in specific locations (e.g., regional buses and the Patient Assistance Transport Scheme in regional SA).

These options do not meet the needs of all people experiencing transport disadvantage, which is why a statewide CT model is required to ensure all South Australians have access to opportunities for social, economic, and community participation.

See the CTSA Program Guidelines (Attachment 1, hereafter "the Guidelines") for more information about the program's evidence base and strategic context. Whilst the Guidelines are considered to be complete, they have deliberately not been finalised at this time. This is to allow for amendments as appropriate in response to points raised through this procurement process. The Guidelines are anticipated to be finalised in early 2025.

Social and community connection outcomes

Through the current contract period, DHS has driven a stronger focus on the CPN supporting participation in community life and social connections. Whilst service providers provide direct transport for medical purposes, they are required to prioritise existing public and private transport options first wherever possible. This will continue under the CTSA model. Accordingly, service providers facilitate access to other government-funded transport services first, such as the Department for Infrastructure and Transport's (DIT) South Australian Transport Subsidy Scheme (SATSS), and SA Health's Patient Assistance Transport Scheme (PATS).

Medical trips form a significant proportion (61% in 2022-23) of all CPN trips, with CPN providers reporting high demand for medical-related transport (both from clients and local health services) and barriers to accessing other government-funded options. Some CPN providers

also report limited referrals for social transport. In contrast, Community Connection Program (CCP) Partners regularly report unmet demand for non-medical transport support in their regions, noting impacts on the ability of participants to engage with local services and social activities.

Whilst DHS acknowledges access to medical services is important to supporting people's health and wellbeing, the Department also has lead responsibility for social inclusion to ensure vulnerable South Australians are empowered and connected in their communities.

The opportunity therefore exists to work collaboratively across government to address the barriers to accessing other government-funded transport options, avoid duplication of investment, and improve efficiency across the CT system. Facilitated by DHS, CTSA service providers will be required to engage with DIT and SA Health to identify and address barriers to accessing regional bus services, SATSS and PATS.

CTSA will be integrated into DHS' Community Connections system to ensure alignment of investments focused on social and community connection. The system currently consists of all CCP Partners who work as a cohesive, integrated, and responsive system of support for South Australians who are socially isolated and lonely to build more socially connected communities. Having established a strong infrastructure of regional partnerships and effective ways of working collaboratively, it is timely to bring CTSA under the same banner.

This integration will facilitate a joined-up approach to supporting local communities in each State Government Region and will involve changes/additions to the CTSA model including:

- Alignment with the CCP's service delivery principles, system level outcomes, and system level objectives (including contractual requirements to collaborate with other System Partners);
- Support from the CCP's Regional Coordinating Partners, who lead:
    - Collaboration and communication between System Partners to support effective referral practices and shared decision making regarding ongoing system development;
    - Partnerships and integration with adjacent service systems and local community groups, initiatives, leaders, and infrastructure to share resources, information, and learnings, and avoid duplication of effort; and
    - Responsiveness to local community needs based on evidence such as data, participant and community feedback, and local intelligence, including through the administration of regional Flexible Funding;
- Support from the CCP's Capacity Building Partners to help build capability and cultural responsiveness through training and support, and shared learning and problem solving through communities of practice; and
- Potential alignment of data collection and use of DHS's connected referral system.

2 REQUIREMENTS – SERVICES

2.1 Procurement Objectives

The procurement objective is to engage multiple organisations to deliver services under the CTSA Program. There are ten South Australian Regions to be serviced, with selected providers expected to be able to provide coverage across as much of their nominated Region as practical.

2.2 Scope

The scope of this procurement is to engage multiple organisations or consortia of organisations to serve as CTSA service providers (hereafter, "CTSA Partners") to provide transport support for South Australians under 65 experiencing transport disadvantage to participate in the life of their community and access services, supports, and activities that facilitate social inclusion and independence. This support includes:

- Information about and connection to transport and other services in the region;
- Direct transport support, using a vehicle driven by a worker or volunteer; and/or
- Indirect transport support using taxi vouchers and other subsidies.

CTSA Partners will be engaged for a period from 1 September 2025 to 30 June 2028 plus one three-year extension option to 30 June 2031 for a total agreement period of five years and ten months.

CTSA services are expected to operate for social purpose, not for profit (the organisation itself may operate for profit), and support eligible people within the program's target population and priority access groups. Services will typically operate with a network of volunteer drivers utilising vehicle infrastructure (either leased or owned) in the provision of direct transport support.

CTSA's target population is people aged under 65 who experience transport disadvantage and who are not eligible to receive the same supports from other service systems, such as the NDIS and My Aged Care. To be eligible for CTSA, a person must:

- Live in the South Australian community;
- Be aged under 65 years; and
- Experience transport disadvantage, and be:
    - unable to access public transport due to distance, functional disability, mobility limitations, financial disadvantage and/or availability or accessibility of transport services;
    - unable to drive themself; and
    - unable to access another person to transport them.

CTSA sits alongside the DHS Community Connections Program (CCP) within the DHS Community Connections System. This is an integrated network of Partners delivering place-based services within each the 12 State Government Regions, with the ultimate aim of building more socially connected communities. CTSA Partners will be expected to connect, share information, and collaborate with their System Partners (i.e., Partners in the Community Connections System), in line with the System-Level Objectives and Outcomes described in the Guidelines.

Organisations will be engaged to provide place-based services across the South Australian State Government Regions as detailed below.

Respondents will be required to service a region in full (or as close as practicable). As such, consortium bids will be welcomed from service providers proposing to work in partnership to cover a service region in its entirety (or as close as practicable). If a consortium is engaged, a

lead organisation must be nominated and, if successful in this process, will be engaged by DHS on behalf of their consortium.

Respondents may nominate to service multiple regions.

2.3 Contract Sites/Delivery Locations

CTSA Partners will be engaged to provide place-based services across the following regions:

1. Adelaide Hills
2. Barossa, Light and Lower North
3. Eyre and Western
4. Far North
5. Fleurieu and Kangaroo Island
6. Limestone Coast
7. Murray and Mallee
8. Northern Adelaide - Outer Metropolitan
9. Southern Adelaide - Outer Metropolitan
10. Yorke and Mid North

Note:

- Regions are as per the South Australian State Government Regions, except Northern Adelaide and Southern Adelaide which are limited to the Outer Metropolitan Local Government Areas within those regions, as follows:

CTSA region	Local Government Areas
Northern Adelaide – Outer Metropolitan	Salisbury, Playford, Tea Tree Gully
Southern Adelaide – Outer Metropolitan	Onkaparinga

- The Far North service is not expected to service the APY Lands region, as this is supported by other DHS-funded services.

Services must have capacity to offer services face-to-face and via outreach and remote delivery methodologies.

2.4 Allocated funds by region

All funds are exclusive of GST and include an estimated annual indexation rate of 2.5%.

Region	2025-26 (10 months)	2026-27	2027-28	Total Base Term 1 Sept 25 – 30 Jun 28
Adelaide Hills	$94,788	$116,590	$119,504	$330,882
Barossa, Light and Lower North	$104,580	$128,634	$131,850	$365,064
Eyre and Western	$170,346	$209,525	$214,763	$594,634
Far North	$111,765	$137,472	$140,908	$390,145
Fleurieu and KI	$109,394	$134,554	$137,918	$381,867
Limestone Coast	$128,426	$157,964	$161,913	$448,302
Murray and Mallee	$155,780	$191,609	$196,400	$543,789

Region	2025-26 (10 months)	2026-27	2027-28	Total Base Term 1 Sept 25 – 30 Jun 28
Northern Adelaide - Outer Metropolitan	$129,371	$159,126	$163,105	$451,602
Southern Adelaide - Outer Metropolitan	$92,505	$113,781	$116,625	$322,910
Yorke and Mid North	$192,683	$237,001	$242,926	$672,610
Totals	$1,289,638	$1,586,255	$1,625,912	$4,501,805

Region	2028-29	2029-30	2030-31	Total Extension Option 1 Jul 28 – 30 Jun 31	GRAND TOTAL
Adelaide Hills	$122,492	$125,554	$128,693	$376,739	$707,621
Barossa, Light and Lower North	$135,146	$138,525	$141,988	$415,658	$780,723
Eyre and Western	$220,132	$225,636	$231,277	$677,045	$1,271,679
Far North	$144,431	$148,042	$151,743	$444,216	$834,361
Fleurieu and KI	$141,366	$144,900	$148,523	$434,790	$816,656
Limestone Coast	$165,960	$170,109	$174,362	$510,432	$958,734
Murray and Mallee	$201,310	$206,342	$211,501	$619,153	$1,162,941
Northern Adelaide - Outer Metropolitan	$167,182	$171,362	$175,646	$514,190	$965,792
Southern Adelaide - Outer Metropolitan	$119,541	$122,529	$125,592	$367,662	$690,573
Yorke and Mid North	$248,999	$255,224	$261,604	$765,827	$1,438,436
Totals	$1,666,559	$1,708,223	$1,750,929	$5,125,711	$9,627,516

CTSA funding cannot be used to purchase vehicles or infrastructure but may be used to contribute to vehicle leasing costs as a direct program expense.

2.4.1 Co-Contribution of Funding

Respondents may also opt to co-contribute funding to expand the capacity of the CTSA service in their local community(ies).

DHS welcomes proposals for co-contribution of funding and encourages respondents to provide details of any proposed co-contribution in their response, including any specific requirements or impacts of co-contribution on the proposed service e.g., the targeting of a specific place or population or contribution to expansion of the service as a whole.

Whilst details may be included in the submitted Budget, it is expected that it is made clear which budget lines are proposed to be funded through co-contributions and which would be funded through the proposed DHS funds.

2.5 Mandatory Requirements

Operator Accreditation

CTSA services fall within the category of "Special vehicle" transport under the *Transport Operations (Passenger Transport) Act 1994*. Accordingly, CTSA service providers have obligations under section 12(1) of the Act, which includes obtaining and maintaining Operator Accreditation from DIT.

Operator accreditation aims to uphold the high standards required for operating a passenger service in South Australia, ensuring that service operators comply with relevant regulations and standards. This includes verifying appropriate insurances with DIT and ensuring the roadworthiness of vehicles used in the service (annually).

Respondents must indicate whether they have current DIT Operator Accreditation, or whether they will attain it through their planned transition in to service provision.

2.6 Requirements

CTSA services support participation in community life and access to services, supports, and activities, to facilitate social inclusion and independence, in line with the CTSA Participant-Level Theory of Change in the Guidelines.

CTSA Partners provide the following four service types, summarised here and explained in detail in the Guidelines:

1. Connection Support

- Participant assessment including screening for eligibility, determining needs and priorities, monitoring and review, and data collection.
- Provision of information, guidance, and referrals to appropriate resources, supports, and services (including the CCP).

2. Transport Connection Support

CTSA Partners are required to prioritise strengthening participants' skills, capability, and confidence to access existing public, private, and community transport services, wherever possible (i.e., where accessible and affordable), to avoid reliance on CTSA services and extend the reach of the Program.

This includes providing information and support to access:

- Public transport, provided by:
  - Adelaide Metro, or
  - Regional Transport SA i.e., DIT regional intra- and intertown, social, school, and medical buses
- Private transport
- Transport subsidies, such as PATS, SATSS, and the Non-SATSS Access Taxi Card
- NDIS and MAC transport services
- Department for Education school transport services
- Other local community transport services

3. Direct Transport Support

Where no other transport option is available or appropriate, CTSA Partners can provide direct transport support, through a CTSA vehicle driven by an appropriately accredited volunteer or paid staff member.

Direct Transport Support offers CTSA participants a transport service (typically door-to-door i.e., individualised pick-up and drop-off points), facilitated by a trained and friendly CTSA driver.

4. Indirect Transport Support

Where no other transport option is available or appropriate, including Direct Transport, CTSA Partners can provide Indirect Transport Support through a taxi voucher or other subsidy.

2.6.1 Transport Purpose

The provision of Direct and Indirect Transport Support should align with the outcomes outlined in the CTSA Participant-Level Theory of Change. This may include transport for the purposes of:

- Accessing social, cultural and community activities and events that support social inclusion;
- Accessing support needed to meet fundamental needs for living such as shopping for groceries (including subsidised and low-cost food outlets), medications, and other requirements for daily living
- Accessing local services, such as the library, bank, community centre, and community/social services
- Attending medical appointments

CTSA Partners may provide transport for 'Other' purposes, in line with the considerations noted in the Guidelines.

2.6.2 Coordination of Bookings for DIT Regional Buses

Applicable only to the Murray and Mallee and Yorke and Mid North Service Regions

DIT funds regional bus services in certain regions, provided by a transport provider under a DIT Service Contract.

CTSA services in these regions are additionally required to be the first point of contact for the service, assessing a person's eligibility, and coordinating bookings on behalf of the contracted provider. In recognition, a nominal funding supplement is applied to these service contracts.

Further information is provided in the Guidelines.

2.6.3 System level requirements

To meet its purpose and commitment to participants and communities, the Community Connections system has a driving objective of **connecting the systems that connect people**.

System Partners are required to work together, with support from DHS, towards the outcomes in the System Level Theory of Change through a shared commitment to the System Level Objectives. Both are outlined in the Guidelines.

2.6.4 Quality requirements:

Australian Service Excellence Standards

CTSA Partners are expected to endorse and promote the principles and practices of quality improvement by working towards attaining and maintaining continuous accreditation in the Australian Service Excellence Standards (ASES), or a DHS-approved equivalent. CTSA Partners may negotiate accreditation against other quality Standards with DHS to ensure alignment with the ASES outcomes.

Volunteer Driver Assessment Program

The Volunteer Driver Assessment Program (VDAP) enhances safety, service quality, and program effectiveness by ensuring volunteer drivers meet thorough safety standards, including background and driving history checks.

All volunteer and paid drivers involved in the delivery of CTSA services are required to obtain accreditation from DIT.

Child Safe Environments

CTSA Partners are required to establish appropriate policies and procedures in line with Child Safe Environment requirements in accordance with section 8C of the *Children and Young People (Safety) Act 2017*.

Volunteers

In accordance with the National Standards for Volunteer Involvement, CTSA Partners will ensure:

- Opportunities for volunteering are actively promoted and championed;
- Volunteer roles are meaningful and maximise the use of volunteers' skills and experience, with appropriate recognition of their contribution;
- Volunteers' health, safety, and wellbeing are protected;
- Volunteers are supported to develop or maintain confidence, connection with others, new skills, and a sense of personal purpose and belonging, whilst contributing to the CTSA service; and
- Appropriate volunteering policies are developed and continuously improved, in line with the National Standards for Volunteer Involvement.

Vehicles

CTSA Partners must have or establish access to appropriate vehicles for the delivery of direct transport services, and in line with relevant obligations under the *Passenger Transport Act 1994*, ensure that these vehicles:

- Are in a safe working condition and maintained, equipped, and operated in compliance with all applicable legislation and authorisations;
- Are registered and appropriately insured; and
- Are appropriate to deliver the services in the relevant environment.

CTSA Partners must also establish risk management and contingency plans for incidents such as a vehicle breakdown and accidents.

2.6.5 General service requirements:

In line with the requirements set out in the Guidelines, CTSA Partners:

- are informed by the best available evidence relevant to achieving the intended outcomes for the identified target population;
- demonstrate an understanding of the South Australian transport system, in particular the function and context of community transport services;
- provide services face to face and via outreach and remote delivery methodologies;

- maintain at least one physical office base in the Region from which face to face services are provided;
- provide flexible services that are reflective of the needs of the community, which may include out of normal business hours. At a minimum, the hours of operation will be Monday to Friday, during normal business hours;
- deliver services in line with the Service Principles;
- establish and undertake processes to determine the eligibility of a person requesting CTSA support, including observing the Program Exclusions;
- establish and undertake processes for managing service demand and prioritisation;
- ensure equity of service access;
- have specific engagement strategies for the CTSA's priority access groups;
- establish effective referral pathways (both in and out of the service);
- undertake an assessment approach that aligns with the Assessment Principles;
- report participant and service data to DHS, including quantitative data on service delivery activities and referrals, and qualitative data on collaboration across the system;
- develop a policy specifying the level of participant contribution towards service costs in line with the Participant Contribution for Services Principles; and
- ensure participant voice is captured in the design, delivery and evaluation of the service.

2.6.6 General organisational requirements

CTSA Partner organisations are required to:

- establish and maintain a workforce (including volunteers) who are:
  - appropriately qualified and operate within a framework which includes appropriate professional supervision and peer support; and
  - supported by suitable recruitment, training and development practices relevant to the specific requirements of the service model;
- have a business continuity plan which includes:
  - a sound contingency plan for when key staff are on extended periods of leave (e.g. annual leave, sick leave) or it they vacate their position; and
  - effective business continuity protocols that demonstrate resilience to unforeseen circumstances and service disruption, including the impacts of the COVID-19 pandemic; and
- Commit to the principles of continuous quality improvement and development as a learning organisation to improve practice over the Term of the Service Agreement, working with the Government Party as required to achieve this.

2.7 Timeframes

The proposed contract term is 1 September 2025 to 30 June 2028 plus one three-year extension option to 30 June 2031 for a total agreement period of five years and ten months.

CTSA Partners will provide the following reports:

- Six monthly data and financial acquittal reports to be provided on the 30th day of the month immediately following the close of the quarter; and

- Annual financial reports as prescribed in the Funding Agreement.

DHS and CTSA Partners will undertake a formal performance review at least annually to discuss achievements against desired outcomes.

2.8 Performance

Performance will be measured and monitored via:

- the participant, service, and financial data submitted to DHS on a regular basis;
- regular contract management meetings; and
- formal performance review processes.

Reporting measures and KPIs will be established in negotiation with the successful Respondents and will align with the CTSA Theories of Change (see the Guidelines). Measures may include but are not limited to:

- The number of trips delivered;
- The number of kilometres travelled;
- The number of unique participants supported;
- The number of volunteers engaged in the service;
- Participant and volunteer satisfaction;
- Positive volunteer outcomes achieved;
- Positive participant outcomes achieved; and
- Positive system outcomes contributed to.

Indicative service levels

Whilst KPIs for each service region will be negotiated with the successful Respondents and will be proportionate to regional transport disadvantage levels (and therefore funding levels), the following indicative service levels are provided as a guide to assist interested Respondents with service model planning.

These levels are broadly based on historic service levels under the CPN program and reflect an indicative annual service level for the base funding level across all CTSA services:

- Total trips delivered (direct and indirect) = 1,200
- Unique participants supported = 100

2.9 Contract Management

Each CTSA service agreement will be managed by a DHS contract manager who will work in partnership with the service provider to monitor and support the delivery of services under this contract.

The DHS contract manager will work with the service provider through a relational approach, and with a strong focus on continuous improvement, to:

- Maximise the impact of the funded service;
- Ensure and support the integration of the service within the Community Connections, DHS, and broader social services systems;
- Monitor feedback on service, program, and system performance to inform DHS service development and commissioning activities;

- Ensure the application of funding and delivery of the service aligns with the requirements of the service agreement; and
- Address any performance issues as they arise.

CTSA Partners will be expected to nominate a primary contact (i.e., the service provider contract manager) as a liaison point for contract management communications and reporting requirements.

Before or soon after the term of the agreement commences, the DHS contract manager will conduct a Risk Assessment to assign an appropriate Risk Rating, to be regularly reviewed and adjusted throughout the term of the agreement as required.

Thereafter, performance will be measured and monitored via the participant, service, and financial data submitted to DHS on a regular basis, in addition to regular contract management meetings and formal performance review processes. Within the Community Connections system, feedback from System Partners within the same region and regular reporting on the health and quality of the system are also considered as part of performance monitoring.

Confidentiality

CTSA Partners will commit to safeguarding client privacy by ensuring all personal and appointment-related information remains confidential. This includes, but is not limited to, details about clients' appointments and any associated personal data. CTSA Partners will develop protocols and procedures to guarantee that information is shared only with authorised personnel and is protected against unauthorised access.

Any breach of confidentiality will be addressed promptly and may result in corrective actions.

3 TRANSITION

3.1 Transition In

A detailed Transition In Plan will be required, including milestones and timeframes to be ready for service commencement on 1 September 2025. The Transition In Plan should identify any potential challenges that may arise during the transition phase and how they will be overcome or addressed.

The Transition In Plan must consider the safe transition of any existing participants (and volunteers, as appropriate), where the successful Respondent will be operating in a region formerly serviced by another service provider under the CPN Program. In particular, the Plan should ensure continuity of support, particularly where a participant’s health and wellbeing would be at risk in the event of a service delay (e.g., where transport is required to attend medical appointments).

3.2 Transition Out

An appropriate Transition Out Plan will also be required.

Contracted service providers will be required to provide a detailed Transition Out Plan when requested to do so by DHS.

4 GLOSSARY

Term	Definition
Aboriginal	This document respectfully uses the term ‘Aboriginal’ to refer to people who identify as Aboriginal, Torres Strait Islander, or both.

Term	Definition
Community	Community can be defined in many ways. It can denote those who live in a specific region and/or those who share certain characteristics (for example cultural history, religious belief), and/or those who come together through shared interests or concerns (Maguire & Cartwright, 2008). Communities can be located within a bound physical space or be geographically dispersed, as with online or virtual communities (Porter 2004). Families and individuals can belong to multiple communities and can move among different communities at different times. A community can be thought of as "any existing or potential network of individuals, groups and organisations that share or have the potential to share common concerns, interests and goals" (Dower & Bush 2003).
CCP	Community Connections Program
Community Transport (CT)	Services that are run for social purpose, not for profit, and support people who are vulnerable and/or isolated to participate in their local community and access vital services. These services typically operate with a network of volunteers.
CTSA Partners	Organisations funded to provide Community Transport South Australia services.
Disability	According to the *Disability Inclusion Act 2018*, disability in relation to a person is defined as: 'long-term physical, psychosocial, intellectual, cognitive, neurological or sensory impairment, or a combination of any of these impairments, which in interaction with various barriers may hinder the person's full and effective participation in society on an equal basis with others.'
DIT	Department for Infrastructure and Transport
MAC	My Aged Care
NDIS	National Disability Insurance Scheme
Participants	Any person who receives services and support through CTSA.
PATS	Patient Assistance Transport Scheme
Region	Region means the 12 South Australian Government Regions (noting that only ten are being targeted through this process).
SATSS	South Australian Transport Subsidy Scheme**,** a subsidy program delivered by DIT.
System Partner	Services funded under the same DHS-funded system.
Transport Disadvantage	Having no or limited access to private or public transport due to a functional disability, mobility limitations, financial disadvantage, location (in particular regional and remote), and availability and accessibility of existing services.

5 ATTACHMENTS

- Attachment 1: Community Transport SA Program Guidelines

STANDARD NOT FOR PROFIT SECTOR FUNDED SERVICES AGREEMENT

Government of South Australia

AGREEMENT made on <insert day> of <insert year>

BETWEEN:

THE GOVERNMENT PARTY NAMED IN ITEM 1 OF ATTACHMENT 1 ("**the Government Party**")

AND:

THE NOT FOR PROFIT ORGANISATION NAMED IN ITEM 2 OF ATTACHMENT 1 ("**NFP**")

IT IS AGREED

A. The Government Party wishes to provide Block Funding to the NFP for the purposes of providing the Funded Services to the community on the terms and conditions of this Agreement.
B. This Agreement comprises this Execution Page, the Agreement Details (Attachment 1), the Standard Terms and Conditions (Attachment 2), the Special Conditions (Attachment 3), the Funded Services (Attachment 4), the Block Funding and Payment Details (Attachment 5) and the Acquittal Form (Attachment 6).

EXECUTED AS AN AGREEMENT

INSERT EXECUTION BLOCKS BELOW

Example Only

Attachment 1 – Agreement Details

Item 1	**Government Party**	<insert name> <insert ABN> <insert address>
Item 2	**Not for Profit Organisation (NFP)**	<insert name> <insert address>
Item 3	**Commencement Date**	<insert date>
Item 4	**Expiry Date**	<insert date>
Item 5	**Extension Period(s)**	<insert period(s) or insert "not applicable">
Item 6	**NFP's ABN**	<insert ABN> Registered for GST: <Yes/No>
Item 7	**Contract Managers**	Government Party: <insert contact details> NFP: <insert contact details>
Item 8	**Named Persons**	<insert names and positions or insert "not applicable">
Item 9	**Purpose**	<insert brief description of Funded Services>
Item 10	**Reports and Meetings**	<insert description> <insert dates>
Item 11	**Block Funding and Payment Details**	Block Funding: $<insert> (GST inclusive unless clause 9.2 applies) Manner of Payment: <insert details> Schedule of Payments: <insert payment date and amounts> Address for invoices: <insert details> *If required include detailed Schedule of Payments in Attachment 5*
Item 12	**Tax Invoice Issuing Party**	☐ Government Party ☐ NFP
Item 13	**Block Funding Reconciliation Dates**	<insert dates>
Item 14	**Additional NFP Financial Information**	☐ Yes ☐ No
Item 15	**Service Credit/Abatement**	<insert service credit or abatement for failure to meet a Service Level or insert "not applicable">
Item 16	**Quality Standards**	<insert description>

Example Only

Item 17	**Insurances** Public Liability Insurance Professional Indemnity Insurance	 Not less than $1,000,000 ☐ Professional Indemnity Insurance required <insert amount> The Professional Indemnity Insurance held by the NFP must include a minimum period of 3 years.
Item 18	**Liability Limit**	*The following Liability Limit has been approved by Cabinet (25 July 2016) for low and medium risk contracts* <insert between [1 and 5] x [the Total Block Funding Amount (inc. GST)]. Multiple to be based on Government Party's risk assessment> *For high risk contracts please contact Crown Solicitor's Office*
Item 19	**Additional Transition Requirements**	<insert additional transition requirements or insert "not applicable">
Item 20	**Approved Subcontractors**	<insert relevant details or insert "not applicable">
Item 21	**Additional Personnel Checks**	<e.g. Working with children check under the *Child Safety (Prohibited Persons) Act 2016* or insert "not applicable">
Item 22	**Notice Period for Termination for Convenience**	<insert period or "not applicable">
Item 23	**Form of Block Funding Acknowledgement**	<insert requirements>

Example Only

Attachment 2 - Standard Terms & Conditions

AGREED TERMS

1. CONTRACT LENGTH

1.1 This Agreement commences on the Commencement Date and continues until the Expiry Date, unless terminated earlier or extended under clause 1.2.

1.2 This Agreement may be extended by the Government Party for the Extension Period(s) by giving reasonable notice in writing prior to the Expiry Date.

2. CONTRACT MANAGERS

The persons named in Attachment 1 as the Contract Managers are the first point of contact between the Parties and are responsible for overseeing the effective administration of the Agreement including variations and extensions.

3. PURPOSE

3.1 The NFP must use the Block Funding solely for the Purpose to achieve the Outcomes.

4. SUPPLY OF FUNDED SERVICES

4.1 The NFP must ensure that the NFP's Personnel provides the Funded Services described in Attachment 4 in accordance with the terms and conditions of this Agreement.

4.2 Where Attachment 1 specifies Named Persons, then the Funded Services must be delivered by those Named Persons.

4.3 The NFP may substitute a Named Person with the consent of the Government Party, subject to the Government Party being satisfied as to the expertise, experience and suitability of the substitute.

4.4 The NFP must ensure that Funded Services are delivered:

(a) to a standard that meets or exceeds the Service Levels;

(b) in accordance with the quality standards specified in Attachment 1;

(c) in accordance with the warranties in clause 6; and

(d) in accordance with any policies and directions notified in writing by the Government Party to the NFP at the Commencement Date; and

(e) by any Milestone Dates.

4.5 If service credits or fee abatements are specified in Attachment 1 and if the NFP fails to meet a Service Level the Government Party's remedy will be the payment of that service credit or fee abatement.

5. SERVICE VARIATION

5.1 If either Party wishes to vary the scope of the Funded Services ("**Variation**"), it must follow the procedure set out below.

5.2 If the Government Party requires a Variation, it must issue a written request to the NFP and the NFP must within 14 days (or such other period as agreed) provide a written quote ("**Quote**") setting out the information specified in clause 5.4.

5.3 If the NFP requires a variation it must issue a Quote to the Government setting out the information specified in clause 5.4.

5.4 A Quote must contain the following information:

(a) any impacts on the timing of or completion of tasks;

(b) any variation to the funding and payment arrangements; and

(c) any changes to the terms that apply to the performance of the Funded Services.

5.5 The Parties must negotiate in good faith to agree on the change to the funding and other terms applicable to the Variation.

5.6 If the Parties agree in writing to the terms of the Variation then:

(a) the NFP must ensure that the Funded Services are performed as varied by the Variation;

(b) the Government Party must pay the varied Block Funding; and

(c) the terms and conditions of the Agreement are varied by the terms of the Variation.

6. NFP'S WARRANTIES

6.1 The NFP warrants that the Funded Services will:

(a) comply with the description of the Funded Services in Attachment 4;

(b) be provided with due care and skill;

(c) be provided in a timely and efficient manner;

(d) be supplied without infringing any person's Intellectual Property Rights; and

(e) be supplied in the most cost effective manner consistent with the required level of quality and performance.

6.2 The NFP warrants that it has all rights, title, licences (including where relevant a labour hire licence), authorisations, consents and other approvals necessary to provide the Funded Services.

7. NFP'S PERSONNEL

7.1 The NFP, if required by the Government Party, must give its consent to and procure the consent of the NFP's Personnel, to the conduct of a police check or any Additional Personnel Checks specified in Attachment 1.

7.2 If the Government Party acting reasonably, considers any one or more of the NFP's Personnel to be an Unsuitable Person then the Government Party may give the NFP notice in writing requiring those persons to be withdrawn from supplying the Funded Services and the NFP must immediately comply with the notice and provide replacement Personnel acceptable to the Government Party.

8. FUNDING AND INVOICING

8.1 If the Tax Invoice Issuing Party is the Government Party:

(a) the Parties agree that this Agreement satisfied the requirement for a written agreement specifying the supplies to which the Recipient Created Tax Invoice ("**RCTI**") relates;

(b) the Government Party must provide a copy of the Tax Invoice to the NFP within 30 days of the making, or determining of the value, of the Taxable Supply in respect of the Funded Services; and

(c) the NFP must not issue a Tax Invoice in respect of Funded Services the subject of the RCTI.

8.2 If the Tax Invoice Issuing Party is the NFP, the NFP may invoice the Government Party for payment in respect of Funded Services, in advance of the supply of the Funded Services.

8.3 The Government Party will pay the Block Funding in the amounts and at the times specified in Attachment 1 upon either production or receipt of a Tax Invoice.

8.4 The NFP must ensure that it can properly account for the Block Funding received under the Agreement.

8.5 For agreements greater than 12 months, on each anniversary of the Commencement Date during the period of the Agreement:

Example Only

(a) the amount of unpaid Block Funding will be indexed by the NFP Indexation Rate for that Financial Year; and

(b) the Government Party must issue a revised Schedule of Payments (including past amounts paid and indexed instalments payable for the remaining funding period).

8.6 Clause 8.5 does not apply if the Government Party advises the NFP that the Block Funding payable for each year of the Agreement has already been indexed by the NFP Sector Indexation Rate.

8.7 The NFP must create accruals and provisions that are consistent with prudent management and proper accounting practice to meet such obligations.

9. GST

9.1 Subject to clause 9.2 the NFP represents that:

(a) the ABN shown in Attachment 1 is the NFP's ABN; and

(b) it is registered under the *A New Tax System (Australian Business Number) Act 1999* (Cth).

9.2 If the NFP is not registered for GST, then GST must not be charged on supplies made under this Agreement.

10. REPAYMENT OF UNALLOCATED OR MISUSED FUNDS

10.1 Upon each anniversary of the Commencement Date during the Agreement or other date as may be specified in Attachment 1 ("**Block Funding Reconciliation Date**") and at the end of the Agreement, if the NFP has not expended all of the Block Funding, it must notify the Government Party of the unexpended amount and may submit a written request for retention or carryover of unexpended amounts specifying:

(a) the amount to be retained or carried over; and

(b) the purpose for which the unexpended amount will be used.

10.2 The Government Party must consider the NFP's request and notify the NFP in writing whether it:

(a) agrees that the NFP may retain or carry over all or part of the unexpended amount; or

(b) requires the NFP to repay all or part of that amount as notified by the Government Party, to the Government Party within 30 days of receipt of the notice from the Government Party.

10.3 If the NFP does not apply any part of the Block Funding for the Purpose the Government Party may require the NFP to repay the portion of misused Block Funding within 30 days of a written demand from the Government Party.

11. PROVISION OF INFORMATION

11.1 The NFP must provide those reports and other documents and must attend meetings as specified in Attachment 1.

11.2 If the Government Party requires additional reports to those specified in clause 11.1, the NFP must provide a quote of its reasonable costs in preparing the additional reports and if the Government Party accepts the quote the NFP must provide those reports.

11.3 The NFP must immediately inform the Government Party of any significant changes to the nature and/or scope of the activities conducted by the NFP which would impact on the Purpose or the Outcomes under this Agreement.

12. FINANCIAL REPORTING AND AUDITING

12.1 The NFP must provide an acquittal in relation to the expenditure of all Block Funding under this Agreement using the form in Attachment 6:

(a) certifying that the Block Funding has been properly spent, in accordance with the requirements of the Agreement;

(b) signed by two persons authorised by the NFP's board of management (or equivalent); and

(c) within three months of the end of each Financial Year during the Term or other dates as may be specified in Attachment 1 ("**Block Funding Reconciliation Dates**").

12.2 If the NFP is required by law to prepare audited financial statements, the NFP must provide the Government Party with copies of such audited financial statements, within 6 months of the end of each Financial Year during the Term.

12.3 If the NFP is not required by law to prepare audited financial statements, and only if specified in Attachment 1, the NFP must provide the Government Party with the following financial statements, within six months of the end of each Financial Year during the Term:

(a) A balance sheet;

(b) An income and expenditure statement; and

(c) A statement of changes in equity for the financial year

(together "**Additional NFP Financial Information**").

12.4 The NFP agrees the Government Party may direct that the financial accounts of the NFP be audited at the Government Party's cost and that the Government Party may specify the minimum qualification that must be held by the person appointed to conduct the audit.

12.5 If the audit discloses that the NFP has applied the Block Funding for a purpose other than the Purpose then the Recipient will be required to reimburse the Government Party the costs of the audit and clause 10.3 will apply.

13. INSPECTION

13.1 Where the Government Party reasonably suspects that the Block Funding has not been used for the Purpose the Government Party may on giving reasonable written notice to the NFP, enter the premises of and inspect the operations of the NFP (including equipment, premises, accounting records, documents and information) and interview the NFP's Personnel on matters pertaining to the operations and reporting obligations of the NFP under this Agreement..

14. INTELLECTUAL PROPERTY RIGHTS

14.1 Nothing in this Agreement affects the ownership of Intellectual Property Rights created before the Commencement Date.

14.2 The NFP grants to the Government Party and the Crown in right of the State of South Australia a perpetual, irrevocable, royalty free, fee free licence to use, copy, modify and adapt any Intellectual Property Rights in any reports or manuals required to be supplied under this Agreement.

15. CONFIDENTIAL INFORMATION

15.1 Subject to this clause 15, neither Party may disclose any Confidential Information belonging to the other Party except as genuinely and necessarily required for the purpose of this Agreement.

15.2 A Party may disclose Confidential Information belonging to the other Party:

(a) to an employee, agent or adviser of that Party, on a "need to know" and confidential basis;

(b) as required by law or a court order;

(c) in accordance with any Parliamentary or constitutional convention; or

(d) for the purposes of prosecuting or defending proceedings.

15.3 The Parties may mutually agree to disclose Confidential Information.

16. PRIVACY

16.1 The NFP must:

(a) comply with the South Australian Government Information Privacy Principles (a copy of which can be found at

Example Only

http://www.dpc.sa.gov.au/documents/rendition/B17711#sthash.s76QhRX6.dpuf) ("**IPPs**") as if the NFP were an "agency" for the purposes of the IPPs, in undertaking its obligations under this Agreement including in relation to all Personal Information received, created or held by it for the purposes of this Agreement; and

(b) allow the Government Party to undertake, and cooperate with any audit or investigation which the Government Party deems necessary to verify that the NFP is complying with the IPPs.

16.2 The NFP must promptly notify the Government Party if it fails to comply with this clause or if it becomes aware of any actual or threatened disclosure of or unauthorised access to Personal Information.

17. PUBLICITY

17.1 The NFP will acknowledge the Block Funding by the Government Party in any advertising, publicity or promotional material relating to this Agreement in the manner specified in Attachment 1.

17.2 The NFP will participate in promotional or publicity activity in relation to this Agreement as is reasonably required by the Government Party.

17.3 The NFP and the Government Party must use their best endeavour to mutually agree on the content of any public announcements or media releases about this Agreement.

17.4 If due to urgent circumstances or due to the nature and timing of the media request, it is not possible to provide prior notice of an announcement or media release to the other Party, then the Party making the announcement or media release must notify the other Party and provide a summary of the announcement or a copy of the media release as soon as possible after making the announcement or media release.

17.5 Nothing in this clause derogates from the operation of the *Not-for-Profit Sector Freedom to Advocate Act 2013*.

18. INSURANCE

18.1 The NFP must effect and maintain the policies of insurance specified in Attachment 1 for not less than the amounts specified in Attachment 1.

18.2 The policies of insurance referred to in clause 18.1 must be held during the Agreement and for any applicable run off period.

19. LIABILITY LIMIT

19.1 The NFP's liability to the Government Party under this Agreement is limited to the amount specified in Attachment 1.

20. SET-OFF

Any claim the Government Party may have against the NFP may be set off against monies owed to the NFP under this Agreement.

21. DISPUTE RESOLUTION

21.1 Subject to clause 21.4 a Party may not commence legal proceedings without first referring the dispute to the other Party under this clause.

21.2 Either Party may give the other a notice in writing ("**dispute notice**") setting out the details of the dispute.

21.3 Within 7 days or such other period as may be agreed by the Parties, the Contract Managers must meet and use reasonable endeavours to resolve the dispute.

21.4 A Party may seek immediate interlocutory relief or other interim remedy in case of genuine urgency.

22. ENDING THIS AGREEMENT

22.1 The Government Party may terminate this Agreement immediately upon giving notice in writing to the NFP if:

(a) the Government Party reasonably forms the opinion that the NFP will be unable to perform its obligations under this Agreement;

(b) the NFP is in breach of this Agreement and has not rectified such breach within 14 days of the Government Party giving notice in writing to the NFP requiring the rectification of such breach;

(c) the NFP does not use the Block Funding for the Purpose to achieve the Outcomes (if specified in Attachment 1);

(d) the Government Party becomes aware that the NFP is in material breach of its statutory obligations with respect to its employees;

(e) the NFP fails to comply with a notice issued under clause 7.2; or

(f) the NFP fails to disclose a conflict of interest;

or

(g) the NFP suffers or, in the reasonable opinion of the Government Party, is in jeopardy of becoming subject to any form of insolvency administration or bankruptcy.

22.2 Either Party may terminate this Agreement without cause by giving the other Party the period of notice specified in Attachment 1 which must not be less than 3 months ("**Notice Period for Termination for Convenience**").

22.3 If the Government Party terminates this Agreement in accordance with clause 22.2:

(a) the NFP has no claim against the Government Party arising out of or in relation to such termination other than the right to be paid:

(i) for Funded Services provided before the effective termination date; and

(ii) subject to clause 22.4, any reasonable unavoidable costs directly attributable to the termination of the Agreement but the Government Party shall have no liability for any lost earnings or opportunity costs; and

(b) the NFP must comply with all reasonable directions given by the Government Party.

22.4 The NFP must provide to the Government Party documentary evidence that it has incurred the costs referred to in clause 22.3 and if the claim is not disputed the Government Party must pay such claim within 30 days of receipt of the claim.

22.5 The NFP may terminate this Agreement immediately upon giving notice in writing to the Government Party if the Government Party is in breach of this Agreement and has not rectified such breach within 14 days of the NFP giving notice in writing to the Government Party requiring the rectification of such breach and the NFP is entitled to be paid for Funded Services provided before the effective termination date.

23. EFFECT OF ENDING THIS AGREEMENT

23.1 Any termination of this Agreement by either Party does not affect any accrued right of either Party.

23.2 Despite termination or expiry of this Agreement, this clause 23 and clauses 6, 10, 11, 12 , 13.1, 14, 15, 16,18.2 (where there is a requirement to maintain professional indemnity insurance), 19, 20 and those Special Conditions that by their nature remain in force, will survive.

24. TRANSITION

24.1 Upon the commencement of this Agreement and as and when otherwise required, the NFP must, if applicable, co-operate with the Government Party and the previous provider of the Funded Services and do all things necessary for the effective, smooth and efficient handover of the Funded Services to the NFP to ensure that the standard and delivery of the Funded Services do not suffer.

24.2 Upon the expiry or earlier termination of the Agreement if required by the Government Party, the NFP must co-

Example only

operate with the Government Party and do all things necessary, and provide all relevant information and records, for the effective, smooth and efficient handover of the Funded Services to the Government Party or any incoming service provider to ensure that the standard and delivery of the Funded Services do not suffer.

24.3 The NFP must comply with the additional transition requirements (if any) set out in Attachment 1 of the Agreement.

24.4 The Government Party must pay the transition costs (if any) set out in Attachment 1 of the Agreement.

25. SUBCONTRACTING

25.1 With the exception of the Approved Subcontractors described in Attachment 1, the NFP must not engage any subcontractor without the prior written permission of the Government Party.

25.2 The NFP remains responsible for obligations performed by the subcontractors' personnel to the same extent as if such obligations were performed by the NFP.

26. WORK HEALTH & SAFETY

26.1 The NFP must comply with the *Work Health and Safety Act 2012* (SA) at all times, regardless of whether the Government Party issues direction in that regard or not.

26.2 If all or part of the Funded Services under this Agreement is to be provided on the premises of the Government Party and under the direction of the Government Party, the NFP must comply and must ensure that the NFP's Personnel complies with the Government Party's work health and safety policies, procedures and instructions. If the NFP becomes aware of any potentially hazardous situation on the Government Party's premises, the NFP must immediately bring it to the Government Party's attention.

27. CONFLICT OF INTEREST

27.1 The NFP must disclose in writing to the Government Party all actual and potential conflicts of interest that exist, arise or may arise (either for the NFP or the NFP's Personnel) in the course of performing its obligations under this Agreement as soon as practical after it becomes aware of that conflict.

28. CONTRACT DISCLOSURE

28.1 The Government Party may disclose this Agreement and/or information in relation to this Agreement in either printed or electronic form, and either generally to the public or to a particular person as a result of a specific request.

28.2 Nothing in this clause derogates from:

(a) the NFP's obligations under any provisions of this Agreement; or

(b) the provisions of the *Freedom of Information Act 1991* (SA).

29. COMPLIANCE WITH LAWS

The NFP must comply with the laws in force in the State of South Australia in performing its obligations under this Agreement.

30. GOVERNING LAW AND JURISDICTION

30.1 This Agreement is governed by the laws in the State of South Australia.

30.2 The courts of the State of South Australia have exclusive jurisdiction in connection with this Agreement.

31. ENTIRE AGREEMENT

The Agreement constitutes the entire agreement between the Parties in respect of the matters dealt with in this Agreement and supersedes all prior agreements, understanding and negotiations in respect of the matters dealt with in this Agreement.

32. NO ASSIGNMENT

32.1 The NFP must not assign, encumber or otherwise transfer any of its rights or obligations under this Agreement without the written approval of the Government Party which approval will not be unreasonably withheld.

32.2 Subject to any contrary legislative intention, the Parties agree that if there is any Machinery of Government Change, this Agreement is deemed to refer to the new entity succeeding or replacing the Government Party and all of the Government Party's rights and obligations under this Agreement will continue and will become rights and obligations of that new entity.

33. MODIFICATION

No addition to or modification of any provision of this Agreement will be binding upon the Parties unless agreed by the Parties in writing.

34. SEVERANCE

34.1 Each word, phrase, sentence, paragraph and clause of this Agreement is severable.

34.2 Severance of any part of this Agreement will not affect any other part of this Agreement.

35. COUNTERPARTS

This Agreement may be executed in any number of counterparts each of which is taken to be an original. All of those counterparts taken together constitute one (1) instrument. An executed counterpart may be delivered by email.

36. NO FURTHER OBLIGATION

36.1 The NFP acknowledges the Government Party will not be liable to reimburse the NFP for any losses or cost over runs that may result from the operation of this Agreement or the carrying out of the Purpose.

37. FEEDBACK AND COMPLAINTS

37.1 The NFP will establish a feedback and complaints process for recipients of the relevant Funded Services and other stakeholders ("**stakeholders**") which:

(a) is user friendly and stakeholder-focussed;

(b) responds to feedback and complaints promptly objectively, fairly and confidentially;

(c) resolves issues raised by stakeholders who are dissatisfied in a timely and cost-effective way;

(d) provides remedies if a complaint is substantiated;

(e) provides a system for review of decisions; and

(f) includes a system to capture data about feedback and complaints.

37.2 The NFP must use feedback and complaint information to identify and implement improvements to the Funded Services.

38. INTERPRETATION

38.1 In this Agreement (unless the context requires otherwise):

(a) a reference to any legislation includes:

(i) all legislation, regulations and other forms of statutory instrument issued under that legislation; and

(ii) any modification, consolidation, amendment, re-enactment or substitution of that legislation;

(b) a word in the singular includes the plural and a word in the plural includes the singular;

(c) a reference to two or more persons is a reference to those persons jointly and severally;

(d) a reference to dollars is to Australian dollars;

(e) a reference to a Party includes that party's administrators, successors and permitted assigns.

Example Only

39. DEFINITIONS

In this Agreement:

(a) "**Approved Subcontractors**" means those subcontractors specified in Attachment 1;

(b) "**Block Funding**" means the funds payable under the Agreement specified in Attachment 1 and includes any variation to the funds under clause 5 and previous indexation amounts applied and notified under clause 8.;

(c) "**Confidential Information**" means information which is identified as confidential information by a Party, but does not include this Agreement;

(d) "**Conflict of Interes**t" means a situation where there is potential or an actual conflict between the private interests of the NFP or any of its Personnel and the NFP and its Personnel's obligations under this Agreement;

(e) "**Extension Period(s)**" means the period(s) specified in Attachment 1;

(f) "**Funded Services**" means services that are provided in exchange for Block Funding as specified in Attachment 4;

(g) "**GST**" means the tax imposed by the GST Law;

(h) "**GST Law**" has the meaning attributed in the *A New Tax System (Goods and Services Tax) Act 1999* (Cth);

(i) "**Intellectual Property Rights**" means all intellectual property rights, including but not limited to:

(i) patents, copyright, registered designs, trademarks, know-how and any right to have Confidential Information kept confidential; and

(ii) any application or right to apply for registration of any of the rights referred to in paragraph (a),

but for the avoidance of doubt excludes moral rights and performers' rights;

(j) "**Machinery of Government Change**" means a change to the structure, function or operations of the South Australian Government or the Government Party as a result of any government reorganisation, restructuring or other organisational or functional change;

(k) "**Milestone Dates**" means dates by which Funded Services or Reports and Documentation must be delivered as specified in Attachment 4;

(l) "**Named Persons**" means the persons specified in Attachment 1;

(m) "**NFP Sector Indexation Rate**" is the annual rate as published on the Department of Treasury and Finance www.treasury.sa.gov.au;

(n) "**NFP's Personnel**" means any Approved Subcontractors, employees, agents, subcontractors engaged under clause 25 and any other person employed or engaged by the NFP to perform this Agreement and includes the Named Persons.

(o) "**Notice Period for Termination for Convenience**" means the time period specified in Attachment 1;

(p) "**Other Termination Right**" means the termination rights specified in Attachment 1;

(q) "**Outcomes**" means the public benefits to be achieved by the provision of the Funded Services as specified in Attachment 4;

(r) "**Party**" means a party to this Agreement;

(s) "**Personal Information**" means information or an opinion, whether true or not, relating to a natural person or the affairs of a natural person whose identity is apparent, or can reasonable be ascertained, from the information or opinion;

(t) "**Privacy Obligations**" means the NFP's obligations in relation to personal information specified in clause 16;

(u) "**Purpose**" means the purpose specified in Attachment 1;

(v) "**Service Levels**" means the service levels specified in Attachment 4; and

(w) "**Tax Invoice**" has the meaning attributable in the GST Law;

(x) "**Tax Invoice Issuing Party**" is the Party that will issue Tax Invoices nominated in Attachment 1;

(y) "**Taxable Supply**" has the meaning attributable in the GST Law;

(z) "**Unsuitable Person**" means a person who:

(i) is the subject of any arrest, charge or conviction for:

A. a sexual offence or an offence of indecency;

B. any offence of violence or deprivation of liberty (whether indictable or not) or other indictable offence; or

C. any other offence that the Government Party notifies the NFP in writing the Government Party considers renders the NFP Personnel unsuitable to be involved in the provision of Services; or

(ii) fails to pass any additional personnel check specified in Attachment 1.

40. SPECIAL CONDITIONS

The special conditions (if any) in Attachment 3 form part of this Agreement.

Example Only

Attachment 3 - Special Conditions

41. NON-EXCLUSIVITY

41.1 This Agreement is entered into on a non-exclusive basis.

41.2 The Government Party may purchase other services similar to the Funded Services from other providers.

42. COOPERATING WITH INVESTIGATIONS

42.1 The NFP acknowledges that the Chief Executive of the Department for Child Protection and the Special Investigations Unit of the Department for Child Protection ("Government Investigators") have the authority to institute investigations under child protection legislation.

42.2 The NFP must in relation to the Funded Services:

(a) cooperate with any investigation instituted by a Government Investigator; and

(b) use its best endeavours to ensure the co-operation of its officers, employees; and

(c) seek the cooperation of its volunteers, agents and sub-contractors.

42.3 Where the Government Investigator is entitled either by law or by the South Australian Government Information Privacy Principles to personal information and records containing personal information held by the NFP it may request and the NFP must provide, copies of the personal information and records.

43. INDUSTRY PARTICIPATION POLICY

43.1 The NFP must implement the NFP's Industry Participation Plan ("IPP") approved by the Industry Advocate ("IA").

43.2 The NFP must provide an Industry Participation Report ("IPP Report") in respect of each Industry Participation Reporting Period within two weeks of the end of each period

43.3 The Industry Participation Reporting Period is[1]:

(a) the period between the Commencement Date and the date six (6) months after the Commencement Date;

(b) each subsequent six (6) month period during the Term;

(c) if the Agreement ends on a date that is not an anniversary of the Commencement Date or an anniversary of the date in Special Condition 43.3(b), the period from the conclusion of the preceding Industry Participation Reporting Period until the date of termination or expiry of the Agreement;

43.4 The NFP must attend any meeting scheduled by the IA during the Term to review how the IPP is being implemented and advanced, and for this purpose, the NFP must provide all information reasonably requested by the IA. The IA must give the NFP not less than ten (10) Business Days' notice of any such meeting.

43.5 The IA may, by written notice require that the NFP within a reasonable time specified in the notice, provide information or documents to enable the IA to assess the NFP's compliance with this special condition.

43.6 If the IA reasonably believes that the NFP is not complying with the requirements of this special condition, the IA may by notice in writing direct that the supply comply with those requirements.

43.7 Upon receipt of the notice, if the NFP is of the opinion that its noncompliance is reasonable and justified, the NFP may provide a response to the IA outlining that opinion and the reasons for it.

43.8 The NFP's failure to comply, in whole or in part, with the commitments contained within the IPP will be a factor taken into account in the award of future contracts for the Government of South Australia.

43.9 In this special condition, "Industry Advocate" or "IA" means the person who from time to time has been appointed to the position of Industry Advocate and "Term" means the period of the Agreement.

44. CHILD SAFETY

44.1 **Additional Definitions**

(a) **Child Safety Act** means the *Children and Young People Safety Act 2017* (SA);

(b) **Prescribed Offence** has the meaning given in the Prohibited Persons Act;

(c) Prescribed Position has the meaning given in the Prohibited Persons Act;

(d) **Presumptive Disqualification Offence** has the meaning given in the Prohibited Persons Act;

(e) **Prohibited Person** has the meaning given in the Prohibited Persons Act;

(f) **Prohibited Persons Act** means the *Child Safety (Prohibited Persons) Act 2016* (SA);

(g) **Prohibition Notice** has the meaning given in the Prohibited Persons Act;

(h) **Working with Children Check** has the meaning given in the Prohibited Persons Act.

44.2 **Fundamental Term**

Despite any other clause, the Parties acknowledge that the rights and obligations under this clause are fundamental to this Agreement.

44.3 **No Prohibited Persons**

(a) The NFP must:

(i) comply with the obligations of employers under Division 2 Part 4 of Prohibited Persons Act in relation to NFP Personnel that are employed in Prescribed Positions and delivering Services;

(ii) as required by the Government Party's Contract Manager, verify that a Working with Children Check has been conducted in relation to the NFP Personnel in Prescribed Positions that are delivering Services; and

(iii) subject to clause 44.3(c), immediately procure the ongoing exclusion of any NFP Personnel that are employed in Prescribed Positions from involvement in delivery of the Services, if they are found to be a Prohibited Person.

[1] Where more frequent reporting requirements are negotiated during contract award this sub-clause must be adjusted to accord with the agreed requirements.

Example Only

(b) Unless such notification causes the NFP to be in breach of the Prohibited Persons Act the NFP must promptly notify the Government Party's Contract Manager if it becomes aware that NFP Personnel who are involved in the delivery of the Services:

(i) is a Prohibited Person; or

(ii) is the subject of any allegation, arrest, charge or conviction for a Prescribed Offence or a Presumptive Disqualification Offence (whilst not being the subject of a Prohibition Notice),

(c) The NFP will not be in breach of its obligation under clause 44.3(a)(iii) where the NFP has complied with its obligations under the Prohibited Persons Act and the central assessment unit has failed to provide notification to the NFP in accordance with section 41(1) of the Prohibited Persons Act.

(d) As often as reasonably requested by the Government Party, the NFP must give the State evidence satisfactory to the State of the NFP's compliance with the obligations of employers under Division 2 Part 4 of Prohibited Persons Act.

44.4 **Imposing Obligations on NFP Personnel**

The NFP must ensure that:

(a) NFP Personnel involved in the delivery of Services are aware of and act in a manner consistent with the provisions of this clause at all times; and

(b) NFP Personnel (not being the NFP) immediately inform the NFP if the NFP Personnel is the subject of any allegation, arrest, charge or conviction for a Prescribed Offence.

44.5 **Child Safe Environment**

In addition to all other obligations under this Agreement, where the NFP is an organisation to which section 114 of the Child Safety Act applies, the NFP must:

(a) (**policies and procedures**): have in place appropriate policies and procedures to ensure that, as required by the Child Safety Act:

(i) safe environments for children and young people are established and maintained; and

(ii) appropriate reports of child abuse and neglect are made;

(b) (**lodge statement**): lodge the statement required by section 114 of the Child Safety Act about the NFP's child safe policies and procedures with the Chief Executive of the Department for Child Protection, or such other government agency as the State or South Australian Government publicly notifies (**Successor Children's Protection Agency**), within 10 Business Days after putting in place those policies and procedures; and

(c) (**response**): respond, as soon as reasonably practicable (and in any event within 10 Business Days), to any written request by Department for Child Protection, Successor Children's Protection Agency or the Government party for information relating to the NFP's compliance with the requirements of this clause 44.

44.6 **Compliance with Child Safety Practices and Procedures**

The NFP must at all times comply with any practices, policies and procedures in relation to child safe environments notified in writing by the Government Party's Contract Manager.

44.7 **Effect of Non-Compliance**

If the NFP does not strictly, fully and immediately comply with any or all of its obligations under clauses 44.3(a) and 44.3(b), then such failure to comply will constitute a fundamental breach of the Agreement entitling the Government Party to terminate the agreement immediately upon giving notice in writing to the NFP.

45. INFORMATION SHARING

45.1 "**ISG**" means the Government of South Australia's updated Information Sharing Guidelines for Promoting Safety and Wellbeing strategy endorsed by Cabinet in 2008 and 2013, as amended from time to time.

45.2 Where applicable, to the full extent permitted by law and subject to the NFP's Privacy Obligations, the NFP agrees to share information in accordance with the ISG.

45.3 The NFP will, in consultation with a representative from the Department of the Premier and Cabinet, develop an ISG appendix for the NFP ("**NFP's ISG Appendix**"), as prescribed by the ISG (https://www.dpc.sa.gov.au/responsibilities/information-sharing-guidelines/about-the-information-sharing-guidelines).

45.4 If requested by the Government Party, the NFP will provide written information detailing the NFP's compliance with the ISG including details of the NFP's progress in developing and implementing the NFP's ISG Appendix.

45.5 The Parties acknowledge that this Agreement constitutes a 'State contract' for the purpose of the *Privacy Act 1998 (*Commonwealth).

Example Only

Attachment 4 – Funded Services

<e.g. insert Service Levels, Outcomes, Milestone Dates>

Example Only

Attachment 5 - Block Funding and Payment Details

<insert details or insert “not used”>

Example Only

Attachment 6 – Acquittal Form

<insert form>

Example Only

STANDARD GOODS AND SERVICES AGREEMENT

<insert title>

<insert No.>

Government of South Australia

AGREEMENT made on <insert day> of <insert year>

BETWEEN:

THE GOVERNMENT PARTY NAMED IN ITEM 1 OF ATTACHMENT 1 ("**the Government Party**")

AND:

THE PARTY NAMED IN ITEM 2 OF ATTACHMENT 1 ("**the Supplier**")

IT IS AGREED that this Execution Page, the Agreement Details (Attachment 1), the Terms and Conditions (Attachment 2), the Glossary of Defined Terms (Attachment 3), the Special Conditions (Attachment 4), the Specifications (Attachment 5) and the Pricing and Payment (Attachment 6), will together comprise the Agreement between the Parties for the provision of the Goods and/or Services specified in Attachment 1.

EXECUTED AS AN AGREEMENT

INSERT EXECUTION BLOCKS BELOW

Example only

Attachment 1 - Agreement Details

Item 1	**Government Party**	<insert name> <insert ABN> <insert address>
Item 2	**Supplier**	<insert name> <insert ACN> <insert address> Where trustee: <insert name of trust>
Item 3	**Commencement Date**	<insert>
Item 4	**Expiry Date**	<insert date (e.g. date that Goods are accepted or the expiry of any applicable Goods warranty or last date for performance of Services)>
Item 5	**Extension Period**	<insert period or insert "not applicable">
Item 6	**Supplier's ABN**	<insert ABN> Registered for GST: <Yes/No>
Item 7	**Contract Managers**	Government Party: <insert> Supplier: <insert>
Item 8	**Named Persons**	<insert names and positions or insert "not applicable">
Item 9	*If Goods are being supplied* **Details of Goods**	<insert brief description of Goods or "not applicable"> *If required include detailed description in Attachment 5*
Item 10	*If Goods are being supplied* **Delivery Date** *If Goods are being supplied* **Delivery Point**	<insert date or insert "not applicable"> <insert delivery point details or insert "not applicable">
Item 11	*If Goods are being installed* **Installation Date**	<insert installation date or insert "not applicable">
Item 12	*If Goods are being supplied* **Warranty Period**	<insert period>
Item 13	*If Services are being supplied* **Details of Services**	<insert brief description of Services or insert "not applicable"> *If required include detailed description in Attachment 5*

Example only

Item 14	*If Services are being supplied* **Delivery Date** **Delivery Point**	
Item 15	**Reports and Manuals**	<insert description or insert "not applicable"> <insert delivery dates or insert "not applicable">
Item 16	**Milestone Dates**	<insert dates or insert "not applicable">
Item 17	**Price and Payment (including address for invoices)**	<insert relevant details> Price: $<insert> (GST inclusive) Manner of Payment: <e.g. instalments, payments attached to achievement of milestones> *If required include detailed pricing information in Attachment 6*
Item 18	**Insurances** Public Liability Insurance Product Liability Insurance	 Not less than $1,000,000 *If Goods are being supplied*: $<insert the amount of cover under the Supplier's Product Liability policy>
Item 19	**Liability Limit**	*The following Liability Limit has been approved by Cabinet (25 July 2016)* <insert between [1 and 5] x [the aggregated value of the contract (inc. GST)]. Multiple to be based on Government Party's risk assessment>
Item 20	**Other Termination Rights**	<e.g. failure to meet [insert number] Service Levels or insert "not applicable">
Item 21	**Approved Subcontractors**	<insert relevant details or insert "not applicable">
Item 22	**Additional Personnel Checks**	<e.g. DCSI Unsuitable Person Screening or insert "not applicable">
Item 23	**Notice Period for Termination for Convenience**	<insert period or "not applicable">

Example only

Attachment 2 - Standard Terms & Conditions

AGREED TERMS

1. CONTRACT LENGTH

1.1 This Agreement commences on the Commencement Date and continues until the Expiry Date, unless terminated earlier or extended under clause 1.2.

1.2 This Agreement may be extended by the Government Party for the Extension Period by giving reasonable notice prior to the Expiry Date.

2. CONTRACT MANAGERS

The persons named in Attachment 1 as the Contract Managers are the first point of contact between the Parties and are responsible for overseeing the effective administration of the Agreement including variations and extensions.

3. SUPPLY OF GOODS (IF APPLICABLE)

3.1 If Goods are being supplied under this Agreement then the Supplier must:

(a) supply the Goods in accordance with this Agreement;

(b) sell the Goods without encumbrance;

(c) deliver the Goods to the Delivery Point on or before the Delivery Date;

(d) comply with the Government Party's reasonable directions and delivery instructions;

(e) if requested by the Government Party, provide the Government Party with material safety data sheets with respect to the Goods delivered;

(f) provide test evidence for the Goods if required; and

(g) if indicated in Attachment 1, install the Goods on or before the Installation Date.

3.2 If the Supplier cannot comply with any of its obligations under clause 3.1, the Supplier must notify the Government Party in writing immediately.

4. INSPECTION AND ACCEPTANCE OF GOODS (IF APPLICABLE)

4.1 The Government Party may inspect the Goods to determine whether to accept or reject the Goods.

4.2 The Government Party must accept the Goods if they conform with the requirements of this Agreement.

4.3 Subject to clause 4.4, the Goods are deemed to be accepted either:

(a) on delivery, if the Government Party notifies the Supplier that it accepts the goods; or

(b) if no notice is issued by the Government Party, then 5 Business Days after delivery of the Goods to the Delivery Point.

4.4 If the Goods are consumable products and the Goods are found to be defective when first used, then the Government Party may reject the Goods under clause 4.5.

4.5 If the Government Party rejects the Goods due to non-conformity with the requirements of this Agreement, then the Government Party must notify the Supplier as soon as possible and require the Supplier at its sole cost, and at the Government Party's election to either:

(a) resupply the Goods and remove the non-conforming Goods from the Delivery Point; or

(b) repair the Goods.

4.6 Acceptance of the Goods does not relieve the Supplier of any of its obligations under this Agreement.

4.7 The Supplier bears the risk in the Goods until delivery to the Delivery Point. Title in the Goods will pass to the Government Party upon the Government Party's acceptance of the Goods.

5. WARRANTY PERIOD (IF APPLICABLE)

5.1 If during the Warranty Period the Goods fail to comply with the warranties in clause 9.1 then the Government Party may in its absolute discretion require that the Supplier at its expense:

(a) replace the Goods within 10 Business Days of notification by the Government Party (or such other time as is agreed); or

(b) refund the Price.

6. SUPPLY OF SERVICES (IF APPLICABLE)

6.1 If Services are being supplied under this Agreement then the Supplier must ensure that the Supplier's Personnel provide the Services described in Attachment 1 in accordance with the terms and conditions of this Agreement.

6.2 Where Attachment 1 specifies Named Persons then the Services must be delivered by those Named Persons.

A. The Supplier may substitute a Named Person with the consent of the Government Party subject to the Government Party being satisfied as to the expertise, experience and suitability of the substitute.

6.3 The Supplier must ensure that Services are delivered:

(a) to a standard that meets or exceeds the Service Levels;

(b) in accordance with the warranties in clause 9.4; and

(c) by any Milestone Dates.

6.4 The Government Party's remedies for the Supplier's failure to meet a Service Level or for a breach of a warranty, includes resupply of the Services, a reduction of the price, termination, rebates or any other remedy specified in the Special Conditions.

7. REPORTS AND MANUALS (IF APPLICABLE)

The Supplier must provide those reports, manuals or other materials specified in Attachment 1.

8. SERVICE VARIATION (IF APPLICABLE)

8.1 If the Government Party wishes to vary the scope of the Services ("**Variation**"), it must issue a written request to the Supplier and the Supplier must within 5 Business Days (or such other period as agreed) provide a written quote ("**Quote**") setting out:

(a) any impacts on the timing of or completion of tasks;

(b) the varied price and payment arrangements; and

(c) any changes to the terms that apply to the performance of the Services.

8.2 The Parties must negotiate in good faith to agree on the price and other terms applicable to the Variation.

8.3 If the Parties agree in writing to the terms of the Variation then:

(a) the Supplier must perform the Services as varied by the Variation;

(b) the Government Party must pay the varied price;

(c) the terms and conditions of the Agreement are varied by the terms of the Variation.

9. SUPPLIER'S WARRANTIES

9.1 If Goods are being supplied under this Agreement then the Supplier warrants that it has good and unencumbered title to the Goods and the Goods:

(a) conform with any description applied and any sample provided by the Supplier;

(b) are new (unless otherwise specified);

(c) are free from defects in materials, manufacture and workmanship;

(d) conform to any applicable Australian Standards or other standards nominated in this Agreement;

(e) conform to the Specifications and any technical Specifications provided by the Supplier;

(f) are of merchantable quality;

(g) are installed correctly (if the Supplier is responsible for installation);

(h) are fit for their intended purpose; and

(i) are manufactured and supplied without infringing any person's Intellectual Property Rights.

9.2 The Supplier must ensure that the Government Party receives the full benefit of any manufacturer's warranties in respect of the Goods.

Example only

9.3 During any Warranty Period any defects in the Goods must be rectified at the Supplier's expense.

9.4 If Services are being supplied under this Agreement then the Supplier warrants that the Services will:

(a) comply with the description of the Services in Attachment 1;

(b) be provided with due care and skill;

(c) be provided in a timely and efficient manner;

(d) be provided in accordance with the best practices current in the Supplier's industry;

(e) be supplied without infringing any person's Intellectual Property Rights;

(f) be performed by the Supplier and/or the Supplier's Personnel; and

(g) be supplied in the most cost effective manner consistent with the required level of quality and performance.

10. SUPPLIER'S PERSONNEL

10.1 The Supplier, if required by the Government Party, must give its consent to and procure the consent of the Supplier's Personnel, to the conduct of a police check or any Additional Personnel Checks specified in Attachment 1.

10.2 If the Government Party gives the Supplier notice in writing requiring those persons to be withdrawn from supplying the Goods or providing the Services, and the Supplier must immediately comply with the notice and provide replacement Personnel acceptable to the Government Party.

10.3 The Supplier and the Supplier's Personnel must only use the Government Party's computer systems with the specific authorisation of the Government Party and only in the manner as directed by the Government Party from time to time.

10.4 The Government Party reserves the right to refuse entry to any of the Government Party's premises to any of the Supplier's Personnel.

11. PRICE AND PAYMENT

11.1 In consideration for the supply of the Goods and/or the Services, the Government Party will pay the Price.

11.2 Unless otherwise expressly stated the Price is inclusive of GST.

11.3 The Supplier is entitled to invoice the Government Party for payment in respect of the Goods and/or Services, when the Goods have been supplied and accepted under clause 4, and the Services have been supplied in accordance with this Agreement.

12. GST

12.1 Subject to clause 12.2 the Supplier represents that:

(a) the ABN shown in Attachment 1 is the Supplier's ABN; and

(b) it is registered under the *A New Tax System (Australian Business Number) Act 1999* (Cth),

12.2 If the Supplier is not registered for GST, then GST must not be charged on supplies made under this Agreement.

13. INTELLECTUAL PROPERTY RIGHTS

13.1 Nothing in this Agreement affects the ownership of Intellectual Property Rights created before the Commencement Date.

13.2 The Supplier grants to the Government Party and the Crown in right of the State of South Australia a perpetual, irrevocable, royalty free, fee free licence to use, copy, modify and adapt any Intellectual Property Rights in any reports or manuals required to be supplied under this Agreement.

14. INSURANCE

14.1 The Supplier must effect and maintain the policies of insurance specified in Attachment 1 for not less than the amounts specified in Attachment 1.

14.2 The policies of insurance referred to in clause 14.1 must be held until the expiry of the Agreement.

15. LIABILITY LIMIT

15.1 The Supplier's liability to the Government Party under this Agreement is limited to the amount specified in Attachment 1.

16. CONFIDENTIAL INFORMATION

16.1 Subject to this clause 16, neither Party may disclose any Confidential Information belonging to the other Party except as genuinely and necessarily required for the purpose of this Agreement.

16.2 A Party may disclose Confidential Information belonging to the other Party:

(a) to an employee, agent or adviser of that Party, on a "need to know" and confidential basis;

(b) as required by law or a court order;

(c) in accordance with any Parliamentary or constitutional convention;

(d) to the Australian Competition and Consumer Commission (ACCC) if the party reasonably suspects, or is notified by the ACCC that it reasonably suspects, that there is Cartel Conduct or unlawful collusion in connection with the supply of Goods or Services under this Agreement; or

(e) for the purposes of prosecuting or defending proceedings.

16.3 The Parties may mutually agree to disclose Confidential Information.

17. SET-OFF

Any claim the Government Party may have against the Supplier may be set off against monies owed to the Supplier under this Agreement.

18. DISPUTE RESOLUTION

18.1 Subject to clause 18.4 a Party may not commence legal proceedings without first referring the dispute to the other Party under this clause.

18.2 Either Party may give the other a notice in writing ("**dispute notice**") setting out the details of the dispute.

18.3 Within 5 Business Days or such other period as may be agreed by the Parties, representatives must meet and use reasonable endeavours to resolve the dispute.

18.4 A Party may seek immediate interlocutory relief or other interim remedy in case of genuine urgency.

19. ENDING THIS CONTRACT

19.1 The Government Party may terminate this Agreement immediately upon giving notice in writing to the Supplier if:

(a) the Government Party reasonably forms the opinion that the Supplier will be unable to perform its obligations under this Agreement;

(b) the Supplier is in breach of this Agreement and has not rectified such breach within 10 Business Days of the Government Party giving notice in writing to the Supplier requiring the rectification of such breach;

(c) the Government Party becomes aware that the Supplier is in breach of its statutory obligations with respect to its employees;

(d) the Supplier fails to comply with a notice issued under clause 10.2; or

(e) the Supplier fails to disclose a conflict of interest;

(f) any Other Termination Right occurs; or

(g) the Supplier suffers or, in the reasonable opinion of the Government Party, is in jeopardy of becoming subject to any form of insolvency administration or bankruptcy.

19.2 The Government Party may terminate this Agreement without cause by giving the Supplier the period of notice specified in Attachment 1 ("**Notice Period for Termination for Convenience**").

19.3 If the Government Party terminates this Agreement in accordance with clause 19.2:

(a) the Supplier has no claim against the Government Party arising out of or in relation to such termination other than the right to be paid for Goods accepted and/or Services provided before the effective termination date; and

Example only

(b) the Supplier must comply with all reasonable directions given by the Government Party.

19.4 The Supplier may terminate this Agreement immediately upon giving notice in writing to the Government Party if the Government Party is in breach of this Agreement and has not rectified such breach within 14 days of the Supplier giving notice in writing to the Purchaser requiring the rectification of such breach.

20. EFFECT OF ENDING THIS CONTRACT

20.1 Any termination of this Agreement by either Party does not affect any accrued right of either Party.

20.2 Despite termination or completion of this Agreement, this clause 20 and clauses 9, 13, 14, 15, 16, 17 and those Special Conditions that by their nature remain in force, shall survive.

21. SUBCONTRACTING

21.1 With the exception of the Approved Subcontractors described in Attachment 1, the Supplier must not engage any subcontractor without the prior written permission of the Government Party.

21.2 The Supplier remains responsible for obligations performed by the Approved Subcontractors to the same extent as if such obligations were performed by the Supplier.

22. CONFLICT OF INTEREST

22.1 The Supplier must disclose in writing to the Government Party all actual and potential conflicts of interest that exist, arise or may arise (either for the Supplier or the Supplier's Personnel) in the course of performing its obligations under this Agreement as soon as practical after it becomes aware of that conflict.

23. COMPLIANCE WITH LAWS

The Supplier must comply with the laws in force in the State of South Australia in performing its obligations under this Agreement.

24. GOVERNING LAW AND JURISDICTION

24.1 This Agreement is governed by the laws in the State of South Australia.

24.2 The courts of the State of South Australia have exclusive jurisdiction in connection with this Agreement.

25. ENTIRE AGREEMENT

The Agreement constitutes the entire agreement between the Parties in respect of the matters dealt with in this Agreement and supersedes all prior agreements, understanding and negotiations in respect of the matters dealt with in this Agreement.

26. NO ASSIGNMENT

26.1 The Supplier must not assign, encumber or otherwise transfer any of its rights or obligations under this Agreement without the written approval of the Government Party which approval shall not be unreasonably withheld.

26.2 Subject to any contrary legislative intention, the Parties agree that if there is any Machinery of Government Change, this Agreement is deemed to refer to the new entity succeeding or replacing the Government Party and all of the Government Party's rights and obligations under this Agreement will continue and will become rights and obligations of that new entity.

27. MODIFICATION

No addition to or modification of any provision of this Agreement will be binding upon the Parties unless made by written instrument signed by the Parties.

28. SEVERANCE

28.1 Each word, phrase, sentence, paragraph and clause of this Agreement is severable.

28.2 Severance of any part of this Agreement will not affect any other part of this Agreement.

29. COUNTERPARTS

This Agreement may be executed in any number of counterparts each of which is taken to be an original. All of those counterparts taken together constitute one (1) instrument. An executed counterpart may be delivered by email.

30. WORK HEALTH & SAFETY

30.1 The Supplier must comply with the *Work Health and Safety Act 2012* (SA) at all times, regardless of whether the Government Party issues direction in that regard or not.

30.2 If all or part of the work under this Agreement is to be provided on the premises of the Government Party and under the direction of the Government Party, the Supplier must comply with the Government Party's work health and safety policies, procedures and instructions. If the Supplier becomes aware of any potentially hazardous situation on the Government Party's premises, the Supplier must immediately bring it to the Government Party's attention.

31. ACTING ETHICALLY

The Supplier must conduct itself in a manner that does not invite, directly or indirectly, the Government Party's officers, employees or agents or any public sector employee (as defined in the *Public Sector Act 2009* (SA)) to behave unethically, to prefer private interests over the Government Party's interests or to otherwise contravene the Code of Ethics for the South Australian Public Sector.

32. INTERPRETATION

32.1 Defined terms are set out in the Glossary of Defined Terms in Attachment 3.

32.2 In resolving inconsistencies in this Agreement, the documents have the following order of priority:

(a) Special Conditions (Attachment 4);

(b) Standard Terms and Conditions (Attachment 2); and

(c) the other Attachments.

32.3 In this Agreement (unless the context requires otherwise):

(a) a reference to any legislation includes:

(i) all legislation, regulations and other forms of statutory instrument issued under that legislation; and

(ii) any modification, consolidation, amendment, re-enactment or substitution of that legislation;

(b) a word in the singular includes the plural and a word in the plural includes the singular;

(c) a reference to two or more persons is a reference to those persons jointly and severally;

(d) a reference to dollars is to Australian dollars;

(e) a reference to a Party includes that party's administrators, successors and permitted assigns.

33. SPECIAL CONDITIONS

The special conditions (if any) form part of this Agreement and to the extent of any inconsistency, take precedence over the other terms of this Agreement.

Example Only

Attachment 3 - Glossary of Defined Terms

NOTE: Not all terms may be required for a particular procurement

In this Agreement:

(a) "**Acceptance Date**" means the date that the Goods are accepted by the Government Party;

(b) "**Approved Subcontractors**" means those subcontractors specified in Attachment 1;

(c) "**Business Day**" means any day that is not a Saturday or Sunday or a public holiday in South Australia;

(d) "**Cartel Conduct**" means conduct by two or more parties who are competitors (or would be but for the conduct) who enter into a contract, arrangement or understanding that involves price fixing, output restrictions, allocating customers, suppliers or territories, or bid-rigging, as defined in s44ZZRD of the *Competition and Consumer Act 2010* (Cth);

(e) "**Code of Ethics for the South Australian Public Sector**" is the code of ethics for the purposes of the *Public Sector Act 2009* (SA);

(f) "**Confidential Information**" means information which is identified either as confidential information (if disclosed by the Government Party) or proprietary information (if disclosed by the Supplier), but does not include this Agreement;

(g) "**Consultancy Services**" means services provided by Consultants;

(h) "**Consultant**" has the same meaning as in DPC027 *Disclosure of Government Contracts* and means a person or entity that is engaged by a public authority for a specified period to carry out a task that requires specialist skills and knowledge not available in the public authority. The objectives of the task will be achieved by the consultant free from direction by the public authority as to the way it is performed and in circumstances in which the engagement of a person under normal circumstances is not a feasible alternative;

(i) "**Delivery Date**" means the date and time specified in Attachment 1 for delivery of the Goods;

(j) "**Delivery Point**" means the location(s) specified in Attachment 1, where the Goods and/or Services will be delivered;

(k) "**Extension Period**" means the period by which the Agreement is extended as specified in Attachment 1;

(l) "**Goods**" means the goods specified in Attachment 1;

(m) "**GST**" means the tax imposed by the GST Law;

(n) "**GST Law**" has the meaning attributed in the *A New Tax System (Goods and Services Tax) Act 1999* (Cth);

(o) "**Installation Date**" means the date specified in Attachment 1 for the installation of the Goods;

(p) "**Intellectual Property Rights**" means all intellectual property rights, including but not limited to:

  (i) patents, copyright, registered designs, trademarks, know-how and any right to have Confidential Information kept confidential; and

  (ii) any application or right to apply for registration of any of the rights referred to in paragraph (a),

  but for the avoidance of doubt excludes moral rights and performers' rights;

(q) "**Machinery of Government Change**" means a change to the structure, function or operations of the South Australian Government or the Government Party as a result of any government reorganisation, restructuring or other organisational or functional change;

(r) "**Measurement Period**" means the period over which the performance of a Service Level is measured;

(s) "**Milestone Dates**" means dates by which Services must be delivered as specified in Attachment 1;

(t) "**Named Persons**" means the persons specified in Attachment 1;

(u) "**Notice Period for Termination for Convenience**" means the time period specified in Attachment 1;

(v) "**Other Termination Right**" means the termination rights specified in Attachment 1;

(w) "**Party**" means a party to this Agreement;

(x) "**Personal Information**" means information or an opinion, whether true or not, relating to a natural person or the affairs of a natural person whose identity is apparent, or can reasonable be ascertained, from the information or opinion;

(y) "**Purchase Order**" means an order for Goods and/or Services submitted by the Government Party to the Supplier;

(z) "**Price**" means the price payable under this Agreement specified in Attachment 1 and includes any price varied under clause 8;

(aa) "**Service Levels**" means the service levels (if any) specified in the Specifications;

(bb) "**Services**" means the services specified in Attachment 1;

(cc) "**Special Conditions**" means the conditions in Attachment 4 and where relevant includes agency specific Special Conditions;

(dd) "**Specifications**" means the detailed description of the Goods/Services in Attachment 5;

(ee) "**Supplier Personnel**" means any Approved Subcontractors, employees, agents and any other person employed or engaged by the Supplier to perform this Agreement and includes the Named Persons;

(ff) "**Term**" means the period commencing on the Commencement and ending on the Expiry Date unless terminated earlier and includes any extension and;

(gg) "**Warranty Period**" means the period specified in Attachment 1.

Example only

Attachment 4 - Special Conditions

34. NON-EXCLUSIVITY

34.1 This Agreement is entered into on a non-exclusive basis.

34.2 The Government Party may purchase other goods and services similar to the Goods and Services from other providers.

35. CONTRACT DISCLOSURE

35.1 The Government Party may disclose this Agreement and/or information in relation to this Agreement in either printed or electronic form and either generally to the public or to a particular person as a result of a specific request.

35.2 Nothing in this clause derogates from:

(a) the Supplier's obligations under any provisions of this Agreement; or

(b) the provisions of the *Freedom of Information Act 1991* (SA).

36. PRIVACY

36.1 The Supplier must:

(a) comply with the South Australian Government Information Privacy Principles (a copy of which can be found at http://www.dpc.sa.gov.au/documents/rendition/B17711#sthash.s76QhRX6.dpuf) ("**IPPs**") as if the Supplier were an "agency" for the purposes of the IPPs, in undertaking its obligations under this Agreement including in relation to all Personal Information received, created or held by it for the purposes of this Agreement; and

(b) allow the Government Party to undertake, and cooperate with any audit or investigation which the Government Party deems necessary to verify that the Supplier is complying with the IPPs.

36.2 The Supplier must promptly notify the Government Party if it fails to comply with this clause or if it becomes aware of any actual or threatened disclosure of or unauthorised access to Personal Information.

37. INDUSTRY PARTICIPATION POLICY

37.1 The Supplier must implement the Supplier's Industry Participation Plan ("**IPP**") approved by the Industry Advocate ("**IA**").

37.2 The Supplier must provide an Industry Participation Report ("**IPP Report**") in respect of each Industry Participation Reporting Period within two weeks of the end of each period.

37.3 An Industry Participation Reporting Period is:

(a) the period between the Commencement Date and the date six (6) months after the Commencement Date;

(b) each subsequent six (6) month period during the Term;

(c) if the Agreement ends on a date that is not an anniversary of the Commencement Date or an anniversary of the date in Special Condition 37.3(b), the period from the conclusion of the preceding Industry Participation Reporting Period until the date of termination or expiry of the Agreement;

(d) for short-term projects of strategic importance to the State the period notified by the IA to the Supplier in writing; and

(e) where the Term is for a period less than six (6) months, the entire Term.

37.4 The Supplier must attend any meeting scheduled by the IA during the Term to review how the IPP is being implemented and advanced, and for this purpose, the Supplier must provide all information reasonably requested by the IA. The IA must give the Supplier not less than ten (10) Business Days' notice of any such meeting.

37.5 The IA may, by written notice require that the Supplier within a reasonable time specified in the notice, provide information or documents to enable the Industry Advocate to assess the Supplier's compliance with this special condition.

37.6 If the IA reasonably believes that the Supplier is not complying with the requirements of this special condition, the IA may by notice in writing direct that the supply comply with those requirements.

37.7 Upon receipt of the notice, if the Supplier is of the opinion that its noncompliance is reasonable and justified, the Supplier may provide a response to the Industry Advocate outlining that opinion and the reasons for it.

37.8 The Supplier's failure to comply, in whole or in part, with the commitments contained within the IPP will be a factor taken into account in the award of future contracts for the Government of South Australia.

37.9 In this clause, "Industry Advocate" or "IA" means the person from time to time appointed to the position of Industry Advocate under s. 5 of the *Industry Advocate Act 2017*.

38. CHILD SAFETY

38.1 **Additional Definitions**

(a) **Child Safety Act** means the *Children and Young People Safety Act 2017* (SA);

(b) **Prescribed Offence** has the meaning given in the Prohibited Persons Act;

(c) Prescribed Position has the meaning given in the Prohibited Persons Act;

(d) **Presumptive Disqualification Offence** has the meaning given in the Prohibited Persons Act;

(e) **Prohibited Person** has the meaning given in the Prohibited Persons Act;

(f) **Prohibited Persons Act** means the *Child Safety (Prohibited Persons) Act 2016* (SA);

(g) **Prohibition Notice** has the meaning given in the Prohibited Persons Act;

(h) **Working with Children Check** has the meaning given in the Prohibited Persons Act.

38.2 **Fundamental Term**

Despite any other clause, the Parties acknowledge that the rights and obligations under this clause are fundamental to this Agreement.

38.3 **No Prohibited Persons**

(a) The Supplier must:

(i) comply with the obligations of employers under Division 2 Part 4 of Prohibited Persons Act in relation to Supplier Personnel that are employed in Prescribed Positions and delivering Services;

Example only

(ii) as required by the Government Party's Contract Manager, verify that a Working with Children Check has been conducted in relation to the Supplier Personnel in Prescribed Positions that are delivering Services; and

(iii) subject to clause 38.3(c), immediately procure the ongoing exclusion of any Supplier Personnel that are employed in Prescribed Positions from involvement in delivery of the Services, if they are found to be a Prohibited Person.

(b) Unless such notification causes the Supplier to be in breach of the Prohibited Persons Act the Supplier must promptly notify the Government Party's Contract Manager if it becomes aware that Supplier Personnel who are involved in the delivery of the Services:

(i) is a Prohibited Person; or

(ii) is the subject of any allegation, arrest, charge or conviction for a Prescribed Offence or a Presumptive Disqualification Offence (whilst not being the subject of a Prohibition Notice),

(c) The Supplier will not be in breach of its obligation under clause 38.3(a)(iii) where the Supplier has complied with its obligations under the Prohibited Persons Act and the central assessment unit has failed to provide notification to the Supplier in accordance with section 41(1) of the Prohibited Persons Act.

(d) As often as reasonably requested by the Government Party, The Supplier must give the State evidence satisfactory to the State of The Supplier's compliance with the obligations of employers under Division 2 Part 4 of Prohibited Persons Act.

38.4 **Imposing Obligations on Supplier Personnel**

The Supplier must ensure that:

(a) Supplier Personnel involved in the delivery of Services are aware of and act in a manner consistent with the provisions of this clause at all times; and

(b) Supplier Personnel (not being The Supplier) immediately inform the Supplier if the Supplier Personnel is the subject of any allegation, arrest, charge or conviction for a Prescribed Offence.

38.5 **Child Safe Environment**

In addition to all other obligations under this Agreement, where the Supplier is an organisation to which section 114 of the Child Safety Act applies, the Supplier must:

(a) (**policies and procedures**): have in place appropriate policies and procedures to ensure that, as required by the Child Safety Act:

(i) safe environments for children and young people are established and maintained; and

(ii) appropriate reports of harm and risk of harm to a child and young person are made;

(b) (**lodge statement**): lodge the statement required by section 114 of the Child Safety Act about the Supplier's child safe policies and procedures with the Chief Executive of the Department of Human Services, or such other government agency as the State or South Australian Government publicly notifies (**Successor Children's Protection Agency**), within 10 Business Days after putting in place those policies and procedures; and

(c) (**response**): respond, as soon as reasonably practicable (and in any event within 10 Business Days), to any written request by Department of Human Services, Successor Children's Protection Agency or the Government party for information relating to the Supplier's compliance with the requirements of this clause 38.

38.6 **Compliance with Child Safety Practices and Procedures**

The Supplier must at all times comply with any practices, policies and procedures in relation to child safe environments notified in writing by the Government Party's Contract Manager.

38.7 **Effect of Non-Compliance**

If the Supplier does not strictly, fully and immediately comply with any or all of its obligations under clauses 38.3(a) and 38.3(b), then such failure to comply will constitute a fundamental breach of the Agreement entitling the Government Party to terminate the agreement immediately upon giving notice in writing to the Supplier.

39. RESPECTFUL BEHAVIOURS

39.1 The Supplier acknowledges the Government Party's zero tolerance towards men's violence against women in the workplace and the broader community.

39.2 The Supplier agrees that, in performing the Services, the Supplier's Personnel will at all times:

(a) act in a manner that is non-threatening, courteous and respectful; and

(b) comply with any instructions, policies, procedures or guidelines issued by the Government Party regarding acceptable workplace behaviour.

39.3 If the Government Party believes that the Supplier's Personnel are failing to comply with the behavioural standards specified in this clause, then the Government Party may in its absolute discretion:

(a) prohibit access by the relevant Supplier's Personnel to the Government Party's premises; and

(b) direct the Supplier to withdraw the relevant Supplier's Personnel from providing the Services.

40. INFORMATION SHARING

40.1 "ISG" means the Government of South Australia's updated Information Sharing Guidelines for Promoting Safety and Wellbeing strategy endorsed by Cabinet in 2008 and 2013, as amended from time to time.

40.2 To the full extent permitted by law the Supplier agrees to share information in accordance with the ISG.

40.3 The Supplier will, in consultation with a representative from the Department of the Premier and Cabinet, develop an ISG appendix for the Supplier ("Supplier's ISG Appendix"), as prescribed by the ISG (https://www.dpc.sa.gov.au/responsibilities/information-sharing-guidelines/about-the-information-sharing-guidelines).

40.4 If requested by the Minister, the Supplier will provide written information detailing the Supplier's compliance with the ISG including details of the Supplier's progress in developing and implementing the Supplier's ISG Appendix.

40.5 The Parties acknowledge that this Agreement constitutes a 'State contract' for the purpose of the Privacy Act 1998 (Commonwealth).

Example only

Attachment 5 - Specifications

<insert detailed Specifications or insert “not used”>

Example only

Attachment 6 – Pricing and Payment

<insert detailed pricing and payment or insert “not used”>

Example only

Government of South Australia

Invitation to Supply
P353 Delivery of the Community Transport SA Program

Part D: Supplier Response Form

Public Authority:	Department of Human Services
Invitation Reference Number:	
Offer submitted by:	
Date of Offer:	

Instructions to Suppliers for completing this Response Form:

- Please use this Supplier Response Form in responding to the Public Authority's Invitation to Supply ('Invitation'). It is important that You do not change the structure (section headings and sequence). Changing this structure will make it harder for the evaluators to find relevant information quickly.
- Before starting to complete this form please make sure that You have read the Invitation in full and understand the applicable Invitation process, Invitation Conditions detailed in Part A: Invitation Procurement Process Guidelines, and the Public Authority's Requirements set out in Part B: Specification.
- The areas highlighted in <grey angle brackets> provide instructions and indicate where You are to write Your response.
- Where necessary, any supporting material (e.g. spreadsheets) should be attached to the back of this Response Form and referred to in the relevant field. Make sure all attachments are clearly named/numbered for the Public Authority.
- If anything is unclear about the Invitation or You have any questions, please get in touch with the Contact Officer identified in Section 1.3 of Part A before the last queries date and time set in Section 1.4 of Part A.

Table of Contents

1. SECTION 1 - SUPPLIER GENERAL INFORMATION (Pre-Registration Details).....4
Supplier Identification 4
Supplier Location and Contact 4
Supplier Structure, Relationships and Financial Roles.....4
Accreditation and Certification.....4
Supplier Services and Key Projects 5
Insurance.....5
2. SECTION 2 - SUPPLIER SUPPLEMENTARY DETAILS 5
3. SECTION 3 - EXTERNAL RESOURCES.....6
3.1 Joint/Consortium Offers 6
3.2 Subcontractors 6
4. SECTION 4 - SUPPLIER RESPONSE TO EVALUATION CRITERIA 7
4.1 Mandatory Criteria.....7
4.2 Weighted Criteria 7
4.3 Non-Weighted Criteria.....8
5. SECTION 5 - SUPPLIER DECLARATION.....11

1. SECTION 1 – SUPPLIER GENERAL INFORMATION (PRE-REGISTRATION DETAILS)

SUPPLIER IDENTIFICATION

Trading Name	
Registered Name	
ACN	
ABN	
Address of registered office	
Place of business in South Australia (if relevant)	
Type of entity (e.g. company, trust, partnership, sole trader, other)	
Website URL	

SUPPLIER LOCATION AND CONTACT

Contact Person	
Position	
Address	
Postal address *(if different to above)*	
E-mail	
Phone Number	

SUPPLIER STRUCTURE, RELATIONSHIPS AND FINANCIAL ROLES

Provide details of company ownership and Your executive personnel (e.g. Chief Executive Officer, Director/s, Senior Executive management). You can attach any necessary diagrams.

Executive Position	
Executive Name	

<insert additional table/s for additional executive personnel>

ACCREDITATION AND CERTIFICATION

Provide details of current accreditation and certifications relevant to the conduct of Your business (e.g. quality assurance certification).

Accreditation/Certification	
Regulating Authority	
Accreditation/Certification #	
Date Valid to	
Scope of Accreditation/Certification	

<insert additional table/s for additional accreditations/certifications>

SUPPLIER SERVICES AND KEY PROJECTS

Provide details of the main goods or services You provide and any key projects that You have delivered which may be relevant to a range of goods/services requested by a Public Authority.

Note: The Public Authority will often ask for more specific examples that are relevant to the individual Invitation in Your response to the evaluation criteria.

Key Goods / Services You Provide	
Industry You align with	
Case Study Project description	
Customer organisation	
Number of personnel involved	
Date of commencement and period of association	
Scope / Project details	
Total cost to buyer	

<insert additional table/s for additional projects>

INSURANCE

Provide details of Your current insurance policies (e.g. public liability insurance, professional indemnity insurance).

Policy Type	
Policy Number	
Policy Issuer Name	
Policy Cover ($)	
Expiry Date	

<insert additional table/s for additional insurance policies>

2. SECTION 2 – SUPPLIER SUPPLEMENTARY DETAILS

Identify if You are one or more of the following: (You can attach any necessary evidence).

Not-for-Profit Organisation	☐ Yes	☐ No
Aboriginal Business Enterprise	☐ Yes	☐ No
Aboriginal Community Controlled Organisation	☐ Yes	☐ No
Australian Disability Enterprise	☐ Yes	☐ No
Social Enterprise	☐ Yes	☐ No
Small-Medium Enterprise	☐ Yes	☐ No
Women-Owned Business	☐ Yes	☐ No

3. SECTION 3 – EXTERNAL RESOURCES

3.1 JOINT/CONSORTIUM OFFERS

Is this Offer a joint or consortium Offer?	
☐ Yes	☐ No

If You are submitting a joint or consortium Offer, then You must detail which parts of the Public Authority's Requirement that each entity comprising the consortium or partnership will provide and how the entities relate to each other.

Partner 1:	
Trading Name	
Registered Name	
ACN/ABN	
Address of registered office	
Contact Person: Name & Title	
Phone Number	
Type of Relationship	
Period of association	
Goods/Services to be provided	
Estimated $ value of Goods/Services	

<insert additional table/s for additional Partners>

Lead Entity of the Consortia/Partnership:	
Trading Name	
Registered Name	
ACN/ABN	

3.2 SUBCONTRACTORS

Do you intend to engage a sub-contractor/s to deliver any part of the Public Authority's Requirement?	
☐ Yes	☐ No

Subcontractor 1:	
Trading Name	
Registered Name	
ACN/ABN	
Address of registered office	
Contact Person: Name & Title	
Phone Number	

Period of association	
Goods/Services to be provided	
Estimated $ value of Goods/Services	

<insert additional tables for additional subcontractors>

4. SECTION 4 – SUPPLIER RESPONSE TO EVALUATION CRITERIA

4.1 MANDATORY CRITERIA

Service Providers are required to either have current Operator Accreditation from DIT, or be willing to attain it during the transition period prior to delivering services. Please indicate Your accreditation status:

Status	Details
☐ Currently accredited with DIT	Accreditation Number: Expiry Date:
☐ Planning to attain accreditation	Confirm planning is included in Your Transition In plan (see 4.3.1 Question 5): ☐ Yes ☐ No
☐ No plan to attain accreditation	Your submission will not be considered further.

4.2 NOMINATED REGIONS FOR SERVICE PROVISION

Please indicate all Regions You are nominating to provide services to. In addition, please list all individual townships / suburbs to be serviced within those Regions (or state "All" if nominating to service the entire Region).

DHS' preference is that a Respondent (including a Consortium) be capable of providing services across an entire Region as far as practicable.

Region	Suburbs / Townships to be serviced
☐ Adelaide Hills	
☐ Barossa, Light and Lower North	
☐ Eyre and Western	
☐ Far North	
☐ Fleurieu and KI	
☐ Limestone Coast	
☐ Murray and Mallee	
☐ Northern Adelaide - Outer Metropolitan	
☐ Southern Adelaide - Outer Metropolitan	
☐ Yorke and Mid North	

4.3 WEIGHTED CRITERIA

If You are nominating to provide services for more than one Service Region, ensure it is clear which Region Your responses are in relation to or if they apply organisation-wide. Responses are required for all nominated Regions.

4.3.1 Service Model

1. Service model
• Provide details of Your proposed service model in line with the specification, including:
  ○ How Your proposed service model will engage and be tailored to the needs of participants within the target population, including priority access groups;
  ○ How participants will be assessed for eligibility, capacity to pay, and priority access;
  ○ How You will provide support across the four different service types to maximise the reach and impact of the service, in line with the Participant Level Theory of Change. Include an estimated proportion of total service delivery for each of the four service types; and
  ○ Your understanding and use of evidence to inform Your service model.

2. Service locations and routes
• Provide details of the physical site/s where face-to-face services will be delivered from, their operating times, and Your proposed strategy for out of hours and remote service delivery if required.
• Based on Your understanding of the transport needs of the region and the available resources:
  ○ Provide a summary of Your proposed direct transport routes and operating times/frequency; and
  ○ Provide an estimate of the number of unique clients and the number of trips (direct and indirect) Your service will support per annum.
• If You do not have a current office base or service presence in the region, please detail Your planning to establish an office base in the community.

3. Transport scope and purpose • Provide details of how You propose to manage demand for transport for different purposes to ensure a balance of participant outcomes (i.e., to ensure positive outcomes in both social/community connection and independence/wellbeing). • Include details of how You propose to communicate the program purpose/scope to referrers and to the community and how You will manage requests for transport for 'Other' purposes.

4. Continuous improvement
• Provide details of how You will monitor and improve the operation and performance of the service, including how participant voice and community feedback will be captured and used to inform service development.

5. Transition in plan
• Provide details of Your proposed implementation/transition in plan. Include consideration of any milestones and timeframes needed for You to be ready to implement the service from 1 September 2025. Include as appropriate, but not be limited to: o Recruitment of key staff and volunteers; o Coordination of vehicle infrastructure; and o Obtaining any necessary driver and operator accreditation. • Identify any significant challenges and how You intend to overcome/address them. • If Your organisation is a current CPN provider in the region/s You have identified, detail how You will manage any changes in service boundaries and other service model changes

4.3.2 Organisational capacity and experience

1. Relevant experience • Provide details of Your experience in the provision of services of similar size, scope and complexity to these requirements. • Provide an example of when You utilised the same or similar service model to the model You described above to support the same or similar target population as this requirement. • If this offer is a consortium offer, provide details of the identified partner organisations' experience working together, as well as Your ability to lead, participate and work collegiately within networks.

2. Corporate Governance • Detail Your corporate governance structure including policies, procedures and systems supporting the implementation and delivery of Your proposed service. Your response should include, but not be limited to: o Details of relevant policies and procedures, along with Your organisation's governance structure, and links between Your core business and the proposed service o Your governance practices and quality framework. If services will be provided by a consortium or sub-contract arrangement, include details of the roles and responsibilities of all parties, and any formal management arrangements in place (or to be developed) o Brief details of Your business continuity plan, including contingency planning for when key staff are on extended periods of leave or if they vacate their position.

3. Organisational structure • Provide details of Your organisational structure and the business units relevant to the delivery of this service including an organisational chart identifying the key service delivery roles and reporting structure for the proposed service, including volunteer oversight.

4. Workforce • Provide details of Your practices to recruit, train, and continue to develop staff and volunteers in the specific requirements of Your service model. • Provide details of Your policies, procedures, and strategies to ensure volunteers are managed in line with the National Standards for Volunteer Involvement

• Provide details of Your current and/or proposed volunteer workforce to be engaged in the delivery of Your proposed service model, including the number and roles of Your volunteers.

5. Vehicle infrastructure • Provide details of Your current and/or proposed vehicle infrastructure to be utilised in the delivery of Your proposed service model, including: o The number, type, and age of vehicles; o Whether vehicles are owned or leased; o How vehicles are funded for replacement and Your replacement schedule; and o Whether any vehicles are wheelchair accessible.

4.3.3 Community and transport connections

1. System connections • Briefly detail Your understanding of the broader system of support (including social and community services) in which Your proposed service will operate. • Briefly detail how You propose to work with Partners in the Community Connections System to ensure services to the community are cohesive, integrated, and responsive. • Provide details of Your existing working relationships with other relevant stakeholders in the community that will need to be engaged for the efficacy of Your proposed service model e.g. effective partnerships and collaborations with government and non-government agencies, service providers, and collective impact and/or place-based initiatives.

2. Transport connections • Detail Your understanding of the transport system in which Your proposed service will operate. • Provide details of Your existing working relationships with other transport services in the community that will need to be engaged for the efficacy of Your proposed service model e.g. effective partnerships and collaborations with government and non-government agencies, service providers, and collective impact and/or place-based initiatives.

3. Community connections • Provide details of Your positive connection to the identified target population in this community. • Provide details of Your understanding of the specific priority needs of the community relevant to this service, and how You will ensure You continue to be informed of emerging needs in the community.

4.3.4 Inclusion

1. Cultural responsiveness
• Describe Your organisation's experience and approach to building positive, culturally responsive and safe service provision and connection to participants, including but not limited to those who identify as:
  ○ Aboriginal and Torres Strait Islander;
  ○ Culturally and Linguistically Diverse (CALD); or
  ○ New and Emerging Communities (NEC).
• Your response should describe the knowledge, values, attitudes, behaviours and corporate responsibility Your organisation has fostered that contribute to cultural responsiveness within Your organisation and how this supports participants within Your proposed service model.

2. Inclusion and equity of access
• Provide details of how Your organisation ensures equitable access to your services by all of the identified priority access groups of this service, including but not limited to:
  ○ Unpaid Carers;
  ○ LGBTIQA+ people; and
  ○ People who require support to manage their own needs, participate in community and/or maintain independence due to current functional limitations
• Include details of how You ensure Your services are accessible to people with physical, neurological and/or sensory functional impairment.

3. Inclusive workforce • Provide details of Your organisation's planning and practices to recruit, support, develop, and retain staff and volunteers with diverse backgrounds (in particular from the identified priority groups of this service) to ensure an inclusive work environment and contribute to positive social impact in Your community.

4.3.5 Industry Participation Policy

Public Authorities and private parties contracting to the Government of South Australia are required to comply with the South Australian Industry Participation Policy (SAIPP) and the supporting procedural and reporting requirements.

You must complete an Industry Participation Plan online at:
https://industryadvocate.sa.gov.au/policy-and-resources/

Guidelines and templates are also available to assist You to understand the detail and information required to meet Industry Participation Policy requirements.

You must submit a copy of Your completed Industry Participation Plan with Your Offer.

Under the functions of the *Industry Advocate Act 2017* the Industry Advocate has the discretion to review and assist in the negotiations for Industry Participation Plans to ensure that they comply with the SAIPP prior to the finalisation of contract conditions.

Have You completed an Industry Participation Plan online and submitted a copy with Your Offer?	
☐ Yes	☐ No

4.4 NON-WEIGHTED CRITERIA

4.4.1 Budget

Complete the Budget template provided allocating the offered funds for the nominated service region for the years 2025-2026 (10 months), 2027-28, and 2028-29.

A separate Budget must be submitted for each region being nominated.

Local Government (i.e., Councils) and other for-profit entities should consider that payments will be made in arrears on invoice in accordance with Treasurer's Instruction 11.

Not-for-profit organisations should consider that payments will be made quarterly in advance in accordance with Treasurer's Instruction 11.

Where there are co-contribution funds available, You are requested to include this detail in the Budget as clearly marked separate budget expenditure lines.

4.4.2 Inclusion of Co-Contributions

Respondents may opt to co-contribute funding to expand their proposed capacity of the CTSA service in their local community. Provide details of any proposed co-contribution, including:

- Amounts, and whether it is annual or ongoing, or a once-off arrangement;
- Source of co-contribution (i.e., respondent organisation, negotiated through partnership with another organisation such as a local council); and
- Any specific requirements or impacts of co-contribution on the proposed service (e.g., is the co-contribution dependent on targeting a specific place or population, or will it contribute to expansion of the service as a whole).

4.4.3 Acceptance of Proposed Contract

Part C of this Invitation details the terms and conditions of the Public Authority's Proposed Contract. The Public Authority needs to know whether or not You are prepared to do business based on the Proposed Contract.

Please note: In deciding which Supplier/s to shortlist the Public Authority will take into account each Supplier's willingness to comply with the Proposed Contract terms and conditions.

Select the statement below that best describes Your acceptance of the Proposed Contract:
☐ Having read and understood the Proposed Contract, in Part C of this Invitation, I confirm that these terms and conditions are acceptable. If successful, I agree to sign a Contract based on the Proposed Contract. ☐ Having read and understood the Proposed Contract, in Part C of this Invitation, I have proposed the following departures. If successful, I agree to sign a Contract based on the Proposed Contract including such departures or such amended terms and conditions of contract as may be agreed with the Public Authority following negotiations.

Clause	Concern	Proposed solution
<insert number>	<briefly describe Your concern about this clause>	<describe Your proposed alternative wording for the clause or Your solution>
<insert number>	<briefly describe Your concern about this clause>	<describe Your proposed alternative wording for the clause or Your solution>

<insert or remove rows as required>

Do You agree with the Liability position in the proposed Contract?	
☐ Yes	☐ No
If You answered 'No', You must provide an explanation and details of Your preferred position:	

Please indicate which Contract Execution clause should be used when executing a contract or deed
☐ Company (Sect. 126 Corp Act) ☐ Company (Sect. 127 Corp Act) (2 signatories needed) ☐ Incorporated Association (2 signatories needed) ☐ Sole Director Company (Sect. 127 Corp Act) ☐ Partnership ☐ Sole Trader ☐ Trustee ☐ Other - Please Specify _____
Nominate the name and email of person/s responsible for executing agreements (DHS issues agreements electronically via DocuSign for execution)

4.5 REFERENCES

Please supply the details of up to three referees to support Your ability to provide the Public Authority's Requirement. Include a brief description of the goods and/or services that Your organisation provided and when.

Please Note: In providing these referees You authorise us to collect any information about Your organisation, except commercially sensitive pricing information, from the referees, and use such information in the evaluation of Your Offer. You also agree that all information provided to us by the referee will be confidential to us.

Referee 1:	
Name of referee	
Name of organisation	
Title of referee	
Address	
Phone Number	
Email Address	
Nature of Business with Supplier – Goods and/or Services provided and when delivered	

Referee 2:	
Name of referee	
Name of organisation	
Title of referee	
Address	
Phone Number	
Email Address	
Nature of Business with Supplier – Goods and/or Services provided and when delivered	

Referee 3:	
Name of referee	
Name of organisation	
Title of referee	
Address	
Phone Number	
Email Address	
Nature of Business with Supplier – Goods and/or Services provided and when delivered	

5. SECTION 5 – SUPPLIER DECLARATION

You must submit with your Offer a signed declaration, in the form set out below.

Remember to select 'Agree' or 'Disagree' at the end of each row. If you don't you will be deemed to have agreed.

You must have the declaration signed by someone who is authorised to sign and able to verify each of the elements of the declaration e.g. Chief Executive or a Senior Manager.

If you are submitting a joint or consortium Offer, each entity comprising the consortium or partnership must complete a separate declaration.

Topic	Declaration	Supplier's declaration
Invitation Process, Terms and Conditions	I/we have read and fully understand the Invitation, including the applicable Invitation Process and Invitation conditions detailed in Part A: Invitation Procurement Process Guidelines. I/we confirm that the Supplier/s agree to be bound by them.	☐ Agree ☐ Disagree
Collection of further information	The Supplier/s authorises the Public Authority to: a. collect any information about the Supplier, except commercially sensitive pricing information, from any relevant third party, including a referee, or previous or existing client b. use such information in the evaluation of this Offer. The Supplier/s agrees that all such information will be confidential to the Public Authority.	☐ Agree ☐ Disagree
Public Authority Requirements	I/we have read and fully understand the nature and extent of the Public Authority's Requirements as described in Part B: Specification. I/we confirm that the Supplier/s has the necessary capacity and capability to fully meet or exceed the Requirements and will be available to deliver throughout the relevant Contract period.	☐ Agree ☐ Disagree
Ethics and Unlawful Collusion	In submitting this Offer, the Supplier/s warrants that: a. it is independent and that there has not been any unlawful collusion or anti-competitive conduct with any other Supplier or party in connection with this Invitation Process. This clause does not apply to any formal joint venture contractual arrangement entered into between the Supplier and any other person(s), the details of which have been provided to the Public Authority as part of the Offer submitted by the Supplier. b. the total value of the goods and/or services to be provided by sub-contractors, to the extent known at the time of making this declaration, is $<insert value>. c. it has not directly or indirectly approached any employee or representative of the Public Authority (other than the Contact Officer) to lobby or solicit information in relation to the Invitation. d. it has not offered any incentive, or otherwise attempted to influence or provide any form of personal inducement, reward or benefit to any employee or representative of the Public Authority.	☐ Agree ☐ Disagree
Offer Validity Period	I/we confirm that this Offer, including the price, remains open for acceptance for the Offer Validity Period stated in Section 1 Sub-section 1.6 of Part A to this Invitation.	☐ Agree ☐ Disagree
Electronic Files	I/we confirm that I/we have checked any electronic files contained in the Offer and that these are free from viruses.	☐ Agree ☐ Disagree

Conflict of Interest declaration	The Supplier warrants that it has no actual, potential or perceived Conflict of Interest in submitting this Offer. Where a Conflict of Interest arises during the Invitation process the Supplier/s will report it immediately to the Public Authority's Contact Officer.	☐ Agree ☐ Disagree
Details of Conflict of Interest: <Suppliers must give details of any possible Conflict of Interest that exists or may arise in relation to the making and/or acceptance of their Response. If You think you may have a Conflict of Interest briefly describe the conflict and how you propose to manage it or write "not applicable">.		
DECLARATION I/we declare that in submitting the Offer and this declaration: a. the Offer is made under seal and is enforceable by the Public Authority b. the information provided is true, accurate and complete and not misleading in any material respect c. the Offer does not contain Intellectual Property that will breach a third party's rights d. I/we have secured all appropriate authorisations to submit this Offer, to make the statements and to provide the information in the Offer and I/we am/are not aware of any impediments to enter into a formal Contract to deliver the Public Authority's Requirements I/we understand that the falsification of information, supplying misleading information or the suppression of material information in this declaration and Offer may result in the Offer being excluded from further consideration in the Invitation process and may be grounds for termination of any Contract awarded as a result of the Invitation process. By signing this declaration, the signatory below represents, warrants and agrees that they have been authorised by the Supplier/s to make this declaration on its/their behalf.		

Authorised Person Signature:	
Authorised Person Name:	
Title/Position:	
Name of organisation	
Date:	
Witness Signature:	
Witness Name:	
Date:	

DEBATE REPORT

7.4 Development and Community Services Report

7.4.7 BAROSSA ASSESSMENT PANEL - EXPRESSIONS OF INTEREST - INDEPENDENT PANEL MEMBERS

Author: Manager Development Services
24/109248

PURPOSE

To appoint four Independent Members (including one as the Presiding Member) and a Deputy Independent Member to the Barossa Assessment Panel (BAP) for the new term commencing 1 January 2025 until 31 December 2026 and to adopt amended Terms of Reference for the BAP.

RECOMMENDATION

That Council:

(1) Adopts the Barossa Assessment Panel Terms of Reference as contained within Attachment 1.

(2) Appoints the following Independent Members, who hold or will hold the required Planning Level 2 Accreditation, to the Barossa Assessment Panel, pursuant to Section 83 of the *Planning, Development & Infrastructure Act 2016,* for the period 1 January 2025 to 31 December 2016 unless further reviewed or changed:

Mr Geoff Parsons as the Presiding Member
Mr Graham Burns as Independent Member
Ms Rachel Knuckey as Independent Member
Ms Sarah Elding as Independent Member

Mr Peter O'Dwyer as the Deputy Independent Member

REPORT

Background
The Barossa Assessment Panel is appointed by Council (a designated authority) pursuant to Section 83(1) of the *Planning, Development and Infrastructure Act 2016* (The PDI Act), to carry out its duties and functions as a relevant authority pursuant to Section 83 of the PDI Act.

The PDI Act provides that the membership must comprise not more than five members, only one of which may be a member of a Council. Cr Jane Evans has been appointed as the Council Member for the term of Council, and Cr Tony Hurn as the Deputy Council, also for the term of Council.

At the 20 August 2024 Council meeting, Council resolved to:

1. *Authorise the Director, Development and Community Services to advertise an Expression of Interest for appointment of members to the Barossa Assessment Panel, pursuant to the Planning, Development and Infrastructure Act 2016 for the next term of the Barossa Assessment Panel, 1 January 2025 – 31 December 2026, having regard to the need for accreditation (or eligibility for accreditation) pursuant to this legislation.*

2. *Appoints a selection panel for the purpose of conducting interviews of candidates for independent membership of the Barossa Assessment Panel, comprising the Director, Development and Community Services, Manager – Development Services, the Mayor, Crs de Vries, Angas and Evans and to make recommendation to the Council regarding the suitability of candidates for appointment to the Barossa Assessment Panel for the new term.*

3. *Sets the remuneration fee for members of the Barossa Assessment Panel (excluding the Council members) for the period 1 January 2025 – 31 December 2026 as follows:*

   Presiding Member - $550 per meeting
   Members - $400 per meeting

Introduction
Council must appoint an Assessment Panel pursuant to Section 83 of the PDI Act. A feature of the Act is that all independent members of Assessment Panels must hold Level 2 accreditation. Council Members who are members of an Assessment Panel are exempt from accreditation.

Discussion
Council commenced an expression of interest process for independent members of the BAP between 4 September and 25 September 2024. Council received seven applications, of which three were from incumbent members.

All candidates either have current Level 2 accreditation or will have Level 2 accreditation before commencement of the term. Based on the qualifications and experience of the candidates, all would be suitable for appointment.

Mr Geoff Parsons and Mr Graham Burns were the only candidates that applied for the position of Presiding Member.

The selection panel held interviews with all of the candidates. One of the candidates, Mr Grant Hewitt, following interview, has been appointed as the Senior Assessment Officer – Building for The Barossa Council, such that he has withdrawn from the selection process.

Distributed under separate cover is a copy of the candidates expressions of interest as well as a summary table containing comments on the candidates suitability for appointment to the Panel and the Selection Panel's comments.

The PDI Act does not require there to be a gender balance on the Panel. However, the Terms of Reference, dated 28 November 2022, states:

3.5 At least one (1) Member of the Panel must be a woman and at least one (1) Member a man, and should, insofar as is reasonably practicable, ensure that the Panel consists of equal numbers of men and women.

Three of the seven candidates are female. The Selection Panel recommends appointment of two female members, Ms Rachel Knuckey and Ms Sarah Elding. Noting the current incumbent Council Member is Cr Jane Evans, the Panel will be comprised of three female members, which satisfies Clause 3.5 above.

The Selection Panel recommends the Council appoint:

- Mr Geoff Parsons as the Presiding Member
- Mr Graham Burns as an Independent Member
- Ms Rachel Knuckey as an Independent Member
- Ms Sarah Elding as an Independent Member

- Mr Peter O'Dwyer as the Deputy Independent Member

Upon appointment, the new Panel will meet for the first time on 22 January 2025.

The appointment of Independent Members for the new term also provides opportunity to review the Terms of Reference, which were last considered by Council on 28 November 2022.

An amended Terms of Reference marked in track changes is presented for the Council's consideration within Attachment 1. Amendments are proposed to the Terms of Reference as follows:

- Insert a New Clause 2 'Functions' to make clear the function of the Panel, including Clause 2.2 "*To provide advice and reports to the Council as it thinks fit on trends, issues and other matters relating to planning or development that have become apparent or arisen through its assessment of applications under the Act*".
- Clarification within Clause 3.4 that the Panel may appoint a standing Deputy Presiding Member at its discretion.
- New Clause 5.1.3 that members acknowledge and agree to the recording of meetings of the Barossa Assessment Panel as a condition of appointment.
- New Clause 12 that requires the Panel to report to Council on an annual basis, detailing issues for consideration by Council. The report shall include advice on trends, issues and other matters relating to planning or development that have become apparent or arisen through the Panel's assessment of applications under the Act.

Summary and Conclusion
Council is required to appoint members to the BAP under the *Planning, Development and Infrastructure Act 2016* and members must hold Planning Level 2 accreditation under the State Government's Accredited Professionals Scheme. Following an expression of interest, Council received seven applications, one of whom withdrew following the interview process. An interview process was undertaken by the Selection Panel and the Selection Panel has provided a recommendation to appoint a Presiding Member, three Independent Members and a Deputy Independent Member. Amendments to the Terms of Reference are also proposed.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Barossa Assessment Panel - Terms of Reference - December 2024 ⇩

Supporting references
Assessment panels | PlanSA
Accredited professionals scheme | PlanSA

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Infrastructure



Business and Employment

Goal

6 The Barossa maintains and develops infrastructure that meets the needs of the region and is efficient.

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

Strategies

6.2 Continue to ensure that infrastructure considers place-making is inclusive and accessible for all.

11.2 Support proactive population growth that is incremental, well managed and is backed up by local planning and development opportunities.

Corporate Plan

CS10 Economic Development - Facilitating the economic well-being and quality of life of the local businesses and the community

CS15 Land Use and Development - Assessment of development applications for construction, alteration or demolition of buildings, and the division of land and changes in land use.

Legislative Requirements

Planning, Development and Infrastructure Act 2016
Planning, Development and Infrastructure (General) Regulations 2017

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Council is responsible for the costs and other liabilities associated with the activities of the BAP. The BAP operates in accordance with a budget allocation to account for remuneration fees for independent members which Council resolved to set at the meeting of 20 August 2024 for the period 1 January 2025 – 31 December 2026 as $550 per meeting for the Presiding Member and $400 per meeting for Independent Members.

COMMUNITY ENGAGEMENT

Nil

BAROSSA ASSESSMENT PANEL

TERMS OF REFERENCE

Document Owner:	**The Barossa Council**	**Previous Approval Date(s):**	**28/11/2022** ~~**NEW**~~
Document Control Officer:	**DDES**	**Current Approval Date:**	**17**~~**28**~~**/12**~~**1**~~**/2024**~~**2**~~
HPE Content Manager Ref:	**22/75797**	**Next Review Date:**	**17/12**~~**1**~~**/2026**~~**4**~~

1. **ESTABLISHMENT**

1.1 Pursuant to Section 83(1) of the *Planning, Development and Infrastructure Act 2016* (the "PDI Act") The Barossa Council ("the Council") establishes the panel to be known as the Barossa Assessment Panel ("the Panel").

1.2 The Panel is established to carry out its duties and functions as a relevant authority pursuant to section 93 of the PDI Act.

1.3 The Panel will, at all times, act in accordance with the PDI Act, the Code of Conduct adopted by the Minister under Schedule 3 of the PDI Act and these Terms of Reference.

1.4 The costs associated with establishment and activities of the Panel will be borne by the Council.

2. **FUNCTIONS**

2.1 To act as an independent body from the Council in accordance with the requirements of the Act; and

2.2 To provide advice and reports to the Council as it thinks fit on trends, issues and other matters relating to planning or development that have become apparent or arisen through its assessment of applications under the Act; and

2.3 To perform other functions (other than functions involving the formulation of policy) assigned to the CAP by the Council.

Formatted: Heading 2,Level 2 Numbering

~~2.~~3. **ASSESSMENT MANAGER**

~~2.1~~3.1 Pursuant to Section 87 of the PDI Act, the Chief Executive Officer of the Council has appointed an Assessment Manager for the purpose of:

~~2.1.1~~3.1.1 acting as a "relevant authority" as provided under the PDI Act;

~~2.1.2~~3.1.2 being responsible for managing the staff and operations of the Panel in relation to which the Assessment Manager has been appointed; and

~~2.1.3~~3.1.3 providing advice to the Panel (as appropriate).

~~3.~~4. **MEMBERSHIP**

~~3.1~~4.1 The Panel will consist of five (5) Members, comprising

~~3.1.1~~4.1.1 one (1) Member of the Council (Council Member); and

~~3.1.2~~4.1.2 four (4) Independent Members (Independent Members), not being current Members of the Council or State Parliament~~,~~ taking into account the requirements set in clause ~~7~~6 of these Terms of Reference.

~~3.2~~4.2 The Council may determine that the Panel will be constituted by a different number of Members for different classes of development, in which case the relevant details will be specified by the Council.

~~3.3~~4.3 The Council appoints all Members of the Panel including the Presiding Member.

~~3.4~~4.4 Pursuant to section 83 of the PDI Act, the Panel and not the Council, may appoint an acting Presiding Member whenever required due to the absence of the Presiding Member. The Panel may, if it decides, appoint a standing Deputy Presiding Member. If both the Presiding Member and Acting Presiding Member are absence from a meeting, a Member will be appointed from those members present by means of resolution and will preside over the meeting.

~~3.5~~4.5 At least one (1) Member of the Panel must be a woman and at least one (1) Member a man, and should, insofar as is reasonably practicable, ensure that the Panel consists of equal numbers of men and women.

~~3.6~~4.6 The term of office of all independent members is a maximum of two (2) years or lesser term determined by Council. The Council Member is appointed ~~ment~~ for the term of the Council. Upon expiry of the term of office all retiring independent members of the panel are eligible for re-appointment

~~3.7~~4.7 Members of the Panel hold their positions as provided in clause ~~4~~3.~~6~~5 of these Terms of Reference or until removed from membership of the Panel by resolution of the Council under clause ~~6~~5.2 of these Terms of Reference.

Appointment of Deputy Members

~~3.8~~4.8 Pursuant to Section 83(1)(b)(v) of the PDI Act, Council may appoint Deputy Members of the Panel. In the absence of a Member, a Deputy Member may act as a Member of the Panel.

~~3.9~~4.9 The Council shall appoint one person who is an elected member of the Council to act in the capacity of Deputy Member (Council Member). The Deputy Member (Council Member):

~~3.9.1~~4.9.1 shall hold their position for a term determined by the Council; and

~~3.9.2~~4.9.2 will only be entitled to sit as a Member of the Panel when the member appointed under clause ~~4~~3.1.1 of these Terms of Reference is not present at a meeting.

~~3.10~~4.10 The Council may appoint independent person/s to act in the capacity of the Deputy Member (Independent Member). The Deputy Member (Independent Member):

~~3.10.1~~4.10.1 shall hold their position for a term determined by the Council; and

~~3.10.2~~4.10.2 will only be entitled to sit as a Member of the Panel if one of the Members appointed under clause ~~4~~3.1.2 of these Terms of Reference is not present at a meeting.

~~3.11~~4.11 The provisions relating to the qualification of a Member in clause ~~7~~6 of these Terms of Reference extend to a Deputy Member.

General

~~3.12~~4.12 The Council will call for expressions of interest for appointment of Members of the Panel.

~~3.13~~4.13 Members of the Panel (excluding the Council Member and Deputy Member (Council)) will be remunerated for their services. Remuneration rates will be set and regularly reviewed by Council.

~~3.14~~4.14 Different levels of remuneration may be fixed by the Council for Independent Members, the Presiding Member and Deputy Members.

Appointment of Additional Members

~~3.15~~4.15 Pursuant to section 85 of the PDI Act and ~~to~~ Practice Direction 5 issued by the State Planning Commission under section 42 of the PDI Act, the Panel may appoint 1 or 2 members to act as additional Members of the Panel for the purposes of dealing with a particular matter that it must assess as a relevant authority under the PDI Act. The Council acknowledges that it cannot appoint, oversee the appointment of, or otherwise be involved in the appointment of additional Members.

~~4.~~5. ROLES AND RESPONSIBILITIES

General

4.15.1 Notwithstanding these Terms of Reference, all Members of the Panel will:

4.1.15.1.1 observe the requirements of the PDI Act and all relevant Regulations and statutory instruments;

4.1.25.1.2 comply with the Assessment Panel Members - Code of Conduct ("the Code of Conduct") adopted by the Minister under Schedule 3 of the PDI Act;

4.1.35.1.3 comply with the Operating and Meeting Procedures of the Panel;

4.1.45.1.4 endeavour to ensure that development applications are determined in a manner which appropriately and in accordance with the PDI Act, balances the interests of applicants and representors and the community;

4.1.55.1.5 comply with policies and processes which are relevant to the operations of the Panel.

4.25.2 Members of the Panel are required to register their interests and complete a disclosure of interests return pursuant to Schedule 1 – Disclosure of financial interests under the PDI Act.

4.35.3 Members of the Panel are expected to read, comply with and, where appropriate, to seek clarification with respect to policies and processes relevant to these Terms of Reference.

Presiding Member

4.45.4 The role and responsibilities of the Presiding Member are to:

4.4.15.4.1 be responsible for the proper observance of these Terms of Reference, Operating and Meeting Procedures and Code of Conduct;

4.4.25.4.2 oversee and facilitate the conduct of Panel meetings in accordance with the PDI Act and the Operating and Meeting Procedures;

4.4.35.4.3 ensure all Members of the Panel have an opportunity to participate in discussions in an open, respectful and encouraging manner;

4.4.45.4.4 call the meeting to order and ask for the debate to be finalised and the motion to be put;

4.4.55.4.5 ensure that meetings occur in a manner which appropriately balances the interests of applicants, representors and the community.

5.6. CONDITIONS OF APPOINTMENT AND GROUNDS FOR REMOVAL OF MEMBERS

5.16.1 Members are appointed to the Panel subject to the following conditions:

~~5.1.1~~6.1.1 all Independent Members must maintain Level 2 ~~the~~ accreditation required by clause ~~7~~6 of these Terms of Reference ~~above~~ for the term of their appointment;

~~5.1.2~~6.1.2 the Council Member must remain as a member of the Council during the term of their appointment.

6.1.3 all members acknowledge and agree to the recording of meetings of the Barossa Assessment Panel.

Formatted: No bullets or numbering

~~5.2~~6.2 Subject to giving a Member of the Panel an opportunity to be heard or to make a written submission, the Council may resolve to remove a Member of the panel from office for:

~~5.2.1~~6.2.1 breach of, or failure to comply with, the Terms of Reference; or

~~5.2.2~~6.2.2 misconduct; or

~~5.2.3~~6.2.3 neglect of duty; or

~~5.2.4~~6.2.4 incapacity to carry out satisfactorily the duties of his or her office; or

~~5.2.5~~6.2.5 failure to carry out satisfactorily the duties of his or her office; or

~~5.2.6~~6.2.6 failure to comply with a requirement under Schedule 1- Disclosure of Financial Interests in the PDI Act or a breach of, or failure to comply with the Code of Conduct, or

~~5.2.7~~6.2.7 if directed to do so by the Minister acting on recommendation of the State Planning Commission under Section 86 of the PDI Act or otherwise as a result of a recommendation by the State Planning Commission following a Code of Conduct complaint.

~~5.3~~6.3 For the purposes of clause ~~6~~5.2 above, particulars of the grounds for removal shall be communicated to the Member at least one calendar month before the meeting of the Council at which the matter will be determined.

~~5.4~~6.4 A determination of the Council made under clause ~~6~~5.1 above shall be communicated to the Member, and in the event of an adverse determination, the Member shall cease to be a Member fourteen (14) days after the Council has communicated its determination to him/her.

Vacancy

~~5.5~~6.5 The office of a Member of the Panel will become vacant if the Member-

~~5.5.1~~6.5.1 dies; or

~~5.5.2~~6.5.2 completes a term of office and is not reappointed; or

~~5.5.3~~6.5.3 resigns by written notice to the Council; or

~~5.5.4~~6.5.4 becomes bankrupt or applies to take the benefit of a law for the relief of insolvent debtors; or

~~5.5.5~~6.5.5 is convicted of an indictable offence punishable by imprisonment; or

~~5.5.6~~6.5.6 is removed from office by the council under clause 5.1 of these Terms of Reference.

~~5.6~~6.6 A Member of the Panel whose term of office expires may nevertheless continue to act as a Member, for a period of up to six (6) months, until he or she is reappointed or a successor is appointed (as the case may be).

~~5.7~~6.7 In the event of a vacancy arising, the Council may appoint a person to be a Member for the balance of the original Member's term of office as soon as is reasonably practicable in the same manner as the original Member was appointed.

~~5.8~~6.8 The Member appointed to fill a vacancy may be a Deputy Member in which case that person will automatically ceases to be a Deputy Member.

~~5.9~~6.9 In appointing a Member pursuant to clause ~~6~~5.6 of these Terms of Reference, the Council must have regard to the matters in clause ~~7~~6 of these Terms of Reference as the circumstances require.

~~5.10~~6.10 A vacancy in the membership of the Panel will not invalidate any decisions of the Panel, provided a quorum is maintained during meetings.

~~6.~~7. ACCREDITED PROFESSIONALS

~~6.1~~7.1 In accordance with section 83(1)(c) of the PDI Act, all Independent Members of the Panel must be accredited as accredited professional – planning level ~~2~~1 pursuant to the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*.

~~6.2~~7.2 In accordance with section 83(2) of the PDI Act, the Council Member is not required to be an accredited professional. However, in appointing the Council Member, the Council must be satisfied that the Council Member is appropriately qualified to act as a Member of the Panel on account of the person's experience in local government.

~~7.~~8. POWERS AND FUNCTIONS

~~7.1~~8.1 The powers, functions and duties of the Panel are to be exercised in accordance with the PDI Act, the *Planning, Development and Infrastructure*

(General) Regulations 2017 ("the PDI Regulations") and these Terms of Reference.

~~7.2~~8.2 The powers, functions and duties of the Panel are assigned by section 93 of the PDI Act and Part 5 of the PDI Regulations.

~~7.3~~8.3 The Panel has the power to delegate its powers, functions and duties pursuant to section 100 of the PDI Act.

~~7.4~~8.4 The Panel is charged with the responsibility to undertake reviews pursuant to Section 202(1)(b) and Section 203 of the PDI Act in relation to a decision made by the Assessment Manager acting as a relevant authority. NOTE: this power cannot be delegated.

~~8.~~9. NOTICE OF MEETING

~~8.1~~9.1 The Panel shall meet in accordance with the PDI Regulations and the Operating and Meeting Procedures adopted by it.

~~8.2~~ The Assessment Manager must maintain a record of all notices of meetings given under this clause to Members of the Panel.

Formatted: Heading 2,Level 2 Numbering

Formatted: Indent: Left: 0 cm

~~9.~~10. PROCEDURAL REQUIREMENTS

~~9.1~~10.1 All meetings of the Panel will be conducted in accordance with these Terms of Reference, Operating and Meeting Procedures, and Code of Conduct.

~~10.~~11. COMPLAINT PROCEDURE

~~10.1~~11.1 A person may make a complaint against a Member of the Panel if the person believes that a Member of the Panel has acted in contravention of the Code of Conduct.

~~10.2~~11.2 Complaints are to be made to the State Planning Commission in accordance with Regulation 11 of the PDI Regulation.

~~10.3~~11.3 Complaints must be lodged with the State Planning Commission within six (6) months of the complainant first having notice of the matters alleged in the complaint.

12. REPORTS TO COUNCIL

12.1 The CAP shall report to Council on an annual basis, detailing issues for consideration by Council. The report shall include advice on trends, issues and other matters relating to planning or development that have become

apparent or arisen through the Panel's assessment of applications under the Act.

Signed:..... Dated:.....
Mayor – Michael Lange~~p~~

COVER SHEET

CONFIDENTIAL REPORT

17 December 2024

Council Meeting

8.1 Office of the Mayor and CEO

8.1.1 SUPREME COURT CASE MATTER - QUARTERLY UPDATE

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

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

RECOMMENDATION
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 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)(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 informatioin that is related to the Supreme Court Case between Councils and TTEG.