NOTICE OF ORDINARY COUNCIL MEETING
Tuesday 18 February 2025
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 28 January 2025 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

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9. URGENT OTHER BUSINESS

10. NEXT MEETING

Tuesday 18 March 2025 at 5.30pm

11. CLOSURE

PROCEDURAL ITEMS

3.3 NOTICE OF MOTION

3.3.1 NAMING OF ROAD OR PUBLIC PLACE - CR PREECE

From: Councillor Bruce Preece
25/16962

PURPOSE

To debate the notice of motion put forward by Cr Preece to name a road or public place after Julie Ann Combe.

NOTICE OF MOTION RECOMMENDATION

That Council instruct the Chief Executive Officer to nominate an appropriate street/road or open space/garden to be named after the late Julie Ann Combe who was a devoted Barossa Area Fundraisers for Cancer Chairperson and during her management oversaw and contributed to raising $800,000 for cancer services in the Barossa and that the nomination be table by the April meeting of Council.

REPORT

Rationale
To recognise the leadership and community contribution of Julie Ann Combe.

I have spoken to the family, and they are supportive of the gesture and recognition.

I will speak further to the motion at the meeting.

CEO Comments
Depending on the form of any road or public naming, a consultation process maybe required. Circumstances that this would be required is if Council elect to rename an existing road or public place. This can be accommodated, if necessary, within current budgets. Signage is not budgeted for but would not be significant.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Notice of Motion ⇩

Supporting references

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

Section 219 of the Local Government Act
Regulation 12 of the Local Government (Procedures at Meeting) Regulations 2013

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

No impact on undertaking the research. Signage costs will be determined once a determination is made by Council.

COMMUNITY ENGAGEMENT

This will be dependent on any proposal accepted by Council. Cr Preece has informed Council that a preliminary engagement with the family they are supportive of the proposal.

Mr Martin McCarthy
Chief Executive Officer
The Barossa Council
PO Box 837
Nuriootpa SA 5355

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

Dear Martin

I hereby propose to move the following motion at the next ordinary Council meeting of 20 August 2024 pursuant to Regulation 12(1) of the *Local Government (Procedures at Meetings) Regulations 2013.*

Having provided the requisite notice of 7 clear days please place the matter on the relevant agenda.

Motion

The Council instruct the Chief Executive Officer to nominate an appropriate street/road or open space/garden to be named after the late Julie Ann Combe who was a devoted Barossa Area Fundraisers for Cancer Chairperson and during her management oversaw and contributed to raising $800,000 for cancer services in the Barossa and that the nomination be table by the April meeting of Council.

Rationale

To recognise the leadership and community contribution of the Julie Ann.

I have spoken to the family, and they are supportive of the gesture and recognition.

I will speak further to the motion at the meeting.

Yours sincerely

Authorised by email dated 10/2/2025

Bruce Preece

Councillor

7 February 2025

Mayor's Report - February 2025 Meeting

25/16369

JANUARY/FEBRUARY

22/01/2025 Attendance at the Tour Down Under 2025

The Barossa rolled out the welcome mat for Health Partner's Men's Stage 2 of the Santos Tour Down Under with a day of festivities centered around Tanunda town square, with community activations well supported across three locations, the Barossa Visitor Centre, Tanunda Rotunda and the Nuriootpa Linear Park.

Tanunda was crowned Best Dressed Town, while the Barossa Visitor Information Centre took honours in the Best Dressed Commercial or Community Property category.

Council's association with this international event continues to have many tangible and intangible benefits including exposure to a global audience, economic benefits and repeat visitation, plus opportunities for increased community engagement.









26/01/2025 Tour Down Under Legends Night Dinner celebrating and reflecting on 25 years of Australia's greatest cycling race.

The invitation to this event provided an opportunity to have a brief chat with Premier Peter Malinauskas, Minister for Tourism, Zoe Bettison, Leon Bignell, Speaker House of Assembly and David Koch, South Australian Tourism Commission Chairperson and invite to view the Barossa Park at Lyndoch.

26/01/2025 Australia Day 2025 and Citizenship Ceremony

A successful event that held true our values of – 'Reflect, Respect, Celebrate' with a focus on youth. Our 2023 Young Citizen of the Year, Ryan Walker-Kluske performing Welcome to Country, 2024 Young Citizen of the Year, Casey Miles sharing her insights into her year as Young Citizen and Barossa Young Ambassador and assisting with the Citizen of the Year Awards, Chayse Larsen providing entertainment with his acoustic guitar and the Nuriootpa High School Students who were assisting Kiwanis Barossa and Lions Club of Barossa with the community breakfast and also fundraising for their study tour to Grapevine, Texas in September 2025.

Congratulations to our new Citizens and the Citizen of the Year Awards Recipients for 2025.

Citizen of the Year – Bruce Hancock
Young Citizen of the Year – Jaimee Mustard
Community Event of the Year – Stars of Barossa
Award for Active Citizenship – Lyn and Geoff Hansen











31/01/2025 Meeting with Mount Baker District Council, Mayor Leach for a tour of Barossa Park and other Council recreational development sites and networking opportunities.



MATTERS FOR INFORMATION

6.1 DRAFT DOG AND CAT MANAGEMENT (CAT MANAGEMENT) AMENDMENT BILL 2024 - UPDATE

Author: Manager Health Services and Community Safety
25/2513

In 2024 public consultation occurred on a draft *Dog and Cat Management (Cat Management) Amendment Bill 2024* (the Bill).

A report was presented to Council on 20 August 2024 seeking endorsement for The Barossa Council's draft submission for the proposed draft Bill.

At the conclusion of the consultation period, The Department for Environment and Water (DEW) has made available the results of the consultation period in a report titled 'The What We Heard Report' (Attachment 1).

A total of 446 individual survey responses and 219 written submissions were received, as well as 32 submissions from the Local Government sector.

The key themes or comments raised during the consultation period can be summarised as follows:

- Long-term statewide cat management strategies and action plan are required.

- Strategies and plans need to strike an appropriate balance between supporting responsible pet cat ownership and managing threats to wildlife.

- Language and terms in the Act should be modernised.

- Approaches to cat management should support responsible cat ownership, desexing programs and rehoming, and humane euthanasia, where required.

As highlighted in the results, there was significant support for the need for a single, consolidated action plan to achieve sector alignment. A high number of respondents suggest consideration of a statewide cat management framework. This was something that The Barossa Council also suggested as part of its submission.

In response to the feedback regarding a statewide framework, DEW has engaged the service of external consultants, URPS, to support them in developing a Statewide Cat Management Strategy (the strategy).

Development of the strategy will be overseen by a Steering Committee that consists of DEW, the Department of Primary Industries and Regions, South Australia (PIRSA), Local Government Association and the Dog and Cat Management Board.

Furthermore, a Reference Group comprising of representatives from various organisations across the sector and local government has also been established, these members will contribute to the strategy and the associated actions.

The strategy will be developed with stakeholder and industry input, with a draft to be presented to the public for consultation in mid-2025.

As noted in the report on 20 August 2024, an Elected Member workshop was scheduled for March 2025 to discuss future Management of cats in The Barossa Council area.

As no further information or significant changes to the draft Dog and Cat Management (Cat Management) Amendment Bill 2024 will occur until after the drafting of the strategy and further public consultation, the proposed Elected Member workshop will be postponed and will occur towards the later stages of 2025.

ATTACHMENTS

Attachment 1 What We Heard - Proposed Amendments to the Dog and Cat Management Act 1995 To Improve Cat Management ⇩

SUPPORTING REFERENCES

Nil

Proposed amendments to the *Dog and Cat Management Act 1995* to improve cat management

What we heard



Government of South Australia
Department for Environment and Water

Executive Summary

The South Australian Government has reviewed the *Dog and Cat Management Act 1995* (the Act) and has proposed legislative amendments to address identified issues to improve the way cats may be managed throughout the state.

The development of these amendments began in 2022, with consultation occurring with cat rescue and shelter groups, as well as councils, landscape boards and other authorised bodies. The government consulted on proposed legislative amendments via YourSAy between July and September 2024.

The proposed amendments focused on improving legislative mechanisms for the effective management of cats, with no additional responsibilities imposed on cat owners.

Key themes from the consultation

You strongly supported:

- Enabling appropriate feral cat controls in specific circumstances
- Improving processes for the seizing of cats
- Implementing processes for detaining cats, similar to dogs
- Implementing clear rules regarding the disposal and destruction of cats.

You raised concerns about:

- Lack of definitions for cats
- Decision making on disposal or destruction of cats
- Ability to destroy cats in specific circumstances without checking for identification
- Inconsistencies between council cat by-laws.

Your feedback identified some areas requiring consideration for amendments to the draft Bill. These areas include:

- Modernising language around powers to destroy or injure cats
- Ensuring strategies enabling feral cat management include appropriate protections for pet cats
- Adjusting powers for trapping cats to enable councils, other stakeholders and the community to take appropriate action
- Revising the provisions for the handling of trapped cats.

Some feedback received during the consultation process was beyond the scope of the draft Bill but has been captured and will be considered during policy and regulation development.

Introduction

Background

The *Dog and Cat Management Act 1995* (the Act) establishes South Australia's legal framework for managing dogs and cats. The aims of the Act are to encourage responsible ownership, to reduce public and environmental nuisance and to promote effective dog and cat management.

The Act outlines the responsibilities of dog and cat owners, and breeders and establishes the Dog and Cat Management Board.

In 2018, breeder registration and mandatory desexing and microchipping of dogs and cats was introduced, along with the statewide register, Dogs and Cats Online.

The Act was reviewed in 2022 to assess the effectiveness of the 2018 changes and to identify the legislative reforms needed to ban puppy factories and other possible improvements, including cat management.

Public consultation on the Dog and Cat Management (Breeder Reforms) Amendment Bill 2024 was undertaken between May and June 2024. These amendments address the Government's commitment to ban puppy factories and propose increased penalties for dog attacks and other offences. Breeder reform amendments were introduced to Parliament on 25 September 2024. A consultation report is available at *https://yoursay.sa.gov.au/breeder-reforms*.

Managing cats in South Australia

The Act provides the framework for the management of all cats across other relevant legislation. This currently includes:

- Provisions under the *Animal Welfare Act 1985* ensuring appropriate treatment of animals.
- Provisions under the *Dog and Cat Management Act 1995* primarily focused on the management of owned cats (and dogs).
- Provisions under the *Landscape SA Act 2019* and the *Crown Land Management Act 2009* relating to declared pests and pest management, guiding landscape boards, landholders, land managers and individuals.
- Provisions under the *National Parks and Wildlife Act 1975* and the *Wilderness Protection Act 1992* for the management of National Parks and wilderness protection zones.
- RSPCA, AWL, veterinary sector and other community organisations providing shelter, treatment and rehoming services.

Management of cats is a shared responsibility by individuals, local, state and federal government, as well as non-government parties. These parties have identified operational issues and barriers to current and future cat management needs.

The draft Bill

Feedback to the government relating to cat management, captured over the previous two years, culminated in the preparation of the draft Dog and Cat Management (Cat Management) Amendment Bill 2024 (the draft Bill).

The draft Bill was released for public and stakeholder consultation in July 2024. Amendments proposed to:

- **Revise and update powers and functions for councils to seize and detain cats, implement by-laws, and deal with owned and unowned cats.**
- **Clarify powers and remove barriers for landscape boards, National Parks, and other stakeholders to better manage feral cats.**

The public consultation process is valuable in identifying further opportunities to improve laws and management frameworks in South Australia.

Diverse community opinions were considered in identifying potential cat management amendments.

Next steps

The feedback provided through stakeholder conversations and public consultation has identified improvements to the draft Bill. DEW will coordinate the amendments process, to prepare a Bill for introduction into the South Australian Parliament. Parliamentary debate may result in further amendments. When passed by both houses, the Bill will be assented to by the Governor, and become part of South Australian law.

In addition to legislative amendments, the government is developing a statewide cat management strategy, with consultation to occur in 2025.

Who we heard from



How we engaged

The draft Bill, an explanatory paper, frequently asked questions and a survey were published on YourSAy for an 8 week public and stakeholder engagement process from 10 July to 4 September 2024.

The survey asked questions about each section of the draft Bill and provided opportunities for additional comments. The survey also asked questions about opinions on possible future cat management activities. Participants also had the option of providing a written submission to the Department for Environment and Water (DEW).

The draft Bill was promoted via social and traditional media and over 1000 organisations, groups and individuals with an interest in cat management were notified by email.

All comments and submissions have been considered as part of this review process. This report provides statistics and summaries of the main themes provided in public, council and stakeholder contributions.

Who we heard from

We received 446 responses from individuals to the survey and 219 written contributions from stakeholders and members of the community, in addition to 32 from local councils and the Local Government Association of South Australia (LGA).

Organisations

Submissions identified as being made on behalf of an organisation (whether submitted by email or through YourSAy) included:

- Animal Justice Party SA
- Animal Welfare League SA (AWL)
- Australian Institute of Animal Management (AIAM)
- Australian Pet Welfare Foundation
- Australian Veterinary Association
- Biodiversity Council
- Birds SA
- Cat rescue coalition (18 groups)
- C.A.T.S. Assistance To Sterilise Incorporated
- Conservation Council SA
- Four Paws
- Getting to Zero (G2Z)
- Green Adelaide Landscape Board
- Landscape Boards (group submission)
- Law Society of South Australia
- Love Rescue Collaborate
- Royal Society for the Prevention of Cruelty to Animals SA (RSPCA)
- South Aussies for Animals

Councils

- Local Government Association SA (LGA)
- Adelaide City Council
- Adelaide Plains Council
- Alexandrina Council
- Campbelltown City Council
- City of Burnside
- City of Charles Sturt
- City of Holdfast Bay
- City of Marion
- City of Mitcham
- City of Mount Gambier
- City of Norward Payneham and St Peters
- City of Playford
- City of Onkaparinga
- City of Port Adelaide Enfield Council
- City of Salisbury
- City of Tea Tree Gully
- City of Unley
- City of Victor Harbor
- City of West Torrens
- City of Whyalla
- District Council of Ceduna
- District Council of Grant
- District Council of Streaky Bay
- District Council of Yankalilla
- Light Regional Council
- Mid Murray Council
- Roxby Downs Council
- Rural City of Murray Bridge
- The Barossa Council
- Wakefield Regional Council
- Wattle Range Council

YourSAy survey respondents

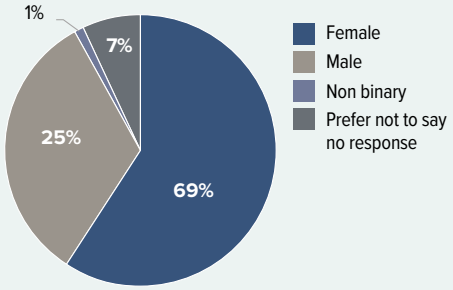
The YourSAy survey included a range of preliminary questions, to provide insight into who was responding.

Responders spanned all age and gender categories, noting that 60% of respondents identified as female, demonstrating higher participation of females than the state demographics.

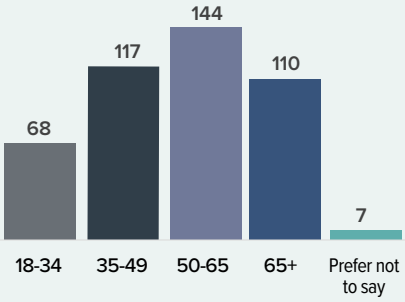
The survey attracted responses from both metropolitan and regional locations in South Australia. The percentages reflect South Australian representation, with 4 out of 5 people living within greater Adelaide.

Responders had a mix of experiences in dog and cat management. 51% of responders were current cat owners and 37% current dog owners. 1% of responders reported being a dog or cat breeder. Most (81%) of the responses came from individuals who do not have a professional involvement with dog and cat management. A smaller number of responses came from individuals within the volunteer sector, councils and the veterinary sector.

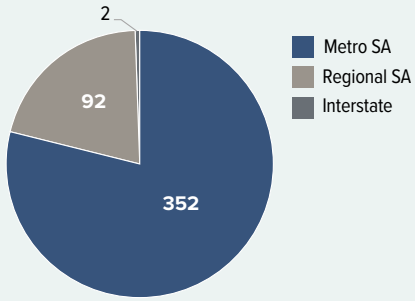
Responders' gender



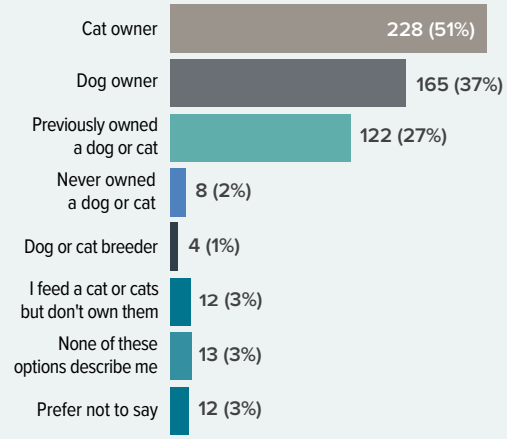
Responders by age



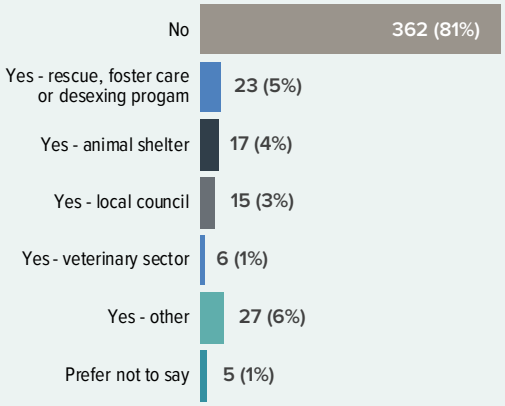
Responders' location



Dog and cat ownership



Professional or voluntary involvement with dog and cat management



What we heard

Overarching comments

Snapshot

- Long term statewide cat management strategies and action plan are required
- Strategies and plans need to strike an appropriate balance between supporting responsible pet cat ownership and managing threats to wildlife
- Language and terms in the Act should be modernised
- Approaches to cat management should support responsible cat ownership, desexing programs and rehoming, and humane euthanasia, where required

Stakeholders and the general public agree that amendments are required to the Act to provide better mechanisms to manage cats consistently across South Australia.

As anticipated, there was mixed support across all proposed amendments and a variety of perspectives about appropriate management solutions.

Overall, public feedback was supportive of the proposed amendments relating to cat management.

Feedback from the local government sector was mostly supportive, although there was a variety of views expressed within the sector. The LGA, and a number of councils, called for comprehensive statewide cat management provisions to be contained in the the Act to achieve a consistent approach throughout the state. Some comments noted limitations of using by-laws to achieve this outcome. Some councils supported the implementation of a statewide cat management strategy, however sought adequate time for implementation to ensure appropriate resourcing.

Shelters and rescue organisations were in favour of the development of a statewide cat management strategy prior to undertaking legislative reform and expressed a lack of support for the proposed amendments in the Bill, until such a strategy is in place. Suggestions were made to modernise the language and to incorporate hierarchies that explicitly prioritise returning cats to owners or rehoming, with euthanasia as a last resort. As all cats are impacted definitions of categories of cats was also strongly recommended.

Other stakeholders, including land managers and environmental conservationists generally supported the draft Bill, noting the improved ability to manage feral cat populations. Feedback also included suggestions to go further and require all cats to be contained to property or increase powers to seize cats that pose a threat to native wildlife.

A variety of suggestions from individuals and stakeholders were made for further improvement, including:

- Introducing similar laws for cats as there are for dogs
- Mechanisms for greater protections for native wildlife
- Reduce the distance from a residence that a cat may be destroyed
- Introduce offences to those feeding unowned cats
- Greater ability to trap all cats not just unidentified cats
- Introduce/don't introduce cat containment
- Greater support for responsible pet ownership (including subsidised/free desexing and microchipping to ensure owners are compliant with the Act)
- Recognition of, and support for community rescue groups
- Limit euthanasia where possible
- Modernise language and introduce definitions of cats.

Application of Act (Section 9A)

A new section 9A proposed to clarify that if there is an inconsistency between the *Dog and Cat Management Act 1995* and other South Australian legislation, the provisions of the Act are not a barrier to eradication programs for managing feral dogs or cats.

Such programs must comply with all safeguards required by other laws and administrative arrangements.

Snapshot

- Seek definitions for cat type (in particular "feral")

YourSAy	Local government	Shelters and rescues	Other stakeholders
Agree	Agree	Disagree	Mixed

The intent of this new section was mostly supported.

A number of respondents sought the inclusion of definitions for different categories of cats. There was a focus on the distinction between feral cats and other categories including domestic, semi-owned and stray. Similarly, comments called for distinct management approaches to be applied for each defined category.

However, feedback was also received that did not support the inclusion of definitions for various categories of cats, identifying that this may create barriers in practice.

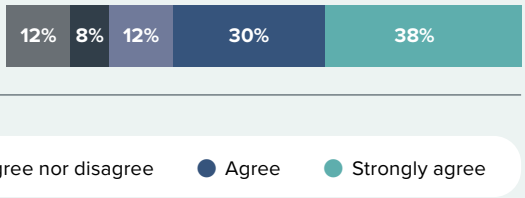
Further considerations and changes

Following amendments to other sections within the Bill, this section will be revisited to determine if it is required.

YourSAy survey

Application of Act (Section 9A)

This new section will be added to ensure other State legislation governing feral cat management can operate lawfully. Do you agree?



Power to destroy cats (Section 63)

Powers currently set out in section 63 lack clarity and create operational issues and barriers to managing cats, resulting in inaction and uncontrolled breeding.

Amendments proposed to section 63 include changing who has powers to destroy cats, based on the location of the cat.

Cat location

A cat is in an area described in Section 63 – Power to destroy cats.

(I.e. National Parks, etc., wilderness protection area, designated area, more than 1 kilometre from a residence, an area undergoing feral cat programs by Landscape Board or Crown Lands.)

Person

A cat may be destroyed by person described in Section 63.

Amendments to this section propose to:

- Treat persons lawfully performing functions under the *Crown Land Management Act 2009* and *Landscape South Australia Act 2019*, the same as those lawfully performing functions under the *National Parks and Wildlife Act 1972* and *Wilderness Protection Act 1992*.
- Include a clarifying provision that cats may be trapped and euthanised in specific circumstances.
- Broaden language to recognise contractors and other persons lawfully performing functions under these Acts.
- Update wording in the definition of Prescribed Person, in Section 64D – Notification to owner of dog or cat destroyed etc. under Part 5A of the Act—Destruction, seizure and detention etc. of dogs and cats.
- Exempt a person's own place of residence to allow a person to manage feral cats on their own property, as long as the distance from any other genuine place of residence is greater than 1 kilometre or a distance set in regulation.
- Add a regulation making power so that in certain circumstances, distances can be set.
- Allow for circumstances in which authorised persons may destroy cats, without seizure, to be provided in regulations.

Snapshot

- Modernise the language
- Greater restrictions on power to euthanise
- Greater powers for councils to control cats on public land, and landowners to control cats within 1 kilometre of another residence with the landholder's permission
- Actions to be based on defined categories of cats
- Increase desexing actions

YourSAy	Local government	Shelters and rescues	Other stakeholders
Mixed	Agree	Disagree	Agree

The general public had mixed views about the amendments proposed for section 63, ranging from the majority showing 'strongly support', to the second highest category showing 'strongly disagree'.

Comments were varied, addressing the negative impact of cats on native wildlife, as well as concerns about ensuring individuals act humanely in carrying out duties under this section. Feedback was also provided about the way cats can be defined, expressing a need for distinct management approaches for feral and pet cats.

Councils were supportive of the proposed amendments that expand cat management powers in areas outside of council control. More information was sought on the regulation making powers and the circumstances in which an authorised person may lawfully destroy a cat.

Shelters and rescue organisations did not generally support the proposed amendments, noting concerns about the qualifications of the person destroying cats, and cats being destroyed prior to being scanned for a microchip. The sector is in favour of increased efforts, including resourcing for cat desexing activities, to reduce populations over time.

Other stakeholders expressed support for the proposed amendments that allow landowners or land managers to undertake cat controls on their property.

Further considerations and changes

A holistic, statewide cat management strategy is to be developed in consultation with industry and stakeholders, alongside legislative amendments.

YourSAy survey

The draft amendment Bill includes proposed amendments to improve how Councils and other stakeholders manage cats in South Australia. Survey responders were asked to indicate their level of support for each aspect of the proposed amendments.

Persons authorised

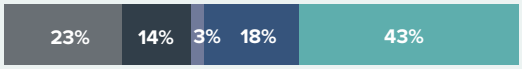
This section of the Act currently refers to 'warden', 'authorised officer' and 'inspector' in relation to *the National Parks and Wildlife Act 1972*, *Wilderness Protection Act 1992*, *Crown Land Management Act 2009, Landscape South Australia Act 2019* and the *Animal Welfare Act 1985*.

Amendments to this provision propose to broaden language to recognise contractors and other persons lawfully performing functions under these Acts.



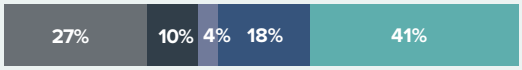
Feral cat control

Proposed that references to 'unidentified' cats be removed to allow lawful feral cat control under the *Crown Land Management Act 2009* and the *Landscape South Australia Act 2019*, bringing these laws in line with controls permitted under the National Parks and Wildlife Act.



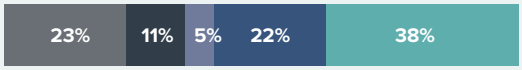
Distance from residence

It is proposed to amend this section so that rural landowners more than 1 kilometre from a neighbour can lawfully control feral cats on their own property.



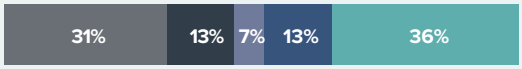
Regulation to set distance from residence

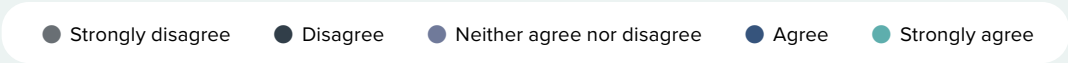
A regulation to set specific distances is proposed to allow lawful feral cat eradication programs in targeted environments.



Amend powers for council authorised persons

Amendments to section 63 (2) propose to allow for circumstances in which authorised persons may destroy cats, without seizure, to be provided in regulations.





Seizing and detaining cats (Sections 64, 64AA, 64A, 64D)

Section 64 – Power to seize and detain cats

Amendments in this section propose to allow identified, and unidentified, cats to be seized and detained in appropriate circumstances.

Amendments to this provision propose to:

- Provide clarity on how seized and detained cats must be managed.
- Allow all cats to be seized and detained in specific scenarios, not just unidentified cats.
- Restrict the ability to seize and detain to an authorised person, persons performing functions or a person with the permission of an authorised person.
- Ensure seizing and detaining of cats is undertaken pursuant to the conditions determined by councils.

Snapshot

- Mixed feedback on who should be permitted to trap, including the roles and responsibilities of individuals, authorised persons, and volunteer shelter and rescue groups
- Seek guidelines for trapping

YourSAy	Local government	Shelters and rescues	Other stakeholders
Disagree	Disagree	Disagree	Mixed

All stakeholder groups sought change to the this section of the Act; however, the proposed amendments in the Bill were mostly unsupported, with concerns about who could trap cats being the primary issue. There was no consensus amongst stakeholder groups as to who should be permitted to trap cats. Some stakeholders expressed the opinion that only trained authorised officers, or rescue organisations should undertake trapping, and others sought unlimited power for members of the public to trap cats on, or off, their property. Respondents did not support the proposed council approval requirement to undertake trapping.

Further considerations and changes

These proposed amendments were broadly unsupported due to the heightened level of administration involved to seize and detain (trap) a cat.

Further consideration will be given to the appropriate balance of powers for a person to seize and detain a cat.

Cat location

A cat is in an area described in Section 63 – Power to destroy cats.

(I.e. National Parks, etc., wilderness protection area, designated area, more than 1 kilometre from a residence, an area undergoing feral cat programs by Landscape Board or Crown Lands.)

Person

A cat may be seized and detained by person described in Section 64 – Power to seize and detain cats.

Persons operating under other Acts (such as Landscape SA Act) will have alternative arrangements prescribed in regulations.

Cat location

A cat is not in an area described in Section 63 – Power to destroy cats.

Person

A cat may be seized and detained by person described in Section 64 – Power to seize and detain cats (limited to authorised person, or with the permission of an authorised person).

Person must deliver the cat to a council facility for processing.

Section 64AA—Procedure following seizure of cat

There is a process for managing detained dogs in the Act, however there is no specific process for managing detained cats.

This new provision proposes to:

- Improve the outcomes for seized and detained cats, introducing a similar arrangement to the long-established process for dogs.

Snapshot

- Seek clear responsibilities for managing trapped cats
- Mixed feedback about minimum time prior to disposal/destruction
- Concerns for outcomes of trapped cats, including animal welfare, inappropriate or unlawful destruction, and availability of detention facilities
- Seek clarification on regulation making powers

YourSAy	Local government	Shelters and rescues	Other stakeholders
Agree	Disagree	Mixed	N/A

The proposed minimum period of detention prior to destruction or disposal of a cat received mixed feedback across, and within, all stakeholder groups. Some sought a longer holding periods for all cats, some supported the proposed 72 hours, and others suggested unidentified cats may be euthanised without mandated holding periods.

Members of the public expressed concerns about existing arrangements that require trapped cats to be delivered to vets, RSPCA, AWL or a council, without the requirement for these organisations to accept the cat. Resolving this issue is supported. Allowing transitional times to establish detention facilities was suggested.

Council feedback was mixed, leaning towards not supported, due to the current lack of detention facilities available to detain trapped cats for a minimum of 72 hours.

This concern was also shared by shelters and rescues.

Further considerations and changes

Further consideration will be given to the appropriate legislative processes a person may action in relation to a cat they have seized.

Section 64A—Destruction or disposal of seized cat

The proposed amendment to allow both identified and unidentified cats to be seized and detained under section 64, required amendments to section 64A to account for identified cats.

Amendments to this provision propose to:

- Specify circumstances in which councils may dispose of seized cats. These processes are based on the current processes for dogs.

Councils may dispose of cats by directly rehoming, transferring to a shelter or foster care organisation for care and rehoming, or utilise humane euthanasia where rehoming is not appropriate.

Snapshot

- Seek guidelines for euthanasia decision making
- Transparency on euthanasia data
- Consider trap-neuter-return or release programs
- Cost recovery for services

YourSAy	Local government	Shelters and rescues	Other stakeholders
Agree	Agree	Mixed	N/A

The public were generally supportive of the proposed amendments, with rehoming as a preferred option.

Council feedback was mostly supportive, noting concerns about detention facility availability.

The shelter and rescue organisations sought greater prioritisation of rehoming over euthanasia to be reflected in the amendments. Some expressed strong disagreement on authorised officers making the decision about euthanasia.

Further considerations and changes

The process for destruction or disposal of a seized cat will be reconsidered in light of feedback received, as well as to align with changes made to sections 64 and 64AA.

Section 64D—Notification to owner of dog or cat destroyed etc under Part

Section 64D refers to prescribed persons, being persons identified as having a power to destroy cats under section 63. Amendments to section 64D are required to reflect the proposed changes to who has these powers.

Amendments to this provision propose to:

- Update the definition of prescribed person to reflect changes proposed for section 63 which are discussed earlier in this section.

YourSAy	Local government	Shelters and rescues	Other stakeholders
Agree	Agree	Mixed	N/A

This proposed amendment is largely consequential to changes proposed to earlier sections. Limited written feedback was received from stakeholders on this section.

Some respondents suggested that anyone exercising the power to destroy should be required to notify the owner, council or police, and formal records should be kept. Other comments identified circumstances, for example if a cat is surrendered, where this provision is not appropriate.

Further considerations and changes

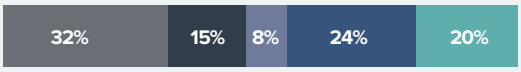
If required, proposed changes to section 64D will be revised to align with the powers set out in updated sections 63 and 64.

YourSAy survey

The draft amendment Bill includes proposed amendments to improve how Councils and other stakeholders manage cats in South Australia. Survey responders were asked to indicate their level of support for each aspect of the proposed amendments.

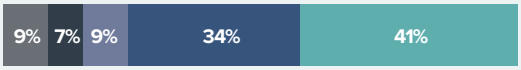
Power to seize and detain cats (Section 64)

Currently anyone can seize and detain an 'unidentified' cat and deliver it to a facility for the care of cats, as listed in the Act. Amendments are proposed to restrict the ability to seize and detain to authorised persons, persons performing functions, or a person with the permission of an authorised person and to provide clarity on how seized and detained cats must be managed.



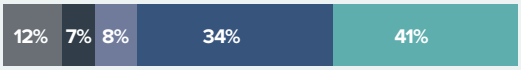
Procedure following seizure of cat (Section 64AA)

Currently there is no specific process for managing cats that have been legally seized and detained. Amendments propose to improve the outcomes for seized and detained cats, introducing a similar arrangement to the long-established process for dogs (return to owner if possible, scan for microchip, display notice).



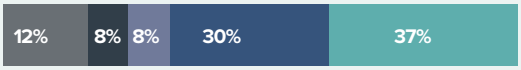
Detention time following seizure of cat (Section 64AA)

A minimum 72 hour detention period, the same as dogs, is proposed to give owners time to collect cats.



Destruction or disposal of seized cat (Section 64A)

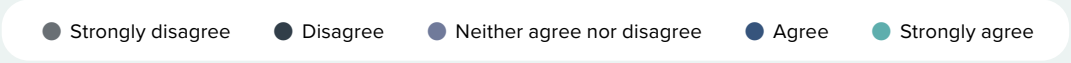
Amendments propose to provide instruction to councils in determining when to dispose of seized cat. These processes are based on the current processes for dogs. Councils may dispose of cats by rehoming, transferring to a shelter or foster care organisation for care and rehoming. Councils may also utilise humane euthanasia where rehoming is not appropriate.



Notification to owner of a destroyed dog or cat (Section 64D)

Draft amendments to section 64D are proposed to update the definition of prescribed person, reflecting changes proposed for section 63, which are discussed earlier in this section.





Looking forward

Changes proposed in the draft Bill focused on the powers and functions of councils and/or a person performing a seizing, detaining or destroying function under the *Dog and Cat Management Act 1995* or another relevant Acts, to manage cats.

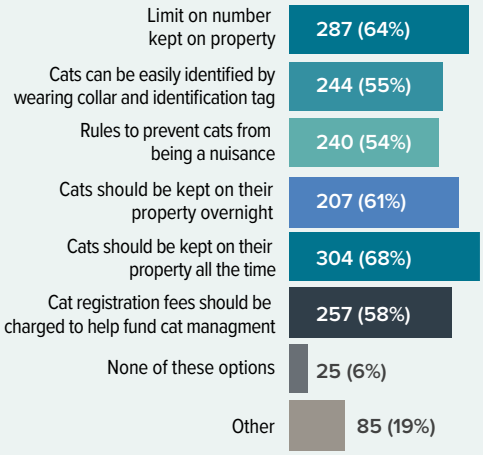
The proposed amendments did not include any additional requirements for owners; however, feedback was sought on what future regulations and/or actions the public and stakeholders would support.

Overall, survey respondents, and those who submitted written submissions were supportive of additional cat management options beyond what was proposed in the Bill, for councils to address through by-law making or for future statewide legislation.

In addition to the multiple choice options, survey respondents provided other suggestions, that included; education about responsible cat ownership, implement harsher penalties and fines, provide free desexing (and increase awareness about mandatory cat desexing), undertake trap-neuter-return or release, allow property owners to trap cats, ban cats and implement similar rules for cats as there are for dogs.

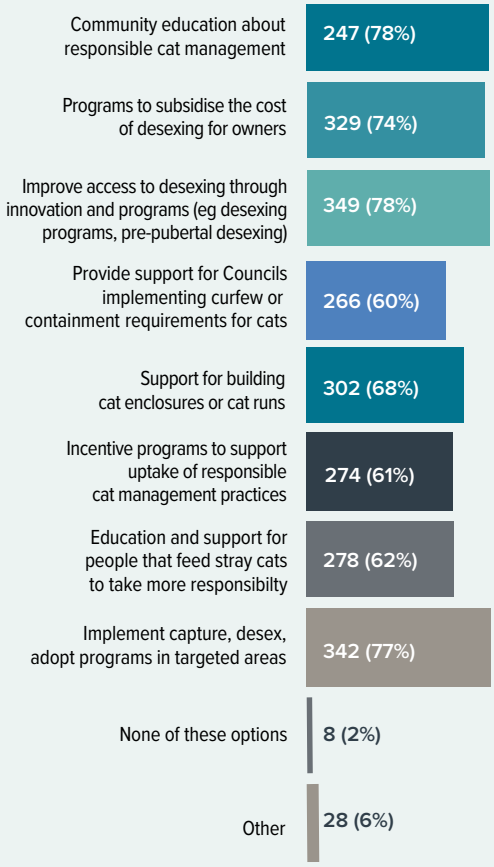
YourSAy survey

Which of the following options for cat management would you support in your council area?



YourSAy survey

Which of the following cat management activities would you support?



Again, survey respondents provided other suggestions, including undertaking trap-neuter-release or return, provide free desexing (and increase awareness about mandatory cat desexing), implement harsher penalties and fines, implement similar rules for cats as there are for dogs, and standardise cat laws through statewide legislation.

Snapshot

- Laws for full-time cat containment was the most supported (68%)
- The most popular activity suggestions were more education, improve accessibility to desexing and undertake “capture, desex and adopt” programs in targeted areas.

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Government of South Australia

Department for Environment and Water

MATTERS FOR INFORMATION

6.2 GARAGE SALE TRAIL 2024 IMPACT REPORT

Author: Sustainability Officer
25/15094

Council has been participating in Garage Sale Trail since 2018, and in February 2022, resolved to partake in the initiative for the next four (4) years. The purpose of this report is to provide a summary of the 2024 program and share the highlights from the local impact report prepared by Taverner Research Group for Garage Sale Trail.

Garage Sale Trail is a waste education and behaviour change program that aims to reduce household waste to landfill and support the transition to a circular economy.

The program was held over 2 weekends in November 2024, with participation levels very similar to the 2023 program. The 'summary of local outcomes' page from the impact report is attached.

Council is committed again to Garage Sale Trail for November 2025 (financial commitment of $2,728 ex. GST). This will complete the commitment made by Council in 2022. A program review will be facilitated post this campaign and recommendations brought back to Council for decision in early 2026.

ATTACHMENTS

Attachment 1 Garage Sale Trail - summary of local outcomes ⇩

SUPPORTING REFERENCES

Nil

Summary of local outcomes

REUSE, COMMUNITY & ECONOMIC IMPACTS

Local registration data and survey responses from regional participants allows us to estimate the reuse, community and economic impacts generated locally in 2024. Refer to pages 6 - 10 for more information on the calculations and a deeper dive into the results.

Impacts in your local area directly correlate with your local government's community engagement and promotional activities over the campaign period.

COMMUNITY PARTICIPATION

1,088
local residents participated as a seller or a shopper.

37
garage sales & stalls. Compared to 40 in 2023.

ITEMS REUSED

3,275
items sold / reused over two weekends.

42%
would otherwise have gone to landfill.

BEHAVIOUR CHANGE

56%
would not otherwise have had a garage sale.

27%
would not otherwise have shopped secondhand.

ECONOMIC

$19,153
made for local households, community groups & charities.

$40,600
saved by shoppers by buying secondhand instead of new.

MATTERS FOR INFORMATION

6.3 SOUTH AUSTRALIA'S NET ZERO STRATEGY 2024 - 2030

Author: Sustainability Officer
25/15994

South Australia's Net Zero Strategy has recently been released. The foreword and objective summary pages have been attached, with the link to the full strategy in supporting references.

The strategy is a key pillar of the South Australian Government's response to the declaration of a climate emergency by the South Australian Parliament in May 2022. It sets out the government's objectives, policy priorities and actions to reduce greenhouse gas emissions for South Australia and improve the prosperity and wellbeing of South Australians. Implementation of the strategy will help achieve South Australia's interim emissions reduction targets and drive progress towards net zero emissions by 2050.

The South Australian Climate Change Resilience and Adaptation Actions document has also been updated to align with the Net Zero Strategy.

Council's baseline carbon emissions inventory for corporate emissions was finalised September 2024 and a plan to start addressing 'high yield actions' to reduce greenhouse gases created from activities within Council's direct control is being considered (Corporate Plan Strategic Action CS17-1).

ATTACHMENTS

Attachment 1 South Australia's Net Zero Strategy - foreword and objectives summary pages. ⇩

SUPPORTING REFERENCES

South Australia's Net Zero Strategy 2024 - 2030.
South Australian Government Climate Change Resilience and Adaptation Actions.

Foreword



South Australia's Net Zero Strategy is a key pillar of the South Australian Government's response to the declaration of a climate emergency by the South Australian Parliament in May 2022. The declaration reaffirmed our commitment to restoring a safe climate by transforming the economy to net zero emissions.

The world is on the path to a greener net zero future. Over 90% of the world's gross domestic product (GDP), and around 88% of global emissions, are now covered by net zero commitments.[1]

These substantive reductions in greenhouse gas emissions are required to limit global warming and avert catastrophic climate impacts which have the potential for significant disruption to our economy and society.

Reducing our state's emissions to net zero will be a substantial challenge. It also provides enormous potential to increase the prosperity and quality of life for South Australians. Investment and market changes here and overseas are increasing demand for low or zero emissions goods and services.

South Australia is a world leader in adopting renewable energy and is establishing the state as a world-class renewable hydrogen supplier. Our energy system has transformed from 1% renewable electricity generation in 2007 to 74% in 2023 – almost twice as much as any other mainland Australian state.

South Australia is building on our renewable energy success and local advantages to build new green industries and tackle hard-to-abate emissions beyond the energy sector. We can support decarbonisation beyond our borders by exporting renewable energy and low and zero emissions products, such as green steel and copper.

Recognising the economic opportunities of the global green transition, this Net Zero Strategy is a key initiative under the South Australian Economic Statement.

This strategy outlines the government's objectives, policy priorities, programs and initiatives across sectors to reduce greenhouse gas emissions, harness new economic opportunities and support an equitable and orderly transition to a net zero economy.

The strategy builds on South Australia's already world leading position in tackling greenhouse gas emissions and supporting an economically positive transition to a net zero future for our state. South Australia has already achieved a 57% reduction in emissions from 2005 levels.[2]

All parts of the economy and society must reduce emissions to reach net zero. The actions in the strategy recognise and build on the significant efforts from industry, business, other governments, researchers, communities, and individuals to reduce emissions and support positive economic and social transformation. Our government will continue to work collaboratively with relevant organisations and individuals to implement this strategy and to encourage further action across our economy and society.

New knowledge, technology and opportunities, unknown now, will continue to emerge over the next 5 years and beyond. The actions in the strategy are just a starting point for the next stage of our journey to a net zero future. The strategy will be reviewed and updated regularly.



Hon Susan Close MP

Deputy Premier
Minister for Climate, Environment and Water

The strategy

The strategy sets out the government's objectives, policy priorities and actions to reduce greenhouse gas emissions for South Australia and improve the prosperity and wellbeing of South Australians. Implementation of the strategy will help achieve South Australia's interim emissions reduction targets and drive progress towards net zero emissions by 2050.

Objectives

4 key objectives will guide government policy priorities and action.

Accelerate emissions reduction across government, business and community

The net zero transition will require innovation and action by all parties across the public, private and community sectors. The South Australian Government will enable and support sharing of knowledge and will foster and stimulate the innovation ecosystem to amplify impacts on the state's green transition.

Support a sustainable, inclusive and equitable net zero transition

The South Australian Government will implement actions in this strategy in ways that are environmentally sustainable and socially just. Affected stakeholders will be engaged to promote shared benefits across regions and communities and to minimise potential disruption and negative impacts for communities, individuals and businesses.

Promote low emissions economic opportunities and support global decarbonisation

Because of South Australia's renewable energy advantage, leadership in resource recovery and rich natural resources, we are in a strong position to support global decarbonisation while benefiting economically from the global green transition. Economic opportunities include clean technologies, renewable hydrogen, low emissions goods and services, circular economy products and practices, and minerals for clean technologies – all of these will be needed to support domestic and global decarbonisation.

Lead by example through early decarbonisation of South Australian Government operations and infrastructure

The South Australian Government will continue to act to reduce emissions from its operations, infrastructure and supply chains.



MATTERS FOR INFORMATION

6.4 PROPOSAL TO INITIATE AN AMENDMENT TO THE PLANNING AND DESIGN CODE - TREE PROTECTION AND PLANTING CODE AMENDMENT

Author: Manager Development Services
25/16206

The State Planning Commission has initiated a Code Amendment entitled "*Tree Protection and Planting Code Amendment*". One of the recommendations contained in the Expert Panel Planning Implementation Review, endorsed by the South Australian Government in 2023 was that of "*Extending the Urban Tree Canopy Overlay and the Regulated and Significant Tree Overlay to townships*".

The Code Amendment gives effect to the recommendation of the Expert Panel. The effect of this change is to introduce new regulations which protect trees classed as Regulated and Significant trees in Barossa townships. Presently, no such controls exist, meaning that any tree, other than a tree defined as native vegetation pursuant to the *Native Vegetation Act 1991*, can be removed without any authorisation.

Presently, The Barossa Council is not subject to the Regulated and Significant Tree Overlay. A Regulated Tree is a tree having a total circumference of 1m or more at a point 1m above natural ground level. A Significant Tree is a tree having a circumference of 2m or more, when measured at a point of 1m above natural ground level.

The other important implication of this Code Amendment for The Barossa Council is that it is proposed to extend the application of the Urban Tree Canopy Overlay to all new allotments in the Master Planned Neighbourhood Zone. This policy will require tree planting when new houses are built in greenfield areas by expanding the spatial application of the Urban Tree Canopy Overlay to master-planned areas.

The effect of this change is that Concordia is likely to be subject to the Master Planned Neighbourhood Zone and it is therefore expected that such policy, if approved under the Code Amendment, would become embedded into the Planning & Design Code when the Concordia Growth Area Code Amendment is endorsed.

The Commission will be preparing an engagement plan in accordance with the Community Engagement Charter, 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 Tree Protection and Planting Code Amendment - Proposal to Initiate

SUPPORTING REFERENCES

Planning, Development and Infrastructure Act 2016

PROPOSAL TO INITIATE AN AMENDMENT TO THE PLANNING & DESIGN CODE

Tree Protection and Planting 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: 13/08/2024

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

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Planning, Development and Infrastructure (General) (Regulated and Significant Trees) Amendment Regulations 2024 19

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 Tree Protection and Planting Code Amendment seeks to preserve and enhance South Australia's tree canopy by updating tree protection policies, promoting design innovation to retain large trees, reviewing assessment pathways and policies for tree removal in certain cases, and extending both the Regulated and Significant Tree Overlay and the Urban Tree Canopy Overlay to cover more parts of South Australia.

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 Tree Protection and Planting 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 (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 Code.

1.2. Background

On 19 March 2021, the Code came into effect for the whole of South Australia. As part of this process, existing regulated and significant tree policies were transitioned

from council development plans into the Code. This included the creation of the Regulated and Significant Tree Overlay, as well as Part 10 of the Code to define those trees or stands of trees, pursuant to Section 68 of the Act, that were previously declared to be significant by council development plans.

The Urban Tree Canopy Overlay was also introduced in the Code to ensure residential development preserves and enhances urban tree canopy through the planting of new trees and retention of existing mature trees. The policies in the Urban Tree Canopy Overlay complemented the target in *The 30-Year Plan for Greater Adelaide* (2017 Update) to increase urban green cover across Greater Adelaide by 20%. The overlay polices seek to retain existing large, mature trees where practicable and includes a requirement for new trees to be planted when new dwellings are built.

Urban Tree Canopy Off-set Scheme & Urban Tree Canopy Off-set Fund

On 23 March 2021, the then Minister of Planning and Local Government established the Urban Tree Canopy Off-set Scheme (the Off-set Scheme) to support policies in the Urban Tree Canopy Overlay.

The Off-set Scheme introduced the Urban Tree Canopy Off-set Fund (the Off-set Fund), to provide the opportunity to make a financial contribution to the Off-set Fund in circumstances where it would be impractical to plant new trees in accordance with the Urban Tree Canopy Overlay policy (e.g. when soil types are prohibitive).

The Off-set Fund provides for the planting of trees in reserves or public land, the purchase of land to preserve existing trees, or the planting of trees in areas with a low urban tree canopy or demonstrated urban tree canopy loss.

On 25 March 2021, the Commission issued Practice Direction 16 – Urban Tree Canopy Off-set Scheme 2021 (Practice Direction 16) to support the operation of the Off-set Scheme by specifying the certain procedural matters, which are required for the effective operation of the Urban Tree Canopy Off-set Scheme.

Open Space and Trees Project

In 2021, the State Planning Commission initiated the Open Space and Trees Project (the Project) to better understand the use and benefits of open space and trees in an urban context, and the impact of infill development on our urban tree canopy. The Project aimed to provide the Commission with a suitable evidence base that could be used to inform a planning policy review in relation to open space and trees in urban contexts. The issues and opportunities to be considered within the Project included:

- the impact of climate change and the ‘urban heat effect’
- open space and urban greening policy and its contemporary relevance
- loss of urban trees as a result of infill development
- the potential imbalance between the value of regulated and significant trees, and the penalties which apply for their removal
- inappropriate tree species included (or excluded) as regulated and significant trees.

The Project was initially to be undertaken in three parts:

Part 1: Review of regulated tree species and off-set contributions

Objective: Review trees that are exempt from regulated tree controls and quantify an appropriate off-set contribution for the removal of regulated and significant trees.

In 2021, a desktop review of the regulatory tree controls was undertaken by Planning and Land Use Services (PLUS). An arborist report that included a detailed analysis of the existing tree species exemptions was also completed in April 2022. The report was undertaken in consultation with Green Adelaide, the Department for Environment and Water, and the State Herbarium and Botanic Gardens. A copy of the Open Space and Trees Project - Arborist Review can be downloaded from:

https://dit.sa.gov.au/__data/assets/pdf_file/0010/1087885/Open_Space_and_Trees_Project_-_Arborist_Review.pdf

Part 2: Broader review of regulated and significant tree regulations

Objective: Undertake a comprehensive review of regulated and significant tree regulations and legislative measures.

In 2022, a broader review of Regulated and Significant tree regulations occurred. In addition to this, a separate research report was undertaken by the Environmental Institute of the University of Adelaide, in May 2022. The report provided data and analysis of South Australia's tree protections, compared to other Australian states and territories, including the size of trees protected and the various exemptions which currently apply. A copy of the Urban Tree Protection in Australia Report can be downloaded from:

https://dit.sa.gov.au/__data/assets/pdf_file/0011/1087886/Urban_tree_protection_in_Australia.pdf

At the conclusion of Part 1 and Part 2 of the Project, the Commission advised the Minister that:

- the size of tree protection triggers is too generous
- the exemption for trees located within 10 metres of a dwelling or swimming pool is too broad
- the offset fees for the removal of regulated or significant trees are inadequate
- the exempt tree species list should be reviewed

Part 3: Review of urban greening and impact of infill development

The final part of the Project was initially intended to include a review of the impact of infill development and the operation of the Commission's 'infill tree policy', including a review of the fees set under the Off-set Scheme and the spatial application of the Off-set Scheme. The Commission also planned to review tree canopy targets based on the investigations being undertaken to support the preparation of the new 30-Year Plan for Greater Adelaide.

Part 3 of the Project is represented through recent changes to the Regulations, the subject Code Amendment, work on the Greater Adelaide Regional Plan, and recommendations from the Expert Panel.

More information regarding the Commission's Open Space and Trees Project can be downloaded from:
https://www.saplanningcommission.sa.gov.au/projects_and_engagement/commission_projects#Open_Space_and_Trees_Project

Expert Panel

In December 2022, the Minister for Planning (the Minister) wrote to the Expert Panel for the Planning System Implementation Review (the Expert Panel) requesting it provide him with early advice regarding potential changes to the *Planning, Development and Infrastructure (General) Regulations 2017* (the Regulations), as they relate to Regulated and Significant trees, including the associated off-set costs and fees.

In January 2023, the Expert Panel advised that tree protections be enhanced through revised tree regulations and an expansion of Code policies pertaining to tree matters and, in doing so, provided the following early recommendations to the Minister:

1. Circumference

Recommendation: The prescribed circumference of a regulated and significant tree be reduced with the intent of offering protection to a broader range of mature trees.

2. Canopy

Recommendation: The Government investigate the use of tree canopy as a measure of tree protection.

3. Proximity Exemptions

Recommendation: The existing proximity exemption of ten (10) metres to a dwelling or swimming pool be significantly reduced.

4. Pruning

Recommendation: Pruning of protected trees only be permitted to occur at a rate of 30% once in every five (5) years.

5. Species

Recommendation: The Government investigate and re-consider the need for the inclusion of an exempt species list in the Regulations.

6. Off-set Fees

Recommendation: The off-set fees for the removal of regulated and significant trees are significantly increased, with that increase acknowledging the cost to local government of planting and maintaining replacement trees.

7. Interim Measures

Recommendation: The Government consider whether there are any interim measures able to be implemented to prevent a rush on tree removals.

The Expert Panel's Final Report and Recommendations also included the following relevant recommendations regarding the Code's tree policies:

- The Planning and Design Code policy should support design innovation to enable the retention of trees.
- Extend the application of the Urban Tree Canopy Overlay to all new allotments in the Master Planned Neighbourhood Zone.
- Extend the Urban Tree Canopy Overlay and the Regulated and Significant Tree Overlay to townships and address any anomalies in current township mapping for this purpose.

A copy of the Expert Panel's Final Report and Recommendations 2023 can be downloaded from:
https://plan.sa.gov.au/planning_review/about_the_review/final-report-and-government-response.

Planning, Development and Infrastructure (General) (Regulated and Significant Trees) Amendment Regulations 2024

In May 2024, the Government implemented amendments to the Regulations, including:

a) The following amendments to what constitutes a regulated tree or significant tree:

   A regulated tree has:

   - a single trunk with a circumference of 1 metre or more (previously 2 metres or more) - when measured at a point 1 metre above natural ground level
   - multiple trunks with a total circumference of 1 metre or more (previously 2 metres or more) and an average circumference of 310 millimetres or more (previously 625 millimetres or more) – when measured at 1 metre above natural ground level.

   A significant tree has:

   - a single trunk with a circumference of 2 metres or more (previously 3 metres or more) - when measured at a point 1 metre above natural ground level
   - multiple trunks with a total circumference of 2 metres or more (previously 3 metres or more) and an average circumference of 625 millimetres or more – when measured 1 metre above natural ground level.

b) Amendments to ensure the criteria for what constitutes a regulated or significant tree do not apply to a tree located within 3 metres (previously 10 metres) of an existing dwelling or an existing in-ground swimming pool, other than a tree within one of the listed species (or genus) of trees, while adding Angophora (any tree of the genus) and Corymbia (any tree of the genus) to the listed species.

c) Amendments to refer to a tree of a species designated (from time to time) by the Minister by notice published on the SA planning portal, rather than listing the specific species of trees in the Regulations.

d) Amendments to the definition of tree damaging activity to restrict the pruning of trees where pruning has been undertaken less than 5 years prior.

e) Prescribe additional criteria for the purposes of declaring significant trees within the Code, to include the following:

18A—Planning and Design Code—significant trees
For the purposes of section 68(1)(a)(iv) and (b)(iv) of the Act, a prescribed criterion is that the significant tree or stand of trees (as the case requires) makes a significant contribution to the urban tree canopy of the local area.

A copy of the *Planning, Development and Infrastructure (General) (Regulated and Significant Trees) Amendment Regulations 2024*, is contained within **Attachment A**.

On 16 May 2024, the Minister for Planning updated the Off-set Scheme to increase the amount that needs to be paid into the Urban Tree Canopy Off-set Fund (the Fund) in lieu of planting and/or retaining trees in "designated areas". The fees have been increased from $326 to $1000 for a Regulated Tree and $489 to $1500 for a Significant Tree. The new fees better reflect the cost of tree replacement and can be used by local councils and the Government to plant, establish and maintain trees, or to purchase land to preserve or accommodate the planting of new trees.

The Code Amendment will support the recent amendments to the Regulations by ensuring the policies guiding the assessment of tree damaging activity reflect the broader criterion for regulated and significant trees and promote the preservation and enhancement of the existing urban tree canopy.

The investigations undertaken as part of the Code Amendment will be used to inform the preparation of new and updated tree protection policies and to determine the parts of the State where the overlays should be applied.

1.3. Rationale for the Code Amendment

Natural resources and the environment improve the quality of life within our communities and underpin South Australia's economic prosperity and social wellbeing. Green infrastructure contributes to air and water filtration, reducing the urban heat effect, improving hazard resilience, enhancing biodiversity and helping to provide economic, cultural, spiritual and recreational benefit.

Green infrastructure also contributes to climate regulation and helps to respond to the impacts of climate change by removing carbon dioxide from the air, storing carbon in the trees and soil, and releasing oxygen into the atmosphere.

The planning system has a key role to play in management of our natural resources and the environment. The protection and enhancement of green infrastructure when undertaking development will improve our natural environment and help people

remain connected to our green infrastructure networks, which are important for our health, happiness and wellbeing.

The Regulation changes discussed above reduced the exemption distance for regulated and significant trees, to only allow for tree damaging activity (including the removal of trees) to occur within three metres of a home or pool without approval. In addition to this, the pruning of regulated and significant trees will be limited to allow for only 30 percent of the tree's canopy to be removed every five years. The Off-set Fund contribution for destroying or removing regulated or significant trees was also increased to better reflecting the cost of tree replacement.

The Code Amendment will seek to align the Code with the recent Regulation changes to help preserve and enhance the urban tree canopy, with appropriate criteria to assess tree-damaging activity in relation to regulated and significant trees.

The Code Amendment will review existing Code policies and explore opportunities for new policy initiatives to support tree retention and planting. Specifically, policy will be explored to promote design innovation that enables the retention of trees, acknowledging dual priorities for tree retention balanced with housing supply and development.

The Code Amendment will investigate appropriate assessment pathways and policy for tree-damaging activity in limited circumstances, including where trees are located in proximity of existing dwellings and in-ground swimming pools.

It's noted regulated/significant tree controls (represented through the Regulated and Significant Tree Overlay) currently apply to metropolitan Adelaide, as well as parts of the Adelaide Hills and Mount Barker (with some exceptions). The Urban Tree Canopy Overlay (requiring tree planting/retention with new houses) currently only applies to zones in metropolitan Adelaide which anticipate residential development. The Code Amendment will investigate opportunities to expand the spatial application of these overlays to townships in Greater Adelaide, and the Urban Tree Canopy Overlay to master planned areas.

2. SCOPE OF THE CODE AMENDMENT

2.1. Affected Area

The proposal seeks to amend the Code for the whole of South Australia.

2.2. Scope of Proposed Code Amendment

The Code Amendment will include a review of the existing tree protection policies in the Code and seeks to update policies based on the recent changes to the Regulations, the Commission's Open Space and Trees Project and the recommendations resulting from the Expert Panel's review into the implementation of South Australia's planning system. This will include incentives to retain trees and the analysis of assessment pathways.

The Code Amendment will include a review of the spatial application of the following overlays:

- Regulated and Significant Tree Overlay
- Urban Tree Canopy Overlay

The Code Amendment will review the existing overlays and consider spatially applying the Regulated and Significant Overlay to townships in Greater Adelaide, while extending the Urban Tree Canopy Overlay to both Master Planned Neighbourhood Zones and townships in Greater Adelaide.

While the recommendations of the Expert Panel regarding overlay expansion to townships did not limit this geography to Greater Adelaide, it is considered appropriate to investigate extending these tree protection/planting regimes to townships within Greater Adelaide initially[1], acknowledging the investigations required to determine what constitutes a 'township' and interactions with the *Native Vegetation Act 1991*.

The Code Amendment will explore opportunities to improve assessment pathways. This may include review of how tree-damaging activity is assessed where trees are in proximity of dwellings and in-ground swimming pools (and offset fees are paid to fund greening outcomes in more appropriate locations). It may also include where tree removal is required to support housing projects by the South Australian Housing Trust (the SAHT), where a Tree Planting Strategy has been approved and the replanting of trees will occur in accordance with the strategy.

While not necessarily covered by this Code Amendment, it's noted that the State Planning Commission is also investigating developing a Practice Guideline for tree assessments to provide consistency and broader consideration of tree value across local councils.

Current Policy	OVERLAYS • Regulated and Significant Tree Overlay • Urban Tree Canopy Overlay GENERAL DEVELOPMENT POLICIES • Design in Urban Areas
Amendment Outline	The Code Amendment contemplates amendments to: • the spatial application of the Regulated and Significant Tree Overlay and Urban Tree Canopy Overlay

[1] It's noted that any councils outside of Greater Adelaide could apply to spatially apply the Regulated and Significant Tree Overlay and / or the Urban Tree Canopy Overlay to their townships, or to declare a particular tree or stand of trees to be significant under section 68 of the Act, through a separate Code Amendment.

	• policies in the Regulated and Significant Tree Overlay to consider tree canopy when assessing tree-damaging activity, and policy applying to tree-damaging activity in proximity of dwellings and in-ground swimming pools • Development Classification/Assessment Tables/ Procedural Matters in zones relating to tree-damaging activity • Design and incentive policies as they relate to the retention of trees.
Intended Policy	Subject to investigations, the Code Amendment is anticipated to propose the following policy and spatial amendments, in response to requests from the government: • Review policies in the Regulated and Significant Tree Overlay guiding the assessment of tree-damaging activity, in order to consider a regulated/significant tree's contribution to urban tree canopy (at present, this Overlay does not specifically mention tree canopy). • Review and update existing Code policies to provide design innovations and incentives that can be used to retain large trees when undertaking new development. For example, investigate whether reduced site areas/setbacks are appropriate for a residential infill development that retains mature trees, in order to achieve appropriate clearance from trees by providing a flexible assessment against policies in other areas. In effect, this flexible policy should incentivise the retention of trees on development sites while still providing for the same development yield. • Require tree planting/retention when new houses are built in greenfield areas by expanding the spatial application of the Urban Tree Canopy Overlay to master-planned areas. • Provide protection for greater number of large, mature trees, and require tree planting/retention with new homes, by expanding the spatial application of the Regulated and Significant Tree Overlay and Urban Tree Canopy Overlay to townships in Greater Adelaide. • Investigate the appropriate assessment pathway/policies for the removal of a regulated/significant tree in proximity of an existing dwelling or in-ground swimming pool.

	• Investigate a streamlined assessment pathway for tree-damaging activity where tree replanting will occur in accordance with a Tree Planting Strategy developed by the SAHT.

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. Summary of Strategic Planning Outcomes

This Code Amendment seeks to support recent changes to the Regulations and the recommendations from the planning system review by the Government's Expert Panel to help support and create cooler and more liveable neighbourhoods, retain the open garden character of established suburbs, contribute to greener streetscapes, and assist with achieving tree canopy targets.

3.2. Alignment with State Planning Policies

The 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:

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
SPP 4: Biodiversity **Objective:** To maintain and improve our state's biodiversity and its life supporting functions. **SPP 4.4:** Enhance the biodiversity of urban areas and townships through a connected and diverse network of green infrastructure systems along streetscapes, major watercourses, linear parks, open space, the coast and other strategic locations.	The Code Amendment will seek to retain a greater number of large, mature trees in more areas throughout the state. Expansion of the Urban Tree Canopy Overlay to master-planned areas will broaden tree planting requirements throughout the state. Expansion of both the Regulated and Significant Tree Overlay and the Urban Tree Canopy Overlay to townships in Greater Adelaide will provide for the retention of mature trees, and the requirement for more tree plantings.

SPP 4.5: Where impacts to biodiversity cannot be avoided, these impacts should be minimised and where possible, offset.	In addition to more tree planting/retention, utilisation of a tree off-set scheme will help to maintain and improve our state's biodiversity by providing funding that can be used to plant additional trees and enhance the biodiversity of urban areas and townships including streetscapes, watercourses, linear parks and open space.
SPP 5: Climate Change **Objective:** Provide for development that is climate ready so that our economy, communities and environment will be resilient to climate change impacts. **SPP 5.11:** Regional Plans should include performance targets for urban greening and tree canopy enhancement in Greater Adelaide and regional townships.	The retention and protection of regulated and significant trees and the preservation and enhancement of the Urban Tree Canopy Overlay will help to create communities that are more resilient to climate change by supporting and creating cooler and more liveable neighbourhoods and contributing to greener streetscapes. The Code Amendment, in combination with the changes to the Regulations, will protect more large, mature trees and help to preserve and enhance the tree canopy within Greater Adelaide and in master-planned areas statewide.

3.3. 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.

As a State-wide Code Amendment, all 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) + The 30-Year Plan for Greater Adelaide - 2017 Update, Implementation Plan 2017/2018
- The Eyre and Western Region Plan (April 2012)
- Far North Region Plan (July 2010)
- Kangaroo Island Plan (January 2011) + addendum Kangaroo Island Sustainable Futures (January 2014)
- Limestone Coast Region Plan (May 2011)
- Mid North Region Plan (May 2011)
- Murray and Mallee Region Plan (January 2011) + addendum special character of the Barossa Valley and McLaren Vale (December 2013)
- Yorke Peninsula Regional Land Use Framework (December 2007)

- Port Augusta Structure Plan (July 2010)
- Greater Mount Gambier Master Plan (February 2008)
- Andamooka Structure Plan (July 2013).

The Regional Plans include priorities and targets, which are relevant for this Code Amendment and relate to:

- The protection and retention of trees.
- Protecting and re-establishing biodiversity.
- The need for green liveable cities
- Increasing urban green cover / tree canopy and re-establish green corridors.
- Ensuring that urban infill areas maintain appropriate levels of urban greenery.
- Importance of greening streets and urban environments
- Mitigation of the urban heat island effect by growing the urban tree canopy
- Responding to the impacts of climate change and support the implementation of the SA Climate Change Strategy 2015-2050.

The key goals and strategies contained in Regional Plans relate broadly to climate change, protection of enhancement of biodiversity and the need to retain and expand the urban tree canopy to contribute to the cooling of our cities and help mitigate the urban heat island effect. These strategies will be given appropriate consideration in the preparation of this Code Amendment.

The Code Amendment will apply tree protection and planting policies to a larger portion of the state. The proposed changes will help to protect and preserve a greater number of large, mature trees, require new trees to be planted when residential development is undertaken and increase the amount of funds that could potentially be raised through an off-set scheme to fund greening outcomes.

Updating the Regulated and Significant Tree Overlay and Urban Tree Canopy Overlay to areas outside of metropolitan Adelaide will not only help to protect more trees but also extend the tree planting policies and the current Urban Tree Canopy Off-set Scheme to more parts of the state.

3.4. Alignment with Other Relevant Documents

Additional documents relate to the broader land use intent within the scope of this proposed Code Amendment 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
South Australian Government's Climate Change Actions	The South Australian Government's Climate Change Actions (2022) provide a range of foundational actions to respond to climate change. The retention of trees and the preservation and enhancement of the urban tree canopy aligns with delivering the following actions in Part 5 – Built and Urban Environments: **Action 5.1 –** *Strengthen climate smart planning, building and design policies and their implementation in the planning system.* **Action 5.8 –** *Identify strategic opportunities for urban greening in metropolitan Adelaide.* **Action 5.9 –** *Develop improved policies, tools and guidance for the new planning system to achieve greener and cooler neighbourhoods.* **Action 5.10 –** *Increase implementation of green infrastructure through capacity building and incentives.*
Draft Urban Greening Strategy **(Green Adelaide)**	It's noted that the Draft Urban Greening Strategy was released for public consultation in April 2024, and seeks to promote the greening of metropolitan Adelaide through: • Increased tree canopy cover • Greater tree species diversity • Reduced urban heat intensity. The Code Amendment will promote these aims by seeking innovative ways to maximise tree canopy in urban infill development.

4. INVESTIGATIONS AND ENGAGEMENT

4.1. Investigations Already Undertaken

Preliminary investigations have already been undertaken as part of the recent changes to the Regulations and the 'Open Space and Trees Project', which was initiated by the Commission in response to University of Adelaide research, and the Expert Panel's review into the implementation of South Australia's planning system. The project sought to better understand the use and benefits of open space and trees in an urban context, the impact of infill development on our urban tree canopy and

included a review of urban greening policies in the Code including a review of regulated and significant tree measures.

The investigations undertaken so far were used to support the recent changes to the Regulations, updates to the Urban Tree Canopy Off-set Scheme, and to inform the Scope of this Code Amendment. The investigations undertaken so far included a review of:

- Existing tree protection policies and overlays in the Code.
- The Expert Panel's independent review of the *Planning, Development and Infrastructure Act 2016* and the Planning and Design Code, including the final report and government response.
- The Commission's *Preserving our Green Infrastructure Policies in the Planning and Design Code* brochure, which provides an overview of the policies in the Code and related legislation concerning the environment and preservation of our green infrastructure.
- Information brochures and factsheets that were prepared to support the recent changes to the Regulations.
- *Urban Tree Protection in Australia* report undertaken by the University of Adelaide, for the South Australian Attorney-General's Department Planning and Land Use Services (PLUS) Division, to review regulatory matters related to the protection of trees.
- Open Space and Trees Project - Part 1A (Arborist Review) report, which was prepared by Dr Dean Nicolle in 2022 for the Attorney General's Department, PLUS Division, Government of South Australia.
- Minister for Planning and Local Government 2021 report to the Environment Resources and Development Committee of Parliament on the Urban Tree Canopy Off-set Scheme
- Phase Three (Urban Areas) Planning and Design Code Amendment Engagement Report 2021
- State Planning Policies for South Australia 2019 and 30-Year Plan for Greater Adelaide 2017 Update.

This information provides a greater understanding of the benefit of protecting large trees and preserving and enhancing the tree canopy within urban areas. The information provides an analysis of existing tree protection policies and provides a comparison with tree policies in other states.

The Arborist Review report was undertaken in consultation Green Adelaide, the Department for Environment and Water, and the State Herbarium and Botanic Gardens and was to provide a detailed analysis of the existing tree species that are exempted from the regulated and significant tree policies.

More information regarding regulated and significant trees can be found here:

https://plan.sa.gov.au/our_planning_system/programs_and_initiatives/significant_and_regulated_trees

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
Analysis of existing tree protection and planting policies in the Code	A more detailed analysis of existing tree protection policies in the Code will occur and further investigations will be undertaken to determine the most appropriate policy framework for the protection of trees and the preservation and enhancement of urban tree canopy.
Spatial analysis of overlay expansion	The Code Amendment will investigate opportunities to extend the Urban Tree Canopy Overlay over Master Planned Neighbourhood Zones, and to extend both the Regulated and Significant Tree Overlay and Urban Tree Canopy Overlay townships in Greater Adelaide. Interaction of the Regulated and Significant Tree Overlay with the *Native Vegetation Act 1991* will be investigated.
Develop incentive policy	Further investigations will be undertaken to help strengthen existing Code policies and identify opportunities for policy incentives and design innovations that could be incorporated into the Code to encourage applicants to consider design outcomes that would allow for larger, mature trees to be retained.
Investigate assessment pathways for tree-damaging activity in certain circumstances	The Code Amendment will review assessment pathways for the removal of regulated or significant trees located in proximity of an existing dwelling or in-ground swimming pool. In these circumstances, risks to safety and damage to substantial buildings of value are more likely, therefore investigations will consider the appropriate policy/pathway. Investigations will also consider the appropriate pathway for tree removal in association with development undertaken by the SAHT where tree replanting is proposed in accordance with an established Strategy.

4.3. Engagement Already Undertaken

A range of communication and engagement has already been undertaken in relation to this Code Amendment, as part of the implementation of the Code, the introduction

of the Urban Tree Canopy Off-set Scheme and the preparation of Practice Direction 16, the Commission's Open Space and Trees Project and the recent changes to the Regulations. The engagement already undertaken includes:

- Engagement with staff from the Department for Environment and Water (DEW), Green Adelaide, the State Herbarium and Botanic Gardens and the Office for Design and Architecture SA (ODASA), as part of the Commission's Project.
- Engagement with key stakeholders, industry professionals and the community as part of the Expert Panel's independent review of the *Planning, Development and Infrastructure Act 2016* and the Code.
- Engagement with councils throughout the State as part of the implementation of the Code. The feedback from councils included the need for improved tree policies in the Code, larger tree canopy targets and higher fees in lieu of planting new trees, to better reflect the cost of planting new trees.

4.4. Further Engagement Proposed

In addition to the engagement already undertaken and identified above, the following additional engagement will be undertaken to support the Code Amendment:

- Collaboration with councils affected by this Code Amendment will continue to:
  - Review draft policies and seek their feedback, knowledge and support on the proposed outcomes, especially where local knowledge may be required.
  - Review township boundaries and urban areas in Greater Adelaide to ensure the Regulated and Significant Tree Overlay and Urban Tree Canopy Overlay are appropriately applied.
- Community engagement
  - Broader community consultation to provide an opportunity for any councils, agencies, interested community members, organisations and industry professionals 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;
- 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 - Preparation and Amendment of Designated Instruments*.

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.

ATTACHMENT A

Planning, Development and Infrastructure (General) (Regulated and Significant Trees) Amendment Regulations 2024

(#21700513)

Draft
29.4.2024 (19)

South Australia

Planning, Development and Infrastructure (General) (Regulated and Significant Trees) Amendment Regulations 2024

under the *Planning, Development and Infrastructure Act 2016*

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Schedule 1—Transitional provision

1 Transitional provision

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Planning, Development and Infrastructure (General) (Regulated and Significant Trees) Amendment Regulations 2024*.

2—Commencement

These regulations come into operation on the day on which they are made.

Part 2—Amendment of *Planning, Development and Infrastructure (General) Regulations 2017*

3—Amendment of regulation 3F—Regulated and significant trees

(1) Regulation 3F(1)—delete "2 m" wherever occurring and substitute in each case:

1 m

(2) Regulation 3F(1)—delete "625 mm" and substitute:

310 mm

(3) Regulation 3F(2)(a)—delete "3 m" wherever occurring and substitute in each case:

2 m

(4) Regulation 3F(4)(a)—delete "10 m" and substitute:

3 m

(5) Regulation 3F(4)(a)—after the entry relating to "*Agonis flexuosa* (Willow Myrtle)" insert:

Angophora (any tree of the genus)

Corymbia (any tree of the genus)

(6) Regulation 3F(4)(b)—delete paragraph (b) and substitute:

(b) to a tree of a species designated (from time to time) by the Minister by notice published on the SA planning portal; or

(7) Regulation 3F—after subregulation (4) insert:

(4a) A notice under subregulation (4)(b) designating a species of tree—

(a) may be of general or limited application; and

(b) without limiting paragraph (a), may make different provision in relation to a species of tree according to the location of the tree, the circumstances or any other specified factor.

(8) Regulation 3F(6)—after paragraph (b) insert:

and

(c) that is undertaken at least 5 years after pruning of a kind referred to in this subregulation was last undertaken in relation to the tree,

4—Insertion of regulation 18A

Before regulation 19 insert:

18A—Planning and Design Code—significant trees

For the purposes of section 68(1)(a)(iv) and (b)(iv) of the Act, a prescribed criterion is that the significant tree or stand of trees (as the case requires) makes a significant contribution to the urban tree canopy of the local area.

5—Amendment of regulation 59—Regulated and significant trees

(1) Regulation 59(2)(a)—delete "specified under regulation 3F(4)(b)" and substitute:

designated under regulation 3F(4)(b) (insofar as the designation of that species of tree applies to the location of the development)

(2) Regulation 59(2)(b)—delete "10 m" and substitute:

3 m

6—Amendment of Schedule 4—Exclusions from definition of development

(1) Schedule 4, clause 18(1)(a)—delete paragraph (a) and substitute:

(a) subject to this clause, the tree is on land on which development for the purposes of the provision of social infrastructure is being, or is to be, carried out by or on behalf of the Minister responsible for the administration of the *Highways Act 1926* (the ***relevant land***); or

(2) Schedule 4, clause 18—after subclause (1) insert:

(1a) The following conditions are prescribed in respect of the exclusion under subclause (1)(a) insofar as the tree-damaging activity constitutes the killing, destruction or removal of a regulated tree:

(a) the Minister responsible for the administration of the *Highways Act 1926* (the ***relevant Minister***) must—

(i) ensure the prescribed number of trees are planted and maintained on the relevant land, or on adjacent land or other land within the area of the council in which the relevant land is situated, to replace the regulated tree (with the cost of planting to be the responsibility of the relevant Minister and the cost of maintenance to be the responsibility of the owner of the land); or

Drafting note—

If what you mean by a related area is land within the same council area, it seems better to state this here. It isn't otherwise clear that such land is a "related area" in relation to the relevant land.

(ii) if the relevant Minister considers that it is not practicable for replacement trees to be planted in accordance with subparagraph (i)—ensure an amount calculated in accordance with a fee notice made for the purposes of the Act is made into the relevant fund in lieu of planting 1 or more replacement trees under subparagraph (i);

(b) any replacement trees must satisfy the following criteria:

(i) the trees are not trees within a species designated under regulation 3F(4)(b) (insofar as the designation of that species of tree applies to the location of the tree-damaging activity);

(ii) the trees are not planted within 3 m of an existing dwelling or an existing in-ground swimming pool.

(1b) For the purposes of subclause (1a)(a), the prescribed number of trees is—

(a) if the tree-damaging activity is in relation to a regulated tree—2 trees to replace the regulated tree; or

(b) if the tree-damaging activity is in relation to a significant tree—3 trees to replace the significant tree.

(3) Schedule 4, clause 18(2)—after "subclause (1)(b)" insert:

and (1a)(b)(ii)

(4) Schedule 4, clause 18—after subclause (2) insert:

(3) In this clause—

relevant fund has the same meaning as in section 127(7) of the Act;

social infrastructure means buildings or areas that facilitate the delivery of social services by a government or other service provider (whether a fee is charged for the service or not);

social services includes health services, disability services, aged care, childcare, education, justice and emergency services, arts and culture, sport and recreation, social housing and any other service provided for community benefit.

Drafting note—

On reflection, we think it would be better to refer to community benefit rather than "broad" community benefit.

7—Amendment of Schedule 13—State agency development exempt from approval

Schedule 13, clause 2(1)(w)(ii)—delete subparagraph (ii) and substitute:

(ii) that—

(A) is on any land on which a road is located or is proposed to be built or widened; and

(B) is undertaken by or with the written authority of the Commissioner for Highways; or

Schedule 1—Transitional provision

1—Transitional provision

The amendments effected by these regulations do not apply in relation to any activity that is—

(a) undertaken for the purposes of a development that is the subject of—

(i) an application for development authorisation under the *Planning, Development and Infrastructure Act 2016* lodged before the commencement of this clause; or

(ii) a development authorisation under the *Planning, Development and Infrastructure Act 2016* granted before the commencement of this clause,

if the activity is undertaken after development authorisation is granted and before the day falling 12 months after the commencement of this clause; or

(b) undertaken by or on behalf of the South Australian Housing Trust for the purposes of a development, or in connection with the demolition of a dwelling or residential flat building, before 1 January 2027 (regardless of whether the application for development authorisation is lodged, or development authorisation is granted, in respect of the development before or after the commencement of this clause).

Editorial note—

As required by section 10AA(2) of the *Legislative Instruments Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on

No of 2024

MATTERS FOR INFORMATION

6.5 TOUR DOWN UNDER - EXPRESSION OF INTEREST 2026

Author: Manager Visitor Economy and Events
25/16424

The Barossa Council has been invited by the South Australian Tourism Commission to submit an Expression of Interest (EOI) to host a stage of the Santos Tour Down Under in 2026.

Detailed information about the EOI process, including key requirements and submission guidelines, is attached. The submission deadline is 28 February 2025.

At its meeting of 21 February 2024, Council approved the following arrangements as per minute book reference CO 2022-26/378:

MOVED Cr de Vries

That Council:

(1) Endorse in principle the registration of an Expression of Interest for hosting a 2025 Santos Tour Down Under event, including:
   a. Men's UCI World Tour Stage Start (mid-week) for $15,000
   b. Men's UCI World Tour Stage Finish (mid-week) for $20,000

(2) If the Expression of Interest is approved, Council shall accept the offer from Events South Australia to host on the proviso that both the start and finish occur in the same town.

(3) Commit to hosting the next 3 consecutive Tour Down Under events if offered by Events South Australia, contingent on factors such as ongoing community interest, successful execution, and sustained positive outcomes.

(4) Having considered this matter in confidence under Sections 90(2) and 90(3)(d) of the *Local Government Act 1999,* makes an order pursuant to Section 91(7), that the minutes, agenda report and attachments other than the minutes relating to this confidentiality order of the Confidential Council Meeting held on 19 March 2024 in relation to item 3.2.1 Santos Tour Down Under 2025 be kept confidential and not available for public inspection until Until the embargo has been lifted and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr Greatwich **CARRIED CO 2022-26/378**

In accordance with recommendation 3, Council officers are now preparing an Expression of Interest submission for hosting a stage of the 2026 Santos Tour Down Under in the Barossa.

ATTACHMENTS

Nil

SUPPORTING REFERENCES

Nil

MATTERS FOR INFORMATION

6.6 DRAFT INDEPENDENT REMUNERATION TRIBUNAL CHIEF EXECUTIVE OFFICER DETERMINATION

Author: Mayor
25/17015

The Remuneration Tribunal of South Australia has released its draft (second) determination into the statutory settings of Chief Executive Officer employment remuneration.

The correspondence is attached for members' review.

I am aware currently there are various investigations and submissions being prepared through legal firms and the Local Government Association who are preparing a sector response.

I have also inquired with the Chief Executive Officer as to the interpretation of the bands and how they effect The Barossa Council. A preliminary calculation of the package is that the current package is reasonably within the range if superannuation is calculated on that which he receives, 9.3%. The determination however makes it a little difficult to fully calculate the package based on the draft definition of "statutory minimum employer contributions" which could mean it has to be calculated at which 11.5% which is not what is paid. It is understood that the *Superannuation Guarantee (Administration) Act 1992 (Commonwealth)* legislation defines the contribution rate to include that required to be paid by a defined benefit scheme, as the statutory minimum employer calculation. However, if this is not the legal interpretation of the determination the package will still fall within the relevant band outlined in the draft but will require alterations to payments with the same net package; that to be fair more will need to be paid to super and less in the cash component.

If Council wishes to make a submission more time would be required to develop that response. Submissions are due by 12 March 2025. My view is that the submission of issues to the Local Government Association date is sufficient. The matters raised have been around clarification of disadvantaging prior packages negotiated in good faith, a clearer mechanism for leave calculation, the superannuation matters raised above and clarity around Council banding changing overtime if it is de-escalated and a mechanism to deal with that like pegging the package until the lower banding amount catches the package.

ATTACHMENTS

Attachment 1 CEO Independent Remuneration Tribunal Draft Determination - January 2025 ⇩

SUPPORTING REFERENCES

Nil

OFFICIAL: Sensitive

REMUNERATION TRIBUNAL

Please address
all correspondence to
remunerationtribunal@sa.gov.au

GPO BOX 1045
ADELAIDE SA 5001
(08) 8429 4141
www.remtribunal.sa.gov.au

20 January 2025

Local Government Councils of South Australia
Distributed via email

Dear Councils

REMUNERATION TRIBUNAL – DRAFT REPORT AND DETERMINATION FOR 2024 REVIEW OF LOCAL GOVERNMENT CEO MINIMUM AND MAXIMUM REMUNERATION

On 18 December 2024, the Remuneration Tribunal (**Tribunal**) advised that it would provide a draft report and determination in relation to its 2024 review of Local Government Chief Executive Officers (**CEO**) minimum and maximum remuneration amounts, to allow feedback to be provided before it is formally issued.

Enclosed is a copy of the draft report and determination.

The Tribunal invites written submissions on the draft report and determination **by no later than 5.00pm (ACDT) 12 March 2025**. The Tribunal does not intend to provide extensions of time. Written submissions can be sent via email to remunerationtribunal@sa.gov.au A binding determination will be issued soon after, which is intended to take effect from 1 January 2025.

The Tribunal notes that the draft report is extensive and therefore provides the following high-level summary:

- **Tribunal Objectives**: the Tribunal has adopted an approach whereby it seeks to achieve the following broad objectives:

    1. Minimum and maximum remuneration amounts need to reflect the complexity of roles and responsibilities necessary to allow Councils to recruit and retain appropriately skilled and qualified CEOs.
    2. Remuneration minimums and maximums must provide a significant degree of assurance to council ratepayers, that their CEO is being remunerated accordingly.
    3. The minimum and maximum remuneration amounts need to provide an appropriate degree of guidance to elected members to assist them in setting and reviewing CEO remuneration.
    4. Any system of setting minimum and maximum remuneration must be capable of simple and low cost revision to facilitate regular review.

- **Remuneration framework / Council characteristics**: the Tribunal engaged Mercer to assist with consideration of Council characteristics. The Tribunal has adopted the position that the single most significant characteristic to be assessed is total operating income. Following this, the Tribunal has selected four other criteria which are factors taken into consideration when determining the appropriate bands, being projected population growth, population dispersion, distance from Adelaide and socio-economic advantage / disadvantage.

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- **Remuneration Definitions**: the Tribunal has adopted the following definitions of remuneration components for inclusion in the draft determination:

Component	Definition
Monetary remuneration	Base salary (cash component).
Superannuation	Includes the statutory minimum employer contributions, any salary sacrifice component, and any additional payments made by a Council.
Annual Leave Loading	As defined in the relevant employment contract.
Additional Leave Entitlements	Dollar value of additional leave provided over and above statutory entitlement, except where this is provided to allow remotely based CEOs to travel to their hometown or capital city to commence / return from leave.
Bonuses	Dollar value of any bonuses or performance incentives, whether received in cash or kind.
Motor Vehicle	The value of the cash allowance or the private benefit value of the motor vehicle to the CEO using either the Prime Cost (depreciation), Operating Cost, or Statutory Formula in accordance with the ATO rules. Must include FBT payable by the CEO. Refer to: https://www.ato.gov.au/calculators-and-tools/fringe-benefits-tax-car-calculator
Housing Allowance	The dollar value of any housing allowance or rental subsidy and associated FBT. Consistent with the ATO remote area fringe benefit tax requirements. Note, designated remote areas are exempt from FBT – refer to: https://www.ato.gov.au/api/public/content/0-2f3d266d-5f78-4188-add6-f218387a0485?1730844950186
Other Fees and Allowances	Includes, but not limited to, any or all of the following: • School or childcare fees, including school uniforms • Newspaper/magazine/online subscriptions • Value of perquisites provided to the CEO i.e. memberships • Personal travel or any other benefit taken in lieu of salary by the CEO (and immediate family at the discretion of the council) • Health insurance • Any and all other allowances • Any other form of payment - cash or otherwise • Any Fringe Benefits Tax paid by council in respect of any of the above
Total Remuneration Package (TRP)	The total of all the above components.

For the avoidance of doubt, mobile telephones and portable computing equipment, fundamentally for work purposes, and professional development costs directly related to the performance of CEO duties and membership of professional associations are not included in the total remuneration package.

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The Tribunal does not have the jurisdiction nor desire to provide tax advice to Councils, relating to FBT, but notes different approaches to these issues and recommends that individual Councils review those approaches.

- **Operative Date & Compliance**: the Tribunal is proposing that the operative date of the determination be 1 January 2025. Despite the operative date, the Tribunal intends on adopting a phased in compliance approach, by providing Councils with 12 months to comply with the relevant band. Unless compliance involves increases, or reductions, of a CEOs total remuneration package, which is greater that $5,000 per annum, in which case compliance is to be achieved over a two year period.

- **Obtaining CEOs current total remuneration package amount**: the Tribunal strongly urges elected members of Councils to seek from their staff a complete explanation of their current CEO remuneration against the component elements of the total remuneration which is explained in the draft report and determination. Without such an understanding, there is a substantial risk that the draft report could be misunderstood and misapplied because the component parts of a CEO's remuneration under the terms of a contract or even traditional reporting structure may differ from the approach adopted by the Tribunal.

- **Frequency of Reviews**: the Tribunal is proposing that the remuneration amounts of each band subsequently be reviewed annually. Whether a Council meets the criteria to be within a band, is proposed to be reviewed every two years.

- **Providing Comment**: whilst the Tribunal has not limited the range of factors about which comments may be made, comments about the nature of the remuneration framework or about potential implementation issues are particularly invited. Written submissions must be sent to remunerationtribunal@sa.gov.au **by no later than 5.00pm (ACDT) 12 March 2025**.

Yours sincerely



Matthew O'Callaghan
PRESIDENT

OFFICIAL: Sensitive

No. X of 2024

REPORT OF THE REMUNERATION TRIBUNAL

2024 Review of Minimum and Maximum Remuneration for Local Government Chief Executive Officers

INTRODUCTION

1. In September 2021, section 99A of the *Local Government Act 1999* (**LG Act**) came into effect. This section requires the Remuneration Tribunal (**Tribunal**) to determine the minimum and maximum remuneration payable to Chief Executive Officers (**CEOs**) of Councils.
2. On 16 June 2023, the Remuneration Tribunal issued its inaugural Determination and Report of Local Government CEO minimum and maximum remuneration levels. Report 4 of 2023 details the approach of the Tribunal at that time and the issues which led to the inaugural Determination.
3. On 28 June 2024, the Tribunal issued a second Report and Determination in which it advised that it was undertaking a substantial review of the inaugural Determination, which it anticipated would be concluded by the end of 2024. As an interim step, the Tribunal provided a 2% increase to the maximum remuneration amounts.
4. The Tribunal has been provided with a substantial amount of information, together with widely divergent submissions.
5. In this Report the Tribunal has detailed its approach to this comprehensive review and explained the process and approach adopted to establish a series of bands which consider key Council characteristics. The Tribunal has taken the unusual step of issuing a draft Determination based on this Report and is providing the opportunity for comment on this until 12 March 2025. That Determination, once finalised, will have effect from 1 January 2025.
6. The Tribunal has adopted a framework for the grouping of Councils which is substantially based on total operating income as the primary indicator of CEO role complexity. Four other Council characteristics have been incorporated into this framework to recognise critical distinguishing factors between Councils (projected population growth, population dispersion, distance from Adelaide, socio-economic advantage / disadvantage). The framework provides for eight bands of Councils, with a separate category for the Adelaide City Council. Minimum and maximum remuneration levels have then been allocated to each band.

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Legislative Provisions

7. Section 14 of the *Remuneration Act 1990* (SA) (**Act**) provides that the Tribunal has jurisdiction to determine the remuneration, or a specified part of the remuneration, payable in respect of certain offices, if that jurisdiction is conferred upon the Tribunal by any other Act or by the Governor, by proclamation.

8. Section 99A of the LG Act confers jurisdiction upon the Tribunal to determine the minimum and maximum remuneration that may be paid or provided to CEOs of Councils constituted under the LG Act.

9. That jurisdiction is confined to the specification of minimum and maximum amounts only. It is not within the Tribunal's jurisdiction to determine allowances in addition to the minimum and maximum remuneration amounts. It follows that the Tribunal must adopt a consistent approach to the definition of what is, and what is not, included within the definition of remuneration. This Report seeks to provide further clarity in this respect.

10. Additionally, it is important that the Tribunal notes that section 147(5) of the *Statutes Amendment (Local Government Review) Act 2021* (SA) is significant in that it refers to CEOs who were holding office at the commencement of the LG Act.

11. This section states:

> "The remuneration of a chief executive officer holding office on the commencement of section 99A of the principal Act (as inserted by this Act) is not affected during the term of that office by a determination under section 99A."

12. The Tribunal has adopted the position that Councils who had contracts with their CEO in place prior to 20 September 2021, when the LG Act commenced, are not obligated to comply with the Tribunal's determinations, to the extent to which these contracts may be inconsistent. The Tribunal has not sought to differentiate between Councils in this respect, given the stated object of the LG Act was that the Tribunal should set salaries for Council CEOs to provide assurances to communities that CEOs are paid appropriately for the work they do.

13. Any Council that is unsure about its obligations to comply with this Report and Determination, or the various components that constitute remuneration as provided for in this Report or Determination, should seek legal and/or tax advice.

The Inaugural Report

14. Information initially provided to the Tribunal in 2023 demonstrated widely divergent approaches to how remuneration was defined and assessed, and demonstrated significant and largely unexplained diversity between remuneration amounts for Councils. The inaugural Determination placed Councils in remuneration bands that were determined based on the data provided by Councils in relation to the total remuneration package of their CEO. The bandwidth for each band varied between $6,240 and $32,240. This inaugural Report identified significant differences in how Councils assessed and reported on CEO remuneration. The most significant differences related to how the value of motor vehicles, housing and additional leave entitlements were recognised. In the inaugural Report the Tribunal set out its approach to the definition and quantification of remuneration, which stated:

> "67. The Tribunal's preference is to progress toward establishing minimum and maximum remuneration levels founded on an assessment of skill and competence levels. Such an approach would allow the flexibility to set remuneration consistent with the challenges confronting a given council. However, the limited information available to the Tribunal, combined with the very small number of submissions, simply does not support such an approach at this time. Councils are encouraged to make submissions about such an approach in the future.
>
> 68. The Tribunal is not able to determine the minimum and maximum remuneration levels based on factors such as the geographical size of the council, revenue of the council and other factors as listed in paragraph 18 above. It considers these factors to be sensible criterion to guide any future determinations of the Tribunal, however, under the current legislation such an approach requires the cooperation of councils.
>
> 69. For this inaugural review, the Tribunal has determined to group councils into eight bands. While these bands have some generally common characteristics, the Tribunal recognises differences and potential anomalies in terms of council characteristics within and between some of these bands. Each band is based on the data provided by councils in relation to the total remuneration package of their CEO. The Tribunal has then applied assumptions in relation to the value of the provision of a motor vehicle and any additional leave entitlements beyond that of usual administrative staff. This has resulted in a figure described as an "adjusted total remuneration package" for each CEO who is covered by this review."

15. In June 2024, the Tribunal issued Report and Determination 1 of 2024 which noted that a substantial review of the inaugural Determination was being undertaken and provided for a 2% increase to the maximum amounts. In that Report the Tribunal indicated its intention to complete this review by the end of 2024.

Submissions

16. Following the inaugural Determination the Tribunal received limited feedback from Councils about its approach. This went to concern about groupings and the extent to which individual Councils would seek reviews based on their circumstances.

17. The Tribunal met with the Local Government Association to discuss future approaches, including the costs associated with any review. The Tribunal notes that these costs are ultimately allocated to Councils by virtue of the LG Act.
18. In February 2024, the Tribunal issued a brief consultation paper which identified options for comment and consideration by Local Government CEOs, Mayors, and elected members. Consistent with the requirements of section 10(2) of the Act, the Premier and the Minister for Local Government were also invited to make submissions in response to this paper.
19. The Tribunal received 35 submissions in response to the consultation paper. The entities that made submissions are listed below.

Council	Submission made on behalf of	Summary of issues raised
Kangaroo Island Council	Council	• Position description and small amount of information provided in relation to remuneration arrangements.
District Council of Orroroo Carrieton	CEO	• Remote locality issues and access to essential services. • Considerations of size of the workforce. • Legislative responsibility is the same for all CEOs. • Support for individual expert review.
Mayor, Wattle Range Council	Individual	• Suggested use of elected member bands and noted close alignment with McArthur Categories and Australian Council of Local Government classifications.
City of Tea Tree Gully	Council	• Provided specific Council characteristics and complexities of the role. • Suggested use of elected member bands.
Lower Eyre Council	Council	• Support for individual expert review. • Whilst it was not resolved by Council, some members wanted to raise concerns about the Tribunal inadvertently placing Council's under financial pressure to provide a remuneration package they cannot afford and suggested another viable option may be to allow Council's to determine remuneration for their CEO.
Whyalla City Council	Council	• Supported an individual expert review. • Suggested use of elected member bands. • Proposed a more limited definition of remuneration with increased regional allowances. • Noted that the motor vehicle setting process needs to be clarified as well as the provision of accommodation. • Noted the salary for a temporary/interim/acting CEO has not been considered by the Tribunal.

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City of Mount Gambier	Council	• Provided specific Council characteristics and complexities of the role. • Proposed use of a combination of elected member bands and the WA system. • Suggested further clarification of remuneration definitions.
Administrator, District Council of Coober Pedy	Administrator	• Proposed an individual expert review with costs shared by the SA Government. • Requested better recognition of regional and remote locality issues, access to essential services including accommodation and cost of living issues, resourcing issues and additional responsibility for distribution of electricity and water supply.
Naracoorte Lucindale Council	Council	• Suggested use of elected member bands and/or Australian Council of Local Government classifications and/or McArthur salary survey. • Utilise information already received by the Tribunal.
Mayor, City of Marion	Individual	• Suggested use of WA model and elected member bands. • Considerations to geographic size, revenue, number of electors, diversity and complexity of CEO functions and duties. • Possible use of Local Government Association grouping approach to determine membership fees.
Mayor, District Council of Yankalilla	Individual	• Supported an individual expert review. • Suggested use of elected member bands.
Southern Mallee District Council	CEO	• General support for the Port Adelaide Enfield Council CEO submission.
City of Charles Sturt	CEO	• Support for the Port Adelaide Enfield Council CEO submission. • Supported an individual expert review, with the cost shared on a scalable formula, rather than an equal basis.
Copper Coast Council	Council	• Supported an independent expert review and/or use of elected member bands. • Proposed a more limited definition of remuneration increasing regional allowances and excluding Fringe Benefits Tax.
The Rural City of Murray Bridge	CEO and elected members	• Proposed a more limited definition of remuneration with increased regional allowances, akin to WA model.

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Manager, People and Culture, City of Port Lincoln	Council	• Supported an individual expert review.
City of Port Adelaide Enfield	CEO with support indicated by 51 CEOs	• No support for an independent expert review. • Support for the WA type approach linked to existing elected member bands and suggested banding approach in this regard.
City of Adelaide	Council	• Support for an independent expert review.
City of Campbelltown	Council CEO performance management review Panel Chair	• Support for an independent expert review.
Mayor, City of Holdfast Bay	Individual	• Support for the WA type approach linked to existing elected member bands, with the opportunity to make submissions where unique factors exist. • There should be capacity for individual Councils to obtain reviews based on work value considerations.
City of Playford	Council	• Supported equivalent banding between elected members and CEOs with remuneration levels assessed by a consultancy firm. • Future reviews should reflect the complexities of growing communities.
City of Salisbury	Council	• Supported use of an independent expert review whereby consideration is given to categorisation similar to elected member bands, having regard to role, size, population, revenue, economic, social, demographic and regional factors.
Barunga West Council	Council	• Supported consideration of elected member bands. • Supported use of an independent expert review, with the same entity engaged who developed the WA model. • Proposed a more limited definition of remuneration with increased use of regional allowances and excluding Fringe Benefits Tax. • Proposed a remoteness allowance.
Mayor, District Council of Kimba	Council	• Supported an individual expert review. • Suggested use of elected member bands. • Proposed a more limited definition of remuneration with increased regional allowances. • Noted that the motor vehicle setting process needs to be clarified as well as the provision of accommodation.

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		• Noted the salary for a temporary/interim/acting CEO has not been considered by the Tribunal.
Wakefield Regional Council	CEO	• Suggested some variables may include rateable and type of properties, size of LGA, proximity to major urban centres, assets under management vs ability to raise rates, commercial operations, community facilities, lack of services. • With impacts on remuneration including security of tenure, length, complexity of role, organisational structure, physical location, vehicle and housing allowances, competition from other employment sectors, relevant experience required.
Tatiara District Council	Council	• Supported use of an independent expert review and consideration of use of the elected member bands.
Wudinna District Council	CEO and Mayor	• Supported consideration of elected member bands. • Supported use of an independent expert review, with the same entity engaged who developed the WA model. • Proposed a more limited definition of remuneration with increased use of regional allowances and excluding Fringe Benefits Tax.
City of Onkaparinga	Council CEO Performance Management Committee	• Supported use of an independent expert review / adoption of the WA model. • Supported use of the elected member bands.
Coorong District Council	Council	• Supported the Port Adelaide Enfield Council CEO submission. • Supported adoption of the WA model linked to existing elected member bands. • Proposed increased flexibility for Councils to set CEO remuneration.
	Elected members	• CEO remuneration should be a self-determining role of Councils. • Regional Councils need flexibility in package arrangements to compete against larger metropolitan Councils.
The District Council of Ceduna	CEO	• Supported an individual expert review. • Suggested use of elected member bands. • Proposed a more limited definition of remuneration with increased regional allowances.

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		• Noted that the motor vehicle setting process needs to be clarified as well as the provision of accommodation. • Noted the salary for a temporary/interim/acting CEO has not been considered by the Tribunal. • Provided some Council characteristics.
Yorke Peninsula Council	Council	• Information about current remuneration and position description provided.
Mid-Murray Council	Council	• Proposed use of an independent expert review with consideration of the WA model and possible application of the elected member bands. • Any anomalies to be reviewed by exception. • Recommended the bands be indexed annually by an independent standard such as CPI with the opportunity to request exemptions based on individual circumstances or performance. • Reviews to then be considered on a 4-year cycle.
The Corporation of the Town of Walkerville	Council	• Supported the use of an independent expert review. • Raised concerns about the effectiveness of the legislation and provided information about its recent recruitment process.
District Council of Grant	CEO and elected members	• Supported use of the elected member bands consistent with the Port Adelaide Enfield Council CEO submission. • Noted that salary bands should be broader and overlapping. • Suggested the Tribunal be tasked with reviewing unfair contract clauses/conditions. • Proposed a more limited definition of remuneration with increased use of regional allowances and excluding Fringe Benefits Tax.
City of Port Augusta		• CEO Remuneration information and position description provided.

20. On 14 May 2024, the Tribunal met with Mark Withers (CEO City of Port Adelaide Enfield), Tony Harrison (CEO City of Marion) and Maree Wauchope (CEO Barunga West Council). The Tribunal also separately met with the following representatives from the Whyalla City Council, Mayor Phill Stone, Kathy Jarrett (Director Corporate), Grant Jennings (Manager Finance and Knowledge Management) and Sue King (Manager People and Culture).
21. While there was broad support for a changed approach to setting minimum and maximum remuneration amounts, there was substantial diversity in the proposed approach. Very few

submissions addressed current remuneration arrangements as distinct from proposing a broad approach.

22. The submissions indicated little support for consideration of Councils on an individual basis.
23. There was substantial support for the Tribunal's proposition that it could engage a specialist remuneration advisor to review individual CEO roles and provide advice to the Tribunal. Some concerns about the cost associated with this approach were noted.
24. Council submissions referred the Tribunal to various approaches, including the Western Australian approach and the current groupings for Local Government elected members.
25. Despite a request to this effect, less than a third of the Councils provided their CEO's position description.
26. A group submission made by the Port Adelaide Enfield CEO, supported by a significant number of Council CEOs, proposed an approach, broadly modelled on the Western Australian system, which reflected "market rates" and recognised regional issues, provided for 7 bands with substantial differences between the minimum and maximum amounts in each band.
27. The Tribunal has also accessed and considered substantial data about the characteristics and attributes of Councils. This data includes the following information:
    - ACLG Codes and Council in Focus groups
    - Council total operating income
    - Council staff size
    - Council areas
    - Council locations, including distance from Adelaide
    - Population density
    - Population dispersion
    - Council growth projections and histories
    - Socio-Economic indexes for Councils (based on Australian Bureau of Statistics data)
28. The Tribunal has consulted directly with 21 Mayors about how CEO performance and remuneration issues are addressed. The information these Mayors provided, together with the submissions, disclose a reasonable degree of consistency of approach to remuneration setting processes. This process consistency contrasts sharply with the significant differences in remuneration amounts for similar Councils, which were noted in the Tribunal's inaugural Report.
29. The Tribunal noted that Councils utilise external advisors to assist them, or a sub-committee of the Council, in reviewing CEO performance. On the premise that the Council is satisfied with that performance, the external advisor then commonly provides advice about comparable remuneration or remuneration increases. This advice typically proposes increases aligned with the Council's general enterprise agreement, whilst noting remuneration ranges of Councils based on the external advisor's knowledge of other Councils. In this regard, the comparisons may not relate to objectively determined groups of Councils. This approach has resulted in substantial intermittent remuneration adjustments. The approach to setting a remuneration level when a new CEO is appointed is highly variable, with some Councils bringing in new, and less experienced CEO's at substantially lower remuneration rates than their predecessors, with the expectation that rates for these CEOs will increase significantly as their performance develops. Many of the Mayors with whom the Tribunal consulted advised that they relied

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heavily on the bands set by the Tribunal as a guide to reviewing CEO remuneration. The Tribunal noted substantially different approaches to remuneration in predominantly rural areas and in areas where there has been a long serving CEO.

Individual Council applications for increased maximum remuneration amounts

30. On 9 July 2024, the Tribunal received an application and submission from the Principal Administrator of the District Council of Coober Pedy, for an increase in the maximum amount of remuneration it could pay to recruit a new CEO. This application followed multiple unsuccessful recruitment attempts. The Tribunal addressed this application in its Report 4 of 2024.
31. During the consultations with Mayors, another Council foreshadowed an application to increase the maximum amount payable to attract an appropriate candidate. This Council did not subsequently formally pursue this request, and the Tribunal was advised that a suitable applicant had been selected within the existing bands.
32. On 11 September 2024, the City of Holdfast Bay applied to have the maximum amount it could pay to a new CEO increased. While the City of Holdfast Bay subsequently advised that it received a range of applications, and the Tribunal has noted that an appointment has been made, the City of Holdfast Bay maintained its request to have the maximum amount increased. This application was addressed by the Tribunal in its Report 18 of 2024 where the Tribunal declined to make an individual Council Determination and advised that the City of Holdfast Bay position would be considered as part of this broader review.
33. The Tribunal has reviewed each of these Councils as part of this broader review.

The Tribunal's approach to reviewing minimum and maximum amounts

34. Consistent with its inaugural Report, the Tribunal considers that a more sustainable longer-term approach is necessary. Notwithstanding all the information which the Tribunal now has, it remains aware that some Councils have not provided submissions, that most of the Councils have not provided position descriptions and that a significant proportion of the submissions note unique characteristics of their Council.
35. It is also clear to the Tribunal that at least some Councils may have misunderstood the definition of remuneration and particularly, motor vehicle costing approaches and that some elected members, and possibly some CEO's may benefit from clarification of the principles being applied by the Tribunal. The Tribunal has provided additional clarification later in this Report.
36. The Tribunal acknowledges at the outset that the nature of its jurisdiction is inherently limited to the specification of minimum and maximum remuneration. It is not within the Tribunal's jurisdiction to determine allowances in addition to the minimum and maximum remuneration amounts. Accordingly, the Tribunal has reviewed an array of factors that are commonly considered in establishing remuneration levels. These range from regional attraction and retention components of remuneration to the recognition of the many functions undertaken by Local Governments that are outside of traditional expectations.
37. The Tribunal has adopted an approach whereby it seeks to achieve the following broad objectives:

- Minimum and maximum remuneration amounts need to reflect the complexity of roles and responsibilities necessary to allow Councils to recruit and retain appropriately skilled and qualified CEOs.
- Remuneration minimums and maximums must provide a significant degree of assurance to Council ratepayers, that their CEO is being equitably remunerated.
- The minimum and maximum remuneration amounts need to provide an appropriate degree of guidance to elected members to assist them in setting and reviewing CEO remuneration.
- Any system of setting minimum and maximum remuneration must be capable of simple and low-cost revision to facilitate regular review.

38. The Tribunal has reviewed possible approaches against these broad objectives. The significant diversity of remuneration levels noted in the inaugural Report means that some Councils with similar characteristics pay their CEOs quite different remuneration, while some CEOs are paid similar remuneration despite working for Councils with substantially different characteristics.

39. The information available to the Tribunal confirms that the capability and performance of both elected members and CEOs impacts on remuneration considerations. However, recognition of performance issues is the prerogative of elected members and, if necessary, the State Government. Councils have the capacity to take account of CEO performance issues when setting remuneration between the minimum and maximum amounts set by the Tribunal.

40. The Tribunal does not consider a system whereby individual Council's apply to the Tribunal to review and set CEO remuneration is sustainable. Such a system would be administratively cumbersome and could create perceived or actual remuneration discrepancies between Councils.

41. A common argument was that the grouping arrangement traditionally applied by the Tribunal to assess elected member allowances should have been used as the basis for the grouping of CEO remuneration. These propositions similarly fail to meet the Tribunal's broad objectives. In its Report 2 of 2022, the Tribunal expressed reservations about the current groupings and invited Local Government to consider alternative approaches. The current groupings have their genesis in very dated population comparisons. If these same groupings were applied to CEOs, they would create significant anomalies and fail to recognise other characteristics of Councils relevant to the role complexity of CEOs. Furthermore, the gap between minimum and maximum remuneration levels would likely be so substantial that the objectives of providing assurances to Council ratepayers and guidance to elected members would not be met.

42. The Tribunal also considered use of the Australian Classification of Local Government (**ACLG**) categories, determined by the Australian Bureau of Statistics, as the basis for setting remuneration. The ACLG categories are based on population and population density and result in 16 categories for South Australian Councils. The Tribunal was not satisfied that the factors included in this system properly characterised CEO functions and, in any event, using such a system led to unsustainably large and inconsistent remuneration groupings.

43. The Tribunal has reviewed the Western Australian system of specifying minimum and maximum remuneration levels. This approach was considered in the development of the LG Act. That Western Australian system has now been in operation for many years and was initially established following a comprehensive review of each then current CEO job role. Of more recent times the number of groups of Councils has been reduced by regulation. Western Australia also has a longstanding and relatively consistent approach to the recognition of regional locations across public and many private sector occupational groups. There is no

equivalent mechanism in South Australia. The Western Australian local government structures are significantly different to the South Australian structures in that there are many more smaller Councils. Finally, the adoption of the Western Australian approach would result in gaps between minimum and maximum remuneration amounts that are so substantial that they would also fail to meet the objectives of providing assurances to local communities and guidance to elected members.

44. The approach suggested by the significant group of CEOs also results in such a gap between minimum and maximum remuneration amounts that it fails to meet the Tribunal's objectives. Additionally, the Tribunal is not satisfied that such an approach would be sustainable on a long-term basis, particularly given the reservations it expressed in 2023.

45. The Tribunal considered engaging a remuneration specialist to consult individually with each Council to assess appropriate remuneration arrangements. It has decided such an approach would be both time consuming, and unnecessary given the substantial material already available to compare Councils. Such an approach would also impose a significant additional cost burden on the Local Government sector and would have the potential to become obsolete quickly.

46. The Tribunal has adopted an approach which takes account of key Council characteristics that impact on the complexity of the role. These characteristics need to have appropriate weightings attached to them. The overall approach must be consistent with common remuneration setting processes applied to public and private sector organisations.

47. A specialist remuneration advisory firm, Mercer Consulting (Australia) Pty Ltd (**Mercer**), was engaged to assist the Tribunal in ensuring the integrity and consistency of the component parts of remuneration considerations, and to facilitate a process by which the Tribunal could assess and weight the characteristics of Councils considered relevant to remuneration.

48. The brief given to Mercer had two broad components. Firstly, Mercer was asked to review the Tribunal's approach to, and definition of total remuneration package components, to provide maximum assistance to Councils and ensure a consistent and equitable approach to establishing minimum and maximum remuneration levels, in accordance with the direction on the total remuneration spread being provided to Mercer by the Tribunal.

49. Secondly, Mercer was asked to assist the Tribunal in developing bands or groups of Councils within a framework comprising of minimum and maximum remuneration levels determined by the Tribunal. For the avoidance of doubt, Mercer was not engaged to undertake an individual review of each Council, which would have had a significant cost associated with it.

50. In selecting the appropriate remuneration advisor, the Tribunal complied with the South Australian Government contracting approach. Additionally, because of the potential for any acknowledged expert in this field to be associated in some way with Local Government, the Tribunal received advice and guidance about its contracting processes from a probity advisor and has ensured that Mercer has undertaken this function in a manner which is separate from the remuneration advice that it may provide to Councils. It is appropriate that the Tribunal notes the Mercer contribution with thanks.

What is included in the Total Remuneration Package

51. In its inaugural Report the Tribunal stated the following:

"44. In determining what constitutes remuneration, the Tribunal has considered the following components:

- Monetary remuneration
- Superannuation, including the statutory minimum employer contributions, any salary sacrifice component and any additional payments made by a council
- Annual leave loading
- Additional leave entitlements
- Bonuses and performance incentives - in cash or otherwise
- The private benefit value of any motor vehicle and/or equipment (excluding mobile telephones and portable computing equipment provided to the CEO by the council)
- School or childcare fees, including school uniforms
- Newspaper/magazine/online subscriptions
- Personal travel or any other benefit taken in lieu of salary by the CEO (and immediate family at the discretion of the council)
- Health insurance
- Any and all allowances
- Any other form of payment - cash or otherwise
- Any Fringe Benefits Tax paid by council in respect of any of the above."

52. While the Tribunal is satisfied that the inclusion of these components is consistent with commonly applied remuneration definitions, it has reviewed these considerations as part of this Report.
53. The consultations with Councils disclosed a degree of confusion on the part of some Councils about how certain components should be costed.
54. The Tribunal has reviewed remuneration approaches through the survey information available from its 2022/23 CEO survey. Mercer has provided additional guidance on these issues, which has been, with the exception of housing and accommodation, generally accepted by the Tribunal. Consequently, the Tribunal confirms the following approaches to matters included within the concept of a total remuneration package, which it is satisfied reflect common public and private sector practices.

Motor Vehicles

55. The Tribunal notes that Councils may approve the provision of a motor vehicle to a CEO as part of the CEO's remuneration package, as a tool of trade or offer a motor vehicle allowance by way of additional remuneration.
56. The Tribunal obtained advice from Mercer on the inclusion of motor vehicles in a CEO's remuneration package. The Tribunal noted that a combination of accounting and remuneration packaging approaches are applied by Councils and concluded that, because of the diversity of vehicle cost assessments, and private use components, it is not possible to establish a common benefit value that can notionally be attached to the provision of a vehicle.
57. Having considered Mercer's advice, the Tribunal is of the view that if a motor vehicle is provided as part of the remuneration package, determining a benefit value depends on the type and cost of vehicle, and the extent of personal use of the vehicle along with other assumptions. The provision of the vehicle will be subject to Fringe Benefits Tax (**FBT**). The benefit value of the

vehicle and FBT attributable to the personal use of the vehicle and all other monetary components and allowances in lieu of provision of a motor vehicle, other than as a tool of trade, must be included in the CEO's total remuneration and must not cause the CEO's total remuneration package to exceed the maximum of the remuneration range of the relevant band. Councils are responsible for complying with the requirements of the Australian Taxation Office (**ATO**) in relation to the calculation of the benefit and FBT, using any of the ATO approved methods. If a motor vehicle is provided as a tool of trade, no FBT is payable.

58. Further, a cash equivalent allowance in lieu of a motor vehicle will form part of the total remuneration package and form part of the CEO's total remuneration.

59. The Tribunal has not detailed the different approaches to motor vehicle costings adopted by the ATO as these are readily available to Councils. However, the Tribunal strongly recommends that Councils recognise that any benefit, relating to a motor vehicle, including the associated FBT, is included in, and not separate from, the CEO's total remuneration package.

Housing and Accommodation

60. The information available to the Tribunal confirms that Councils may offer housing or accommodation, or a housing allowance to a CEO to attract and/or retain that CEO or where suitable housing is not available.

61. The Tribunal acknowledges that the provision of housing in designated remote areas is exempt from FBT under the *Fringe Benefit Tax Assessment Act 1986* (Cth) and that the ATO is currently reviewing the relevant definitions and that the cost of Council owned housing is variable.

62. Mercer recommended that the provision of housing/accommodation or a housing allowance in a remote location not be included in the definition of remuneration. The Tribunal has not accepted this recommendation because it is concerned that such an approach creates potential substantial inequities, depending on the definition of remoteness for FBT purposes. Additionally, the Tribunal is concerned that the exclusion of housing provision or allowances from the definition of a total remuneration package, effectively invites its inclusion in areas where this is not currently applicable or required, with consequent cost implications for the Councils concerned. However, as explained later in this Report, the Tribunal has recognised locational remoteness as a factor in setting minimum and maximum remuneration bands.

63. This means that the cost of housing or accommodation, or an allowance for housing is a component of remuneration and should be recognised as such. The determination of the amount to be included in the total remuneration of the CEO is the amount that would be used to calculate the FBT payable (whether FBT is payable or not per ATO Remote Area definitions). The application of FBT is then a matter which is dependent on whether the relevant town or city is exempted from FBT by the ATO.

Superannuation

64. There are multiple different superannuation arrangements adopted for Local Government CEOs. These include accumulation-based schemes and defined benefit funds, with varying employee contributions. The Tribunal has adopted the position that, irrespective of whether the scheme is an accumulation or a defined benefit fund, the standard position is that superannuation costs should reflect the minimum employer contribution, which is currently 11.5%. If a Council contributes in excess of the minimum employer contribution amount, the superannuation component should be increased accordingly.

Annual Leave of more than 4 weeks per annum

65. Two discrete arrangements for additional annual leave have been considered by the Tribunal.

66. Arrangements for purchased additional leave, whereby the additional leave is funded by additional working hours or through a reduction in weekly or monthly pay, do not represent an additional benefit.

67. In contrast, the Tribunal is aware of arrangements for CEOs where annual leave of more than four weeks per year is part of the remuneration package without any reduction in remuneration. This circumstance represents an additional cost impost on a Council so that the amount of leave in addition to four weeks needs to be added to the annual total remuneration package amount. The Tribunal is of the view that where additional leave is granted to remotely based CEOs to enable them to travel or return to their hometown or city without unduly impinging on the annual leave entitlement, this additional leave grant should not be included in the calculation of total remuneration.

Remuneration Definitions

68. The Tribunal has adopted the following definitions of remuneration components for inclusion in the Determination accompanying this Report:

Component	Definition
Monetary remuneration	Base salary (cash component).
Superannuation	Includes the statutory minimum employer contributions, any salary sacrifice component, and any additional payments made by a Council.
Annual Leave Loading	As defined in the relevant employment contract.
Additional Leave Entitlements	Dollar value of additional leave provided over and above statutory entitlement, except where this is provided to allow remotely based CEOs to travel to their hometown or capital city to commence / return from leave.
Bonuses	Dollar value of any bonuses or performance incentives, whether received in cash or kind.
Motor Vehicle	The value of the cash allowance or the private benefit value of the motor vehicle to the CEO using either the Prime Cost (depreciation), Operating Cost, or Statutory Formula in accordance with the ATO rules. Must include FBT payable by the CEO. Refer to: https://www.ato.gov.au/calculators-and-tools/fringe-benefits-tax-car-calculator
Housing Allowance	The dollar value of any housing allowance or rental subsidy and associated FBT. Consistent with the ATO remote area FBT requirements. Note, designated remote areas are exempt from FBT – refer to:

	https://www.ato.gov.au/api/public/content/0-2f3d266d-5f78-4188-add6-f218387a0485?1730844950186
Other Fees and Allowances	Includes, but not limited to, any or all of the following: • School or childcare fees, including school uniforms • Newspaper/magazine/online subscriptions • Value of perquisites provided to the CEO i.e. memberships • Personal travel or any other benefit taken in lieu of salary by the CEO (and immediate family at the discretion of the council) • Health insurance • Any and all other allowances • Any other form of payment - cash or otherwise • Any Fringe Benefits Tax paid by council in respect of any of the above
Total Remuneration Package (TRP)	The total of all the above components.

69. Consistent with the approach taken in the inaugural Report, the Tribunal has concluded that mobile telephones and portable computing equipment provided to CEOs, fundamentally for work purposes, but which may be used for reasonable personal use, should not be regarded as remuneration for these purposes. The Tribunal considers that these items are inherent requirements for a CEO function and, in any event, any additional reasonable use represents a minimal additional cost such that separating personal and business use involves unreasonable administrative costs.
70. The Tribunal has not included professional development costs that directly relate to the performance of CEO duties and membership of professional associations related to the performance of CEO functions in its assessment of remuneration.
71. The Tribunal has not included one-off payments that relate directly and solely to relocation expenses in its consideration of remuneration.

Characteristics of Councils that differentiate between Council CEOs

72. To develop its approach to grouping and comparing Councils, the Tribunal has received substantial assistance from Mercer to ensure that its consideration of Council characteristics properly relate to expectations of CEOs. This analysis of Council characteristics that relate to the demands on CEOs has been conducted in two stages. The initial stage involved a comparison of the characteristics considered relevant to the complexity of the CEO role to establish a framework for consideration of Councils. The second stage has involved identifying appropriate minimum and maximum remuneration amounts.
73. As was the case in its inaugural Determination, the Tribunal has not included Roxby Downs Council in this review. This is because Roxby Downs Council operates under an indenture agreement and has an entirely different funding and operating base to every other Council.
74. In consultation with Mercer, the Tribunal considered all the available data about Council characteristics. It then selected the following primary and modifying criteria:

CRITERIA		KEY MEASURE (SOURCE)	RATIONALE
PRIMARY CRITERIA	Revenue	Total operating income (Source: Council's Financial Statements)	Total operating income - General Rates; Other Rates; Other Charges; Mandatory and Discretionary Rebates & Remissions and Write-offs; Total Rates; Statutory Charges; User Charges; Grants, Subsidies and Contributions; Investment Income; Reimbursements; Other Income; Share of Profit - Joint Ventures & Associates. Reflects the scale and complexity of operations on an ongoing basis.
MODIFYING CRITERIA	Projected population grown	Annualised population growth based on data from 2021 to 2031 (Source: SA Department for Trade and Investment)	Adopting both a historical and projected view over a 10 year period smooths out/reduces any potential projection anomalies/errors. Any significant infrastructure and service delivery impacts on Council as a result of projected population growth would tend to be based on a longer term planning horizon. This measure picks up the complexities associated with future planning and infrastructure development that is not captured in the total operating income of Council or the other modifying criteria.
	Population Dispersion	Population dispersion based on estimated average distance (in kilometres) between each person in the council area and the centre of population for the region (Source: Keystone Data)	Population dispersion considers both population and geography. It reflects the travel demands placed on Chief Executives in geographically dispersed councils that is not captured by total operating income, or the other modifying criteria. It also acts as a proxy for a travel allowance.
	Distance from Adelaide	Distance of primary council location from Adelaide (Source: SA Remuneration Tribunal)	Recognises the need to travel to access services not available within the council area (e.g. medical and education) which, while not directly impacting the complexity of the CEO role, creates greater distance and travelling challenges for CEOs in rural and remote areas.
	Socio-economic Advantage / Disadvantage	SEIFA index of relative socio-economic disadvantage, decile (Source: ABS)	SEIFA is a commonly used measure to assess the socio-economic status of an area and accounts for differences in complexities of councils with different levels of socio-economic advantage/disadvantage. Council areas with a lower decile are considered more complex.

75. The Tribunal has adopted the position that the single most significant characteristic of Councils that impacts on the CEO roles is total operating income (as defined in reports periodically issued by the SA Local Government Grants Commission) as described in the above table. There is a close correlation between total operating income and staffing numbers and close

links between recognition of significant additional functions undertaken by some Councils beyond the normal range of Council activities. In short, as operating income increases, so too does the overall complexity of the CEO role.

76. The Tribunal has utilised the SA Local Government Grants Commission's total operating income data for the 2022/2023 financial year as the latest available data.

77. The Tribunal's initial assessments excluded Adelaide City Council and involved the allocation of each Council to one of eight bands based on the total operating income ranges shown below.

Category	Upper	Lower
1	$210M	$140M
2	$140M	$76M
3	$76M	$56M
4	$56M	$38M
5	$38M	$21M
6	$21M	$15M
7	$15M	$6M
8	$6M	$0

78. The Tribunal has considered the most appropriate approach to be applied to the Adelaide City Council given its relatively high total operating income, its relatively low population base, and the extent to which there are over 400,000 daily users of council facilities and services, most of which involve non-residents. The Adelaide City Council has a vastly different constituent base consisting of predominantly corporate enterprises. It also has a strong commercial focus, owns, and manages two significant subsidiary operations (the Adelaide Central Market Authority and the Adelaide Economic Development Authority), together with the Kadaltilla/Adelaide Park Lands Authority.

79. While the option of a market-based assessment for the Adelaide City Council, drawing on data from similarly sized organisations across Australia was considered, this approach was ultimately rejected because it did not properly consider local government specific characteristics. Comparisons with other capital city CEOs was also not preferred because of the diversity of the other state approaches.

80. Ultimately, the Tribunal determined to create an additional band for the Adelaide City Council, using the same methodology that was applied to other Councils. This approach most accurately reflects the recruitment patterns for the Adelaide City Council over the past 15 years. It means that, while there are 9 bands of Councils, the highest band is applicable only to the Adelaide City Council. None of the modifying criteria considered below have application to the Adelaide City Council.

81. The Tribunal has selected four other criteria which are factors most likely to require further differentiation between Councils which was not captured by total operating income considerations.

82. These are:

    a. Projected population growth which impacts on a Council's planning and service delivery requirements and hence the demands and expectations of a CEO. This was determined to be the most significant modifying factor.
    b. Population dispersion which is a measure of the estimated average distance between each person in a Council area and the population centre for that region. This is a measure of relevance to regional Councils as it represents additional

service delivery and complexity demands on the CEO. The Tribunal has relied on data from 2021 to 2031 provided by the SA Department for Trade and Investment.

c. Distance from Adelaide measured from the primary Council location. This reflects isolation, attraction, and retention issues, together with the challenges associated with functioning in more remote locations with substantially increased distances.
d. Socio-economic advantage/disadvantage. This has been assessed using the Australian Bureau of Statistics Socio-Economic Index for Areas and takes account of differences in the complexities of Councils with differing levels of socio-economic advantage or disadvantage. The greater the degree of comparative disadvantage, the greater the complexity of the CEO role.

83. The Tribunal defined measures of each of these modifying criteria and attached a score of between 1 and 3, depending on the characteristics of the Council. These scores were then weighted, depending on the Tribunal's assessment of the significance of the modifying criteria.

84. This approach is summarised in the following Table prepared by Mercer.

Level of Complexity	Score	Projected population Growth	Population Dispersion	Distance from Adelaide	Socio-economic Status (SEIFA)
Low Complexity	**1**	Less than 0.56% per annum	Less than 8.45km	Less than 187.1km	Greater than or equal to decile 7
Medium Complexity	**2**	From 0.56% up to 0.89% per annum	From 8.45km up to 17.3km	From 187.1km up to 382km	Between decile 6 and 4
High Complexity	**3**	Greater than or equal to 0.89% per annum	Greater than or equal to 17.3km	Greater than or equal to 382km	Less than or equal to decile 3
Weighting		60%	10%	10%	20%

85. Except for the SEIFA score, the Tribunal applied a low complexity or score of 1 to Councils with less than the 50th percentile for that category. A medium level complexity or score of 2 was allocated to Councils between the 50th percentile and the 75th percentile and a high complexity rating or score of 3 was applied to Councils in the upper 25th percentile. The reverse approach was applied with respect to the SEIFA Index. These percentiles are based on the actual distribution of data across the Councils.

86. The weighted average was then utilised to determine if a Council could increase levels by one category from its initial placement using total operating income. This was done by using a cut-off point of a weighted average greater than 2.2, which recognises a prudent buffer above the weighted average medium complexity score of 2, as shown in paragraph 84. This is consistent with the approach adopted by the Tribunal in setting the highest level of complexity for each of the modifying criterion at the 75th percentile.

87. A table showing the application of these modifying criteria is shown below.

Council	Projected Population Growth	Population Dispersion	Distance from Adelaide	Socio-Economic Status
Onkaparinga	2	1	1	2
Charles Sturt	3	1	1	1
Salisbury	2	1	1	3
Port Adelaide Enfield	3	1	1	2

Playford	3	1	1	3
Marion	2	1	1	1
Tea Tree Gully	2	1	1	1
Holdfast Bay	1	1	1	1
West Torrens	2	1	1	1
Mitcham	1	1	1	1
Mount Barker	3	1	1	1
Campbelltown	3	1	1	1
Alexandrina	3	2	1	2
Unley	2	1	1	1
Burnside	2	1	1	1
Adelaide Hills	2	2	1	1
Norwood Payneham & St Peters	3	1	1	1
Murray Bridge	3	1	1	3
Barossa	3	2	1	1
Mount Gambier	2	1	3	3
Yorke Peninsula	2	3	2	2
Copper Coast	3	1	1	3
Whyalla	1	1	3	3
Gawler	3	1	1	2
Port Augusta	1	1	2	3
Victor Harbor	3	1	1	2
Wattle Range	1	3	3	3
Port Pirie	1	1	2	3
Mid Murray	2	3	1	3
Light	3	2	1	1
Prospect	2	1	1	1
Loxton Waikerie	1	3	2	2
Port Lincoln	2	1	3	3
Berri Barmera	1	1	2	3
Renmark Paringa	1	1	2	3
Kangaroo Island	3	3	2	1
Naracoorte Lucindale	1	2	2	2
Tatiara	1	3	2	2
Clare and Gilbert Valleys	1	2	1	1
Coorong	1	3	1	3
Wakefield	1	3	1	3
Grant	2	2	3	1
Coober Pedy	1	1	3	3
Lower Eyre Peninsula	1	3	3	1
Adelaide Plains	3	2	1	2
Yankalilla	3	1	1	2
Northern Areas	1	2	2	2
Goyder	1	3	1	3
Streaky Bay	1	3	3	1
Ceduna	1	2	3	3
Walkerville	2	1	1	1
Franklin Harbour	1	1	3	2
Mount Remarkable	1	3	2	2
Southern Mallee	1	3	2	1
Kingston	1	2	2	2

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Robe	1	1	2	1
Barunga West	1	2	1	3
Tumby Bay	2	2	3	1
Cleve	2	2	3	2
Wudinna	1	2	3	1
Kimba	1	2	3	1
Flinders Ranges	1	3	2	3
Peterborough	1	1	2	3
Elliston	1	3	3	2
Karoonda East Murray	1	3	1	2
Orroroo Carrieton	1	2	2	1

88. The adoption of this approach resulted in 11 Councils being moved up into the next highest band.

89. A Table showing the final Council grouping after the modifying criteria were applied is shown below.

Council	Initial Band based on Total operating income	Weighted Average Modifying Categories	Adjusted Band
Onkaparinga	1	1.8	1
Charles Sturt	1	2.2	1
Salisbury	1	2.0	1
Port Adelaide Enfield	1	2.4	1
Playford	2	2.6	1
Marion	2	1.6	2
Tea Tree Gully	2	1.6	2
Holdfast Bay	2	1.0	2
West Torrens	3	1.6	3
Mitcham	3	1.0	3
Mount Barker	3	2.2	3
Campbelltown	3	2.2	3
Alexandrina	3	2.5	2
Unley	3	1.6	3
Burnside	4	1.6	4
Adelaide Hills	4	1.7	4
Norwood Payneham & St Peters	4	2.2	4
Murray Bridge	4	2.6	3
Barossa	4	2.3	3
Mount Gambier	4	2.2	4
Yorke Peninsula	4	2.1	4
Copper Coast	4	2.6	3
Whyalla	4	1.6	4
Gawler	5	2.4	4
Port Augusta	5	1.5	5
Victor Harbor	5	2.4	4
Wattle Range	5	1.8	5
Port Pirie	5	1.5	5
Mid Murray	5	2.2	5

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Light	5	2.3	4
Prospect	5	1.6	5
Loxton Waikerie	5	1.5	5
Port Lincoln	5	2.2	5
Berri Barmera	5	1.5	5
Renmark Paringa	5	1.5	5
Kangaroo Island	5	2.5	4
Naracoorte Lucindale	5	1.4	5
Tatiara	6	1.5	6
Clare and Gilbert Valleys	6	1.1	6
Coorong	6	1.6	6
Wakefield	6	1.6	6
Grant	6	1.9	6
Coober Pedy	6	1.6	6
Lower Eyre Peninsula	6	1.4	6
Adelaide Plains	6	2.5	5
Yankalilla	6	2.4	5
Northern Areas	7	1.4	7
Goyder	7	1.6	7
Streaky Bay	7	1.4	7
Ceduna	7	1.7	7
Walkerville	7	1.6	7
Franklin Harbour	7	1.4	7
Mount Remarkable	7	1.5	7
Southern Mallee	7	1.3	7
Kingston	7	1.4	7
Robe	7	1.1	7
Barunga West	7	1.5	7
Tumby Bay	7	1.9	7
Cleve	7	2.1	7
Wudinna	7	1.3	7
Kimba	7	1.3	7
Flinders Ranges	7	1.7	7
Peterborough	7	1.5	7
Elliston	7	1.6	7
Karoonda East Murray	8	1.4	8
Orroroo Carrieton	8	1.2	8

Remuneration Ranges

90. Having developed a model for the grouping of Councils, the Tribunal has applied the 2022/23 CEO remuneration levels to this structure with a further increase factored in for the period from the July 2024 Interim Report and Determination.

91. A $190,000 minimum remuneration amount has been adopted as the minimum remuneration amount. This is less than the current minimum CEO remuneration level and hence gives Councils in that lower range enhanced capacity to apply a lower starting salary to a new, inexperienced CEO.

92. The Tribunal has then applied an increase to this minimum to arrive at the mid-point for the lowest band 8. That mid-point then becomes the minimum remuneration level for band 7. This pattern has been repeated for each band. The eight bands determined the range size based around a midpoint assessment for each band. Therefore, the bandwidth increases as the remuneration amounts increase.

93. This reflected the extent to which the Council CEO market is essentially an internal South Australian market. The operation of the model has identified those Councils that are, on the model criteria, out of step with comparable Council CEOs. The Tribunal has assessed the maximum remuneration payable on the basis of overall remuneration trends within the South Australian Local Government sector.

94. The Tribunal has established overlapping remuneration ranges. These provide Councils with increased flexibility in establishing remuneration levels, particularly when recruiting inexperienced CEOs.

95. Whilst it has some reservations, the Tribunal has also increased the remuneration bandwidth for each band. This is intended to provide added flexibility to attract and retain CEOs and to recognise performance in the role.

96. The Tribunal reviewed its decision that, without considering Adelaide City Council, eight bands was a sustainable grouping of Councils. It considered a lessor number of bands, but this created such a broad bandwidth that the value of the banding to elected members and Council ratepayers would be substantially reduced and hence run counter to the established objectives. An increased number of bands was also considered but this created a system which required substantially more maintenance and more frequent reviews, which again ran counter to the sustainability objective.

97. The remuneration minimum and maximum for the Adelaide City Council has been established using the same methodology as outlined earlier in this section.

98. The allocation of Councils to the bands is shown in the Table below.

Band	Number of Councils	Minimum	Maximum	Bandwidth
Adelaide City Council	1	$386,710	$458,557	$68,847
1	5	$353,839	$419,580	$65,741
2	4	$323,763	$383,916	$60,153
3	8	$296,243	$351,283	$55,040
4	10	$271,062	$321,424	$50,362
5	12	$248,022	$294,103	$46,081
6	8	$226,940	$269,104	$42,164
7	18	$207,650	$246,230	$38,580
8	2	$190,000	$225,301	$35,301

99. The Tribunal's interim 2024 Report and Determination applied a 2% increase to the maximum remuneration levels. For the purpose of this assessment, the Tribunal applied a further increase, since that interim 2024 decision. This approach appears broadly consistent with enterprise agreement based wage increases in the Local Government sector. It does not consider any significant CEO remuneration adjustments that may have occurred since 2022/23. Again, this forms part of the Tribunal's decision to issue a draft Determination.

100. The Tribunal has noted that, based on the 2022/23 remuneration data there are a small number of Councils that are likely to be significantly above or below the proposed minimums and maximums.

101. The Tribunal's assessment of increases since 2023 indicates that 62% of Councils are remunerating their CEOs at levels consistent with these bands. A small percentage of Councils appear likely to be more than $5000 above or below a band. More accurate estimates will

require that Councils review CEO remuneration components against the definitions set out by the Tribunal and that they confirm actual FBT obligations.

Phased in Compliance

102. Nevertheless, the Tribunal is acutely conscious that significant deviations from its minimum or maximum remuneration levels have the capacity to adversely impact Councils in terms of potential cost imposts or the loss of key staff. To this end, the Tribunal proposes to provide Councils with the capacity to phase in compliance with the relevant minimum or maximum remuneration over the next year. Where achievement of compliance involves increases, or reductions, that are greater than $5,000 per annum, compliance should be achieved over a two year period.

Frequency of Reviews

103. The Tribunal proposes that the remuneration amounts incorporated in the proposed framework will be reviewed annually. While it recognises that the normal Local Government enterprise agreement approach is to link wage movements with consumer price movements, the Tribunal has declined to establish an automatic linkage of that nature. There are many organisations and occupations where CEO remuneration is not automatically tied to inflation and, particularly relative to Local Government, which is substantially funded by ratepayers, an absolute guarantee of inflation matching wage increases is not considered appropriate.

104. Independently of the remuneration amounts, the Tribunal has adopted the position that the bandings will be reviewed every two years, against each of the relevant criteria incorporated in the framework. These reviews will also provide an opportunity to review the remuneration framework.

Opportunity to Comment

105. The Tribunal has determined to provide a draft Determination consistent with this Report to give Councils and CEOs an opportunity to identify issues they consider may not have been adequately considered in the development of this remuneration framework.

106. Most Councils, Mayors and CEOs who have put views to the Tribunal, have asserted that their Council is unique or different. The Tribunal has adopted an approach which seeks to recognise this diversity, while meeting the specified objectives. Whilst the Tribunal has not limited the range of factors about which comments may be made, comments about the nature of the remuneration framework, or about potential implementation issues are particularly invited.

107. The Tribunal notes it arrived at a separate assessment for the District Council of Coober Pedy in September 2024 because of its unique circumstances (see Determination 4 of 2024). The application of the approach in the framework adopted in this Report results in a different maximum amount applicable to Coober Pedy. The Tribunal notes that the District Council of Coober Pedy, as the most remote Council and most differentiating Council, may wish to provide advice to the Tribunal about this approach.

108. Any responses to this invitation should be provided to the Tribunal by 12 March 2025. The Tribunal does not currently intend to provide extensions of time. A binding Determination will be issued soon after this date. The Tribunal expects that this final Determination will take effect from 1 January 2025, consistent with the advice it has already provided to Councils.

109. The adoption of this approach does not prohibit a Council from seeking an individual review of its banding. Councils with demonstrable concerns about the effect of their band allocation will be expected to provide information that establishes the basis for their position relative to other Councils. Requests of this nature should also identify the impact of the currently specified minimum and maximum amounts, in the context of the model that the Tribunal has outlined in this Report, rather than simply referring to traditional comparisons with other Councils.

Next Steps for Councils

110. The Tribunal does not have the jurisdiction nor desire to provide tax advice to Councils, relating to FBT, but notes different approaches to these issues and recommends that individual Councils review those approaches.

111. The Tribunal strongly urges elected members of Councils to seek from their staff a complete explanation of their current CEO remuneration against the component elements of the total remuneration which is explained in this Report and the draft Determination. Without such an understanding, there is a substantial risk that this Report could be misunderstood and misapplied because the component parts of a CEO's remuneration under the terms of a contract or even traditional reporting structure may differ from the approach adopted by the Tribunal. Further, the Tribunal's discussions with Mayors disclosed continuing potential for a misunderstanding of the legislative function of minimum and maximum remuneration levels.

112. As only a third of the Councils provided the Tribunal with position descriptions for their CEOs, Councils are urged to ensure that these descriptions exist and are in a form which facilitates the accurate assessment of performance. To the extent that some Councils may not be able to reach a consensus on CEO performance expectations, this is also essential.

113. Any objections to the draft Determination should include the current CEO remuneration components and movements since 2022/23 in accordance with the remuneration definitions set out in paragraph 68.

114. It is the responsibility of each Council to set CEO remuneration within the specified minimums and maximums.

115. The Tribunal anticipates that Councils will also consider the implications of remuneration adjustments for their CEOs, on the senior staff who report to their CEOs.

116. As the Tribunal has already noted, section 147(5) of the *Statutes Amendment (Local Government Review) Act 2021,* may impact on the requirement to comply with the specified minimum and maximum remuneration levels. Again, as the Tribunal has noted, that is a matter for those Councils to consider.

DRAFT

No. X of 2024

DRAFT DETERMINATION OF THE REMUNERATION TRIBUNAL

Minimum and Maximum Chief Executive Officer Remuneration

SCOPE OF DETERMINATION

1. This Determination applies to Chief Executive Officers of Local Government Councils to whom section 99A of the *Local Government Act 1999* (SA) applies.
2. For the reasons provided in the accompanying report, The Municipal Council of Roxby Downs is not covered by this Determination.
3. This Determination is provided in draft form to enable consideration of it by Local Government Councils, CEOs, and any other interested parties with any submissions invited by close of business 12 March 2025.
4. Subject to revisions that the Tribunal may make, it is anticipated that a Determination in final form will be issued later in March 2025.

MINIMUM AND MAXIMUM REMUNERATION

5. In accordance with section 99A of the *Local Government Act 1999* (SA) (**LG Act**) the Remuneration Tribunal hereby determines the following rates of minimum and maximum remuneration for Chief Executive Officers of Local Government Councils in South Australia:

Band	Total Remuneration Package
Adelaide City Council	$386,710 - $458,557
1	$353,839 - $419,580
2	$323,763 - $383,916
3	$296,243 - $351,283
4	$271,062 - $321,424
5	$248,022 - $294,103
6	$226,940 - $269,104

7	$207,650 - $246,230
8	$190,000 - $225,301

6. Remuneration figures are expressed on a total remuneration package basis as is detailed below:

Component	**Definition**
Monetary remuneration	Base salary (cash component).
Superannuation	Includes the statutory minimum employer contributions, any salary sacrifice component, and any additional payments made by a Council.
Annual Leave Loading	As defined in the relevant employment contract.
Additional Leave Entitlements	Dollar value of additional leave provided over and above statutory entitlement, except where this is provided to allow remotely based CEOs to travel to their hometown or capital city to commence / return from leave.
Bonuses	Dollar value of any bonuses or performance incentives, whether received in cash or kind.
Motor Vehicle	The value of the cash allowance or the private benefit value of the motor vehicle to the CEO using either the Prime Cost (depreciation), Operating Cost, or Statutory Formula in accordance with the ATO rules. Must include FBT payable by the CEO. Refer to: https://www.ato.gov.au/calculators-and-tools/fringe-benefits-tax-car-calculator
Housing Allowance	The dollar value of any housing allowance or rental subsidy and associated FBT. Consistent with the ATO remote area fringe benefit tax requirements. Note, designated remote areas are exempt from FBT – refer to: https://www.ato.gov.au/api/public/content/0-2f3d266d-5f78-4188-add6-f218387a0485?1730844950186
Other Fees and Allowances	Includes, but not limited to, any or all of the following: • School or childcare fees, including school uniforms • Newspaper/magazine/online subscriptions • Value of perquisites provided to the CEO i.e. memberships • Personal travel or any other benefit taken in lieu of salary by the CEO (and immediate family at the discretion of the council) • Health insurance • Any and all other allowances • Any other form of payment - cash or otherwise • Any Fringe Benefits Tax paid by council in respect of any of the above
Total Remuneration Package (TRP)	The total of all the above components.

DRAFT

7. For the avoidance of doubt, mobile telephones and portable computing equipment, fundamentally for work purposes, and professional development costs directly related to the performance of CEO duties and membership of professional associations are not included in the total remuneration package.
8. A list of Council groupings is included at attachment 1.
9. Any decision in relation to an annual increase for CEO remuneration within the bands set by the Tribunal remains a matter for each Council in accordance with section 99A(1) of the LG Act.
10. Councils have until 1 January 2026 to comply with the minimum and maximum remuneration amounts. Where achievement of compliance involves increases, or reductions, that are greater than $5,000 per annum, compliance must be achieved by 1 January 2027.

DATE OF OPERATION

11. This Determination shall have operative effect on and from 1 January 2025.

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ATTACHMENT 1

Council	Band
City of Onkaparinga	1
City of Charles Sturt	1
City of Salisbury	1
City of Port Adelaide Enfield	1
City of Playford	1
City of Marion	2
City of Tea Tree Gully	2
City of Holdfast Bay	2
Alexandrina Council	2
City of West Torrens	3
City of Mitcham	3
Mount Barker District Council	3
City of Campbelltown	3
The Rural City of Murray Bridge	3
The Barossa Council	3
City of Unley	3
Copper Coast Council	3
City of Burnside	4
Adelaide Hills Council	4
City of Norwood Payneham & St Peters	4
City of Mount Gambier	4
Yorke Peninsula Council	4
City of Whyalla	4
Town of Gawler	4
City of Victor Harbor	4
Light Regional Council	4
Kangaroo Island Council	4
Corporation of the City of Port Augusta	5
Wattle Range Council	5
Port Pirie Regional Council	5
Mid Murray Council	5
City of Prospect	5
District Council of Loxton Waikerie	5
City of Port Lincoln	5
Berri Barmera Council	5
Renmark Paringa Council	5
Naracoorte Lucindale Council	5
Adelaide Plains Council	5
District Council of Yankalilla	5
Tatiara District Council	6
Clare and Gilbert Valleys Council	6
Coorong District Council	6
Wakefield Regional Council	6
District Council of Grant	6
District Council of Coober Pedy	6
Lower Eyre Peninsula Council	6
Northern Areas Council	7
Regional Council of Goyder	7
District Council of Streaky Bay	7
District Council of Ceduna	7
Corporation of the Town of Walkerville	7
District Council of Franklin Harbour	7

DRAFT

District Council of Mount Remarkable	7
Southern Mallee District Council	7
Kingston District Council	7
District Council of Robe	7
Barunga West Council	7
District Council of Tumby Bay	7
District Council of Cleve	7
Wudinna District Council	7
District Council of Kimba	7
The Flinders Ranges Council	7
District Council of Peterborough	7
District Council of Elliston	7
District Council of Karoonda East Murray	8
District Council of Orroroo Carrieton	8

DRAFT

DEBATE REPORT

7.1 Office of the Mayor and CEO

7.1.1 GRAPEVINE TEXAS - VISIT APRIL 2025 AND DELEGATION SEPTEMBER 2025

Author: Chief Executive Officer
25/16955

PURPOSE

As Council is fully aware, 2025 will see the biennial activity centred on our sister city Grapevine, Texas. The report is to receive a short briefing on their visit and our mission to Texas in September 2025.

RECOMMENDATION

That Council in accordance with Clause 3.5.3 of the Elected Member Allowances and Benefits Policy and Clause 4.1.3 of the Employee Travel and Accommodation Policy (Attachment 2) noting flight time shall be greater than 8 hours, approve the formal delegation to Grapevine, Texas shall consist of the Mayor, Chief Executive Officer and Sister City Program Manager/Executive Officer to the Sister City Advisory Committee.

REPORT

Background
Following the signing of the intention to enter into a Sister City Accord with the City of Grapevine, Texas during their first visit in April 2023, the Barossa Council was invited to attend Grapevine's premier event, 'GrapeFest' 2023, in September to sign the official Sister City Accord.

The Sister City relationship is based on an alignment of our core values, with both cities incredibly passionate about preserving and upholding character, traditions and cultural identity. We are also equally aspirational about our future and the ways in which we can innovate and diversify to maintain our international brand and build a region that is vibrant, sustainable and owns its place in a global marketplace.

Not only is the Sister City relationship about governance and corporate learning but it offers student exchanges, industry access and opportunities to the American and North American market and closely aligns with the States drive in Texas though its sister city relationship with Texas and a trade office in Houston.

Council has activated a Sister Cities Advisory Committee consisting mainly of community, industry, and business representatives. This committee is highly active and strongly planning with the support of Councils' Sister City Program Manager to the committee in the upcoming visit from Grapevine Delegates in April 2025 and our subsequent visit to Grapevine, Texas in September 2025.

Introduction
Plans for hosting the delegates from Grapevine is well advanced. Delegates will include elected officials, representatives from the banking industry, education, civic and community organisations. The dates of the official visit to the Barossa are 23 April 2025 - 30 April 2025.

The draft program of the visit includes:

- Experiences of the Barossa Vintage Festival
- Touch Down and Taste Off Event – Barossa v's Grapevine
- The award ceremony for the Barossa Young Ambassador
- Dinner with Rotary Barossa Valley
- Meeting with the Sister Cities Advisory Committee
- Barossa Vintage Parade
- Barossa Trade show
- Barossa Bushgardens BBQ – flora and fauna experiences

The Barossa Council delegation shall be as per the 2023 delegation consisting of the Mayor and Chief Executive Officer.

Further, as outlined at Attachment 1, due to the nature of this delegation including the award recipient of the Barossa Young Ambassador, 8 Nuriootpa High School agricultural students, and 2 teachers, and at least 4 committee members (all prior attending at their own costs). In addition, Barossa Australia and local wineries will also be attending 'Grapefest', it is recommended the Program Manager and Executive Officer to the Sister Cities Advisory Committee attend based on all advice, size of delegation and needs to attend to support the trip and to carry out the position of the Program Manager, as outlined in Attachment 1.

Discussion
The delegation from Grapevine will arrive in the Barossa on 23 April 2025 and depart on 30 April 2025.

The design and theme of the trip is expanded from that in 2023 with a program of high school students attending this year along with involvement in the Vintage Festival and the Committee including entering a float in the parade, all through voluntary effort.

The high-level agenda is yet to be confirmed with more information and full itinerary to be completed with Grapevine in the next 4-6 weeks.

Our delegation to Grapevine will again be during Grapefest and will involve Civic, Cultural and Economic Development events and the School Tour. At this stage the official delegation (the Mayor, CEO and Program Manager/Executive Officer) will fly out on Tuesday 9 September 2025 arriving on the evening of the same day. The formal visit commences on 11 September 2025 and concludes on the evening of Sunday 14 September 2025. The costs to fly home on the following Monday were over $2,000 dearer than coming home on Tuesday 16 September 2025, therefore they will fly home on that date arriving on Thursday 18 September 2025. Provision of access to systems and communications will mean the Chief Executive Officer is available and at work and therefore no Acting Chief Executive Officer needs to be appointed as the CEO is not on leave. Recent organisational reform has seen Ms Joanne Moen is appointed Deputy Chief Executive Officer and can exercise all necessary functions.

At this time a draft agenda is still being developed and will be provided in due course to members.

Summary and Conclusion
The biennial Grapevine Sister City delegations are upon us and are well advanced in planning for Grapevines visits. Preparation of our delegation visit has commenced.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Sister City Members Correspondence ⇩
Attachment 2 Employee Travel and Accommodation Policy ⇩

Supporting references
Elected-Members-Allowances-and-Benefits-Policy.pdf

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

CS10 Economic Development - Facilitating the economic well-being and quality of life of the local businesses and the community.

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.

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
Part 5 of the Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Council will support the official delegation; this has been budgeted for at approximately $7,000 to $10,000. Grapevine reciprocates this support when our delegation visits Texas.

The costs of flights for a delegation of 3 flying business class have been budgeted for, as per Council policy (last time the delegation travelled over in premium economy and back business class). Due to Fiji Airways recently offering a significant discount and sale for travel to the United Stated, but for a short period of time, have been preliminary booked. The cost for these flights was $18,000 cheaper than the direct flights to Texas, with a short few hour's stopover in Fiji on the way over and on return.

With flights, incidentals, food, noting accommodation is supported by Grapevine, transfers and visa, the cost is estimated at $30,000.

COMMUNITY ENGAGEMENT

Forms part of the annual budget which was consulted upon as part of the annual business plan and budgeting processes.

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

Dear Martin

As you are acutely aware the engagement and interest in the Sister City relationship with Grapevine Texas is strong and growing.

The opportunities for the Barossa including student exchanges, civic learning, economic cooperation and an avenue for market and product development for industry into the United States is impressive.

At the prior meeting of the Councils Sister Cities Advisory Committee, it was discussed and unanimously supported, and we the undersigned represent these views to you, that is it imperative that the Sister City Program Manager and Executive Officer to the Committee attends. Whilst we understand that such a trip is costly at approximately $12,000 to $15,000 a head, as ratepayers and community leaders such funds are well invested for the following reasons:

- As the driver of this relationship with Grapevine it is critical that the officer attends to learn and bring back opportunities to work with the committee to execute.
- Develops relationships and to drive community and civic opportunities and assist in economic strategy with your Economic Activation unit, Barossa Australia and Regional Development Australia.
- Assist with extensive on ground support in Texas, given there is the official party attending, eight students and two teachers with the student exchange, and multiple members of the committee, Barossa Australia and commercial business attending (at their cost).
- In conversations with Grapevine and with the prior experience the level of day-to-day management and engagement is extensive including supporting the official delegation, protocol management, problem solving issues, and keeping records for the production of the mission report.
- Social media updates throughout the visit.
- Data and information for future Council report, post visit.
- Ad hoc speech writing.

It is for these reasons we respectfully ask you and The Barossa Council to include the officer in the mission to Grapevine Texas as part of the official delegation accompanying the Mayor and yourself.

If you have any questions, please contact Rolf Binder at your convenience.

Yours sincerely
As Joint Members of The Barossa Council Sister City Committee

Authorised via email dated 6 February 2025 202512.18pm
Rolf Binder
Rolf Binder

Authorised via email dated 6 February 2.04pm
Milly Hoffman
Milly Hoffman

Authorised via email dated 6 February 2025 8.52pm
Ingrid Day
Ingrid Day

Rick Lane

Date: 7 February 2025

THE BAROSSA COUNCIL

EMPLOYEE TRAVEL AND ACCOMMODATION POLICY

Corporate Plan Link:	6.2 Ensure that Council's policy and process frameworks are based on principles of sound governance and meet legislative requirements.		
Policy Owner:	Manager Organisational Development and Risk	**Previous Approval Date(s):**	18/11/2013 13/07/2017
Document Control Officer:	HR Advisor	**Current Approval Date:**	17/04/2019
HPE Content Manager Ref:	13/34375*	**Next Review Date:**	17/4/2020

1. Purpose

1.1 The purpose of this Policy is to establish clear guidelines for work-related travel and accommodation bookings associated with organisational requirements for The Barossa Council ("Council") Employees.

1.2 The Policy will ensure an accountable administrative approach for the booking of travel and accommodation.

2. Scope

2.1 This Policy is applicable to Employees of Council who are authorised to travel in accordance with their role and/or organisational requirements.

2.2 This Policy also applies to Employees travelling to attend conferences, seminars or training and is to be applied in accordance with Council's *Training and Professional Development Policy*.

3. Definitions

CEO	Chief Executive Officer, The Barossa Council.
Council	The Barossa Council.
Council vehicle	Council owned or leased motor vehicle excluding salary sacrificed vehicle arrangements.
Director	Director of a Council Directorate – Director of Corporate and Community Services, Director of Development and Environmental Services, Director of Works and Engineering Services or successor positions.
Employee	All full time, part time and casual employees employed by Council.
Intrastate travel	Travel within the State.
Interstate travel	Travel to States other than South Australia.
Overseas travel	Travel outside of Australia.
Supervisor	A person with management and control such as any direct line supervisor, including Chief Executive Officer, Director, Team Manager, Line Manager, Coordinator, Supervisor or Leading Worker who are responsible for Worker(s) reporting to them.

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4. Policy Statement

Council recognises certain Employees need to undertake travel, both intrastate and interstate and very occasionally overseas, in the course of their Council business. Employee travel and accommodation bookings are most commonly associated with Employee training and development, thus expenses are approved and allocated in accordance with *Council's Training and Professional Development Policy*.

4.1 Intrastate/Interstate and Overseas Travel

4.1.1 All **Intrastate** travel is to be approved by the Employee's Supervisor or Director.

A Council vehicle should be used for travel wherever possible. Vehicles are booked in accordance with *Council's Fleet Booking and Usage Process*.

4.1.2 All **Interstate** travel is to be approved by the relevant Director or CEO. The CEO's travel is approved by Council in accordance with individual contract arrangements.

4.1.2.1 All domestic air travel to be Economy Class.

4.1.3 All **Overseas** travel must be approved by the CEO.

4.1.3.1 All international air travel must be Economy Class unless flight time is 8 hours or more, or there are special or medical circumstances.

Where flight time is 8 hours or more, or there are special or medical circumstances travel may be Business Class. In respect of international air travel less than 8 hours, and where the Employee claims special or medical circumstances:

4.1.3.1.1 The CEO shall have authority to assess special or medical circumstances and approve Business Class travel for Employees except in relation to the CEO's own travel.

4.1.3.1.2 Council shall have authority to assess special or medical circumstances and approve business class travel in relation to the CEO's travel.

4.1.3.2 Employees travelling overseas must hold a current passport. If a passport is to be obtained or renewed it is at the expense of the Employee. If a visa is required to enter the destination country that shall be at Council's expense.

4.1.4 The Employee must comply with all terms and conditions of the airline being used.

4.1.5 Council does not hold corporate memberships to airport lounges. Should an Employee seek to obtain membership to an airport lounge this shall be at the Employee's expense. Such fees will not be reimbursed by Council.

4.1.6 Employees may retain frequent flyer benefits; however participation in these programs must not result in any incremental cost to Council beyond the most suitable available airfare in accordance with sub-clause 4.1.10 below. Depending on the frequency of travel and benefits obtained the Employee may be required to declare the benefit on Council's Gifts and Benefits Register in accordance with the *Code of Conduct for*

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Employees and any related Council Policy. The Employee should discuss with his or her Supervisor any concerns about whether or not to declare such a benefit.

4.1.7 Terms and conditions in regards to travel insurance is covered by Council's Personal Accident and Corporate Travel Insurance administered by Local Government Risk Services.

4.1.8 Taxis, coaches and other transport expenses will be met by Council for approved travel, upon presentation of an official receipt or where applicable through use of Corporate Purchasing Cards. For longer distances or multiple trips, at the discretion of the relevant Director/CEO it may be appropriate/cost effective for the relevant Executive Assistant to organise a hire car.

4.1.9 All conference bookings that include travel must be approved by the relevant Director or CEO, in accordance with Council's *Training and Professional Development Policy*.

4.1.9.1 In regards to conference bookings for the CEO, Council shall provide approval in accordance with individual contract arrangements.

4.1.10 The Employee will take the opportunity to book the cheapest fares and rate available for the required travel if such fares provide reasonable departure and arrival times and flight connections in all the circumstances. It is preferred that payments for travel and accommodation are made using Council's corporate cards.

4.2 Accommodation and Related Expenses

4.2.1 All conference bookings which include accommodation must be approved by the relevant Director or CEO.

4.2.2 Accommodation will be booked with the most appropriate and cost effective provider in accordance with sub-clause 4.2.4.1. In the case of accommodation for conferences, bookings may be made at the conference venue or in close proximity. The costs of such venues must still be within the limits prescribed in sub-clause 4.2.4.1 below, unless approved by the relevant Director/CEO in sub-clause 4.2.4.2.

4.2.3 The Employee will take the opportunity to use government discounts or book the cheapest rates available for the required accommodation provided it is reasonable to do so in all the circumstances.

4.2.4 Employees who are required to be away from their normal work location in the conduct of their duties for one night or more, are entitled to compensation for reasonable expenses incurred in their stay in the following terms:

4.2.4.1 Limits apply to accommodation and meal allowances as listed below:

For an overnight stay the maximum allowable shall be:

Meal Allowance per day	$120.00
Bed – excluding meals	$260.00
Maximum Total Claimable Per Day	$380.00

4.2.4.2 Requests to stay at conference venue accommodation where the bed amount exceeds $260 per night will be considered and approved by the relevant Director/CEO on a case by case basis.

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4.2.4.3 Requests for expenses above the amounts within 4.2.4.1 will be considered, in reasonable circumstances, by the relevant Director/CEO, providing they do not exceed the Maximum Total Claimable Per Day.

4.2.4.4 Other work related expenses must be approved by the Director or CEO.

4.2.4.5 Personal expenses (e.g. telephone calls, dry-cleaning, in-house movies, and mini-bar) must be paid for by the Employee at the time of checkout and will not be reimbursed by Council.

4.2.4.6 Council will reimburse to the Employee within 14 days, the actual costs accrued, or those beyond the limits in sub-clause 4.2.4.1, upon presentation of receipts, as long as the expenditure of such costs has been made with prior approval from the relevant Director or CEO.

4.2.4.7 In accordance with the relevant Enterprise Agreement provisions, travel time to and from training venues outside of ordinary hours is not payable, unless approved otherwise by the CEO on a case by case basis.

4.2.4.8 The above allowances will be reviewed annually and aligned with the *Elected Members Training and Development Policy*.

4.3 Private Vehicle Travel

4.3.1 In accordance with the *Motor Vehicle Policy* all Council owned vehicles must be available for general business use during working hours.

Where an Employee is required to use their own vehicle for travel during ordinary hours, for Council purposes, due to a Council vehicle not being available the Employee will be reimbursed for the kilometres travelled, in accordance with the Australian Tax Office guidelines, the relevant Award and/or Agreement.

4.3.2 Travel within a private vehicle is only permitted when in accordance with Council's *Motor Vehicle Policy*. A claim for kilometres travelled is submitted and approved on the individual Employee's timesheet.

5. Supporting Process

Employee Travel and Accommodation Booking Process
Council Fleet Booking and Usage Process

6. Related Policies

Training and Professional Development Policy
Procurement Policy
Council Motor Vehicle Policy
Code of Conduct for Employees
Elected Members Training and Development Policy

7. Legislation and References

South Australian Municipal Salaried Award
The Barossa Council Enterprise Agreements
Local Government Employees Award
Local Government Act 1999
Australian Taxation Office (www.ato.gov.au)

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8. Review

This Policy shall be reviewed by the Policy Owner, in consultation with the relevant stakeholders, every year (particularly in relation to clause 4.2.4.1) or more frequently if legislation or Council needs change.

Signed: …… **Dated:**……..

Chief Executive Officer under delegation

9. Policy Version History

Version No:	Approval Date:	Description of Change:
1.0	March 2008	New Policy, March 2008
2.0	Nov 2013	Revision and update into new policy format
3.0	Feb 2016	Revision (as per 4.2.4.1) and update into new policy format – November 2015
4.0	May 2017	Revision (as per 4.2.4.1) alignment with Elected Member Policy in regards to allowance limits
5.0	April 2019	Revision (as per 4.2.4.1) to ensure alignment with Elected Member Training and Development Policy reviewed 26/11/18

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DEBATE REPORT

7.1 Office of the Mayor and CEO

7.1.2 COUNCIL BEHAVIOUR SUPPORT POLICY - PUBLIC CONSULTATION RESULTS - ADOPTION OF POLICY

Author: Chief Executive Officer
25/17043

PURPOSE

To review public consultation submissions and consider the adoption of the revised Elected Member Behaviour Support Policy for public consultation.

RECOMMENDATION

That Council having reviewed the consultation feedback and proposed revisions to the Elected Member Behaviour Support Policy adopt the Policy as presented at Attachment 2, with revisions.

REPORT

Background
As previously understood by members, 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***

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. The draft Policy was drafted with support of our solicitors, adopted for consultation by Council and consultation has now closed.

Introduction
The public consultation process for the Elected Member Behaviour Support Policy has been undertaken as instructed by Council. There were six online submissions and one letter provided by the close of the consultation process. The combined submissions and engagement report is at Attachment 1.

Discussion
The following table outlines the responses and any suggested revisions that have been incorporated into the policy for Council discussion and adoption.

Response Number	Summary Points	Supportive	Suggested Revisions to the Policy
1.	• Critical the policy succeeds. • Councillors should be pillars of our society and behaviour reflect this. • Behaviour that brings Council into disrepute should result in expulsion of the member immediately.	Yes	Nil
2.	• Brilliant and needed policy. • Behaviours of members needs to be managed.	Yes	Nil
3.	• Fantastic and needed to make sure politeness and no unnecessary speaking out of line	Yes	Nil
4.	• Policy needs to be made and witness benefits.	Yes	Nil
5.	• Supportive of all measures that support respectful community. • Suggests that the policy should be inclusively engaged with diverse members of our community including CALD backgrounds, LFBTIA+ and Aboriginal peoples. • Consequences of breaches could be strengthened.	Yes	Recommend change to strengthen as suggested to clause 1.2 and 3.1.5. Cannot alter the consequences these are prescribed by the Elected Member Policy and legislation.

6.	• Positive move to enact the Policy. • Elected members to be held to standards.	Yes	Nil
7.	• Restated the legal basis of support policies. • Agrees with legal advice regarding the clear line between personal / private life and public life. • Restates the petitioners request and the limitation that a policy needs to have and be consistent with the Elected Members Behavioural Policy. • Questions the statement of 'generally navigating the public realm and a community leader' and definitions of reasonable and impartial person. • Disagrees with the legal advice that the policy is not inconsistent with the Elected Member Behavioural Standards.	No	Policy has been carefully worded and checked legally to ensure there is reasonable separation between a Members' role and personal / private life. Reword 2.3 to make it clearer as pointed out by the submission. The tests of a reasonable and impartial is the test (not reasonable and/or impartial). This is a well-accepted "reasonable person test" in law. To assist a definition has been inserted.

Summary and Conclusion
Having now completed the community engagement process and considered the feedback it, including recommended drafting changes, the policy is now presented for final debate and consideration for adoption.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Elected Member Behaviour Support Policy - Public Consultation Submissions ⇩
Attachment 2 Elected Member Behaviour Support Policy - With Recommended Revisions ⇩

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 75F of the Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil impact for the development of the policy, review of responses and engagement cost were minimal. The management of any complaints arising, and associated risks and costs with behavioural breaches or general behavioural matters cannot be predicted.

COMMUNITY ENGAGEMENT

Community engagement has taken place and has been tabled and summarised in this report.

Summary Report

08 January 2025 - 29 January 2025

Your Say Barossa

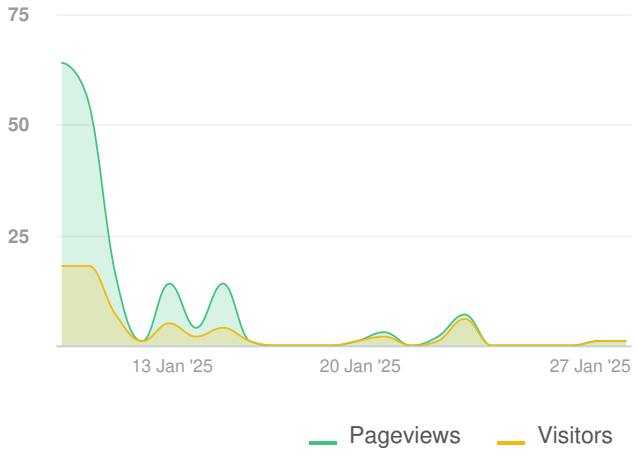
PROJECTS SELECTED: 1

Elected Member Behaviour Support Policy

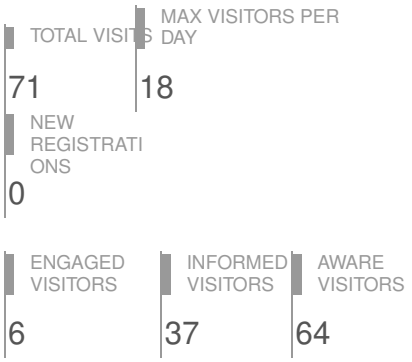
FULL LIST AT THE END OF THE REPORT

GRANICUS

Visitors Summary



Highlights



Your Say Barossa : Summary Report for **08 January 2025** to **29 January 2025**

PARTICIPANT SUMMARY

ENGAGED
INFORMED
AWARE

6 ENGAGED PARTICIPANTS

	Registered	Unverified	Anonymous
Contributed on Forums	0	0	0
Participated in Surveys	0	0	6
Contributed to Newsfeeds	0	0	0
Participated in Quick Polls	0	0	0
Posted on Guestbooks	0	0	0
Contributed to Stories	0	0	0
Asked Questions	0	0	0
Placed Pins on Places	0	0	0
Contributed to Ideas	0	0	0

** A single engaged participant can perform multiple actions*

(%)

Elected Member Behaviour …	6 (9.4%)

** Calculated as a percentage of total visits to the Project*

ENGAGED
INFORMED
AWARE

37 INFORMED PARTICIPANTS

	Participants
Viewed a video	0
Viewed a photo	0
Downloaded a document	28
Visited the Key Dates page	0
Visited an FAQ list Page	0
Visited Instagram Page	0
Visited Multiple Project Pages	32
Contributed to a tool (engaged)	6

** A single informed participant can perform multiple actions*

(%)

Elected Member Behaviour …	37 (57.8%)

** Calculated as a percentage of total visits to the Project*

ENGAGED
INFORMED
AWARE

64 AWARE PARTICIPANTS

	Participants
Visited at least one Page	64

** Aware user could have also performed an Informed or Engaged Action*

Elected Member Behaviour …	64

** Total list of unique visitors to the project*

Your Say Barossa : Summary Report for **08 January 2025** to **29 January 2025**

ENGAGEMENT TOOLS SUMMARY

0	1	0	0	0	0	0	0
FORUM TOPICS	SURVEYS	NEWS FEEDS	QUICK POLLS	GUESTBOOKS	STORIES	Q&A'S	PLACES

0

SURVEYS SUMMARY

1	Surveys
6	Contributors
6	Submissions

TOP 3 SURVEYS BASED ON CONTRIBUTORS

6
Contributors to

Elected Member Behaviour Support Policy

Your Say Barossa : Summary Report for **08 January 2025** to **29 January 2025**

INFORMATION WIDGET SUMMARY

1	0	0	0	0
DOCUMENTS	PHOTOS	VIDEOS	FAQS	KEY DATES

DOCUMENTS

1	Documents
28	Visitors
29	Downloads

TOP 3 DOCUMENTS BASED ON DOWNLOADS

29
Downloads

Elected Member Behaviour Support Policy.PDF

TRAFFIC SOURCES OVERVIEW

REFERRER URL	Visits
m.facebook.com	17
lm.facebook.com	10
www.google.com	6
www.barossa.sa.gov.au	4
l.facebook.com	3
www.google.com.au	1

SELECTED PROJECTS - FULL LIST

PROJECT TITLE	AWARE	INFORMED	ENGAGED
Elected Member Behaviour Support Policy	64	37	6

Survey Responses

08 January 2025 - 29 January 2025

Elected Member Behaviour Support Policy

Your Say Barossa

Project: Elected Member Behaviour Support Policy

GRANICUS

VISITORS					
18					
CONTRIBUTORS			RESPONSES		
6			6		
0 Registered	0 Unverified	6 Anonymous	0 Registered	0 Unverified	6 Anonymous

Respondent No: 1
Login: Anonymous
Email: n/a

Responded At: Jan 09, 2025 19:23:53 pm
Last Seen: Jan 09, 2025 19:23:53 pm
IP Address: n/a

Q1. **Provide feedback on the draft Elected Member Behaviour Policy**

It is critical for the professionalism of the council that this policy succeeds. Our councillors should be pillars of our society and their behaviour should reflect this. Any behaviour that would bring the council into disrepute, that counsellor should be expelled immediately. I have discussed this policy with family and friends, and all are in support.

Respondent No:	2	**Responded At:**	Jan 09, 2025 20:27:12 pm
Login:	Anonymous	**Last Seen:**	Jan 09, 2025 20:27:12 pm
Email:	n/a	**IP Address:**	n/a

Q1. **Provide feedback on the draft Elected Member Behaviour Policy**

Brilliant and needed policy. The behaviour of members needs to be managed- in particular [redacted] needs to be removed from council. SAPOL can attest to [redacted] bullying and abusive community behaviour. It's disgusting and [redacted] is not someone who has the appropriate behaviour to represent council.

Respondent No: 3
Login: Anonymous
Email: n/a

Responded At: Jan 10, 2025 10:16:59 am
Last Seen: Jan 10, 2025 10:16:59 am
IP Address: n/a

Q1. **Provide feedback on the draft Elected Member Behaviour Policy**

Personally, I think this policy is fantastic and needed to make sure politeness and NO un neccesary speaking out of line by elected councillors including the mayor

Respondent No: 4
Login: Anonymous
Email: n/a

Responded At: Jan 12, 2025 15:08:08 pm
Last Seen: Jan 12, 2025 15:08:08 pm
IP Address: n/a

Q1. **Provide feedback on the draft Elected Member Behaviour Policy**

My only feedback is to support this policy being made, and hope to witness the benefits. I have no suggestions otherwise.

Respondent No: 5
Login: Anonymous
Email: n/a

Responded At: Jan 14, 2025 06:28:02 am
Last Seen: Jan 14, 2025 06:28:02 am
IP Address: n/a

Q1. **Provide feedback on the draft Elected Member Behaviour Policy**

Thank you for the opportunity to provided feedback. As a public servant also, I hold my public service values close and expect that others do the same. I am not sure what problem the council is attempting to fix with this document and whilst I am saddened to think it is required, I am supportive of all measures that support respectful communication within our community. I would like to see a further statement added to the document that specifies that Elected Member Behaviour will respect and inclusively engage with the diverse members of our community- these include those of CALD Backgrounds, LGBTIA+ and Aboriginal Peoples. I am unclear what the consequences of a breach to this policy are. I did read the Behavioural Management Policy too. I think that this could be strengthened. Entrenched behaviours are unlikely to be resolved with education.

Respondent No: 6
Login: Anonymous
Email: n/a

Responded At: Jan 14, 2025 12:51:42 pm
Last Seen: Jan 14, 2025 12:51:42 pm
IP Address: n/a

Q1. **Provide feedback on the draft Elected Member Behaviour Policy**

I have read through the draft and believe it is a very positive move for Barossa Council to enact this policy. I also work in a job that holds me to account in relation to my behaviour, when I'm on the clock and off. I think it's only fair that elected members of the Council are held to similar standards. Elected members of the Council represent me as a Barossa resident and I believe they should act appropriately and reasonably. I support this policy wholeheartedly. I look forward to seeing the policy in action.

SCANNED 20250129 163009

PO Box 180,

Tanunda SA 5352.

29 January 2025.

Mr. Martin McCarthy,

Chief Executive Officer,

The Barossa Council,

PO Box 867,

Nuriootpa SA 5355.

RE: RESPONSE TO DRAFT ELECTED MEMBER BEHAVIOUR SUPPORT POLICY

Dear Mr. McCarthy, Martin,

I wish to comment on The Barossa Council's Draft Elected Member Behaviour Support Policy which is currently undergoing public consultation.

Section 75E – Behavioural Standards of the Local Government Act 1999 states:

(1) The Minister, may, by notice published in the Gazette and on a website determined by the Minister, establish standards (the ***behavioural standards***) that –
   (a) specify standards of behaviour to be observed by members of councils; and
   (b) provide for any other matter relating to behaviour of members of councils.
(2) The behavioural standards may also specify requirements applying to behavioural support policies and behavioural management policies of councils.
(3) A member of a council must comply with the behavioural standards.
(4) The Minister may, by further notice published in the Gazette and on the website referred to in subsection (1), vary or substitute the behavioural standards.
(5) The Minister must, before establishing, varying or substituting the behavioural standards –
   (a) consult with the LGA; and

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(b) undertake such other consultation as the Minister thinks fit,

on the behavioural standards, variation or substitute behavioural standards (as the case may be).

(6) A notice published under subsection (1) or (4) may come into operation on the day on which it is published in the Gazette or on a later day or days specified in the notice.

(7) Sections 10 (other than subsection (1)) and 10A of the *Subordinate Legislation Act 1978* apply to a notice published under subsection (1) or (4) (and a reference in those provisions to a regulation will be taken to be a reference to a notice published under subsection (1) or (4) (as the case requires))."

On the 16th of April 2024 The Barossa Council adopted the Elected Member Behavioural Management Policy and the Elected Member Behavioural Management Process based on the Local Government Association of SA's Model Behavioural Management Policy 2022.

The Behavioural Standards Panel website states the following in relation to Behavioural Support Policies:

"Behavioural support policies

Through 'behavioural support policies', councils may decide themselves what actions, behaviours and standards their members should adhere to. Councils may prepare and adopt behavioural support policies to support appropriate behaviour by council members, and may specify directions or guidelines relating to behaviours that members must observe. **These behavioural support policies must not be inconsistent with the Behavioural Standards.**

While councils will not be required to have a 'behavioural support policy', councils must consider whether they will have a policy or not, and what it could contain, within 6 months of each periodic election. This ensures that every council will have this important conversation, early in the new term of the council, about the standards and behaviours that they will hold themselves and their fellow members to."

It is unclear to me how the additional requirements outlined under the Draft Barossa Council Elected Member Behaviour Support Policy would add to the already existing Barossa Council Elected Member Behavioural Management Policy and Process.

I agree with Tracy Riddle's legal advice to The Barossa Council dated 9/12/2024 which states:

Attachment 1

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"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."***

The intent of the PETITION for amendment to the Barossa Valley Council Behavioural Management Policy, considered at the Ordinary Council Meeting on 19 November 2024, which gave rise to The Barossa Council's Draft Elected Member Behaviour Support Policy states:

"The enclosed petition details the proposal for amendment to the Barossa Valley Council Behavioural Management Policy **to extend the requirement for elected members to always maintain a level of trust within the community whether on or off duty.**

While Council Members are required to comply with Elected Members Behavioural Management Policy of 16 April 2024 while undertaking council duties, **we, as a community feel that this Behavioural Policy should be amended to ensure elected Council Members be required to always maintain a level of professionalism and trust within the community.**

The petitioners request that the Barossa Council:

We, as residents of the Barossa Valley, propose that, in accordance with the Local Government Act 1999, Barossa Council Behavioural Support Policies be amended to include the following:

Elected members to The Barossa Council must not during their term as an elected member to council, at any time, whether in the conduct of their duties, **or when within the council region they have been elected to represent**, conduct themselves in a way that:

- **has the potential** to bring the Barossa Council into disrepute;
- is contrary to council, state and federal policies and laws;
- is improper, unethical **or an abuse of power**;
- constitutes harassment (as defined by the Australian Law Reform Commission);
- constitutes bullying (as defined by the Australian Human Rights Commission); or

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- is intimidating or verbally abusive."

Currently, the Draft Barossa Council Elected Member Behaviour Support Policy states at 2.2:

"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."**

I believe that Elected Members can be recognised as community leaders in their own right and may have been recognised as community leaders prior to their election as an Elected Member to The Barossa Council. It is not clear to me what "all reasonable times whilst in the public realm" actually means.

Similarly, at 2.3:

"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 where a reasonable and impartial person would expect such conduct standards shall apply."**

Firstly, it is unclear to me what 'generally navigating the public realm as a community leader' means. Secondly, how is a 'reasonable' and/or 'impartial' person defined?

Section 59 of the Act states:

"**59 – Roles of members of councils**

(1) The role of a member of a council is –
  (a) as a member of the governing body of the council –
    (i) to act with integrity; and
    (ii) to ensure positive and constructive working relationships within the council; and
    (iii) to recognise and support the role of the principal member under the Act; and
    (iv) to develop skills relevant to the role of a member of the council and the functions of the council as a body; and
    (v) to participate in the deliberations and activities of the council; and
    (vi) to keep the council's objectives and policies under review to ensure that they are appropriate and effective; and
    (vii) to keep the council's resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review; and

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(viii) to ensure, as far as is practicable, that the principles set out in section 8 are observed; and

(ix) to participate in the oversight of the chief executive officer's performance under the council's contract with the chief executive officer; and

(x) to serve the overall public interest; and

(b) as a person elected to the council – to represent the interests of residents and ratepayers of the council, to provide community leadership and guidance, and to facilitate communication between the community and the council.

(2) A member of a council may, with the principal member's authorisation, act in place of, or represent, the principal member.

(3) A member of a council has no direct authority over an employee of the council with respect to the way in which the employee performs his or her duties."

Section 8 of the Act states:

"**8 – Principles to be observed by council**

A council must act to uphold and promote observance of the following principles in the performance of its roles and functions –

(a) provide open, responsive and accountable government;

(b) be responsive to the needs, interests and aspirations of individuals and groups within its community;

(c) participate with other councils, and with State and national governments, in setting public policy and achieving regional, State and national objectives;

(d) give due weight, in all its plans, policies and activities, to regional, State and national objectives and strategies concerning the economic, social, physical and environmental development and management of the community;

(e) seek to co-ordinate with State and national government in the planning and delivery of services in which those governments have an interest;

(ea) seek to collaborate, form partnerships and share resources with other councils and regional bodies for the purposes of delivering cost-effective services (while avoiding cost-shifting among councils), integrated planning, maintaining local representation of communities and facilitating community benefit;

(f) seek to facilitate sustainable development and the protection of the environment and to ensure a proper balance within its community between economic, social, environmental and cultural considerations;

(g) manage its operations and affairs in a manner that emphasises the importance of service to the community;

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(h) seek to ensure that council resources are used fairly, effectively and efficiently and council services, facilities and programs are provided effectively and efficiently;
(i) seek to provide services, facilities and programs that are adequate and appropriate and seek to ensure equitable access to its services, facilities and programs;

(ia) seek to balance the provision of services, facilities and programs with the financial impact of the provision of those services, facilities and programs on ratepayers;

(j) achieve and maintain standards of good public administration;
(k) ensure the sustainability of the council's long-term financial performance and position."

I disagree with Tracy Liddle's legal advice, dated 9/12/2024, which states:

"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."

Additional 'nuances' in behaviours sought by the Council/Members are defined as 'delicate differences in shades of meaning, feeling, opinion, colour etc.'

CONCLUSION

I do not believe that the additional requirements outlined in the Draft Elected Member Behaviour Support Policy enhance the already existing Barossa Council Elected Member Behavioural Management Policy and Process and are unnecessary.

In my view, the Petitioners can utilise the existing Barossa Council's Elected Member Behavioural Management Policy and Process to pursue their concerns, should they wish to do so.

Thank you for the opportunity to participate in this public consultation process.

Yours sincerely,

Helen Szuty.

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, inclusivity, 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 conducting themselves in public ~~navigating the public realm~~ as a community leader and in such circumstances were a ~~r~~Reasonable and ~~i~~mpartial 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.

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DRAFT FOR ADOPTION

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 regardless of ethnicity, age, sex or disability 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.

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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.

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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.
Reasonable and Impartial Person	A reasonable person is a fictional person with an ordinary degree of reason, prudence, care and foresight, or intelligence whose conduct, conclusion, or expectation in relation to a particular circumstance or fact is used as an objective standard by which to measure or determine something. An impartial person is someone who is objective and unbiased~~,~~ and treats everyone and every group equally. They make decisions and provide advice based on merit, not on favoritism, prejudice, or self-interest. These are established concepts in common law and shall be applied to this Policy in guiding the expected standards of behaviour to be demonstrated by Elected Members in the community.

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

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DEBATE REPORT

7.2 Corporate Services, Strategy and Innovation

7.2.1 LAND ONLY LEASE - TANUNDA KINDERGARTEN

Author: Property Lead
25/16344

PURPOSE

To seek in principle approval to negotiate a land-only lease agreement with the Department of Education (DoE) in respect of the longstanding use of Council land adjacent to the Tanunda Kindergarten site.

RECOMMENDATION

That Council:

1) Notes that the Tanunda Kindergarten, located at 41 MacDonnell Street Tanunda, has been occupying a portion of land owned by the Barossa Council and adjacent to the kindergarten for use as a playground under a long standing informal agreement.

2) Endorses the proposal to draft and offer the DoE a 10-year land-only lease, with a right of renewal for a further 5 years, over the portion of land known as 29 Bushman Street, Tanunda defined as Allotment 617 in Filed Plan 172068 described in Certificate of Title Volume 5843 Folio 102 (the Land), in accordance with Section 202 of the *Local Government Act 1999 (the Act)*. The Land is to be maintained by the DoE with a condition that the Land reverts to Council if the kindergarten is sold or ceases to operate during that period.

3) Notes that Council have previously endorsed a lease under the above terms at its meeting dated 19 March 2019, but that this matter never progressed.

4) Authorises Officers to undertake public consultation in accordance with Section 223 of the *Act* and Council's Public Consultation Policy by engaging with the community in the following manner:
   a. Publish an advertisement in the Leader newspaper;
   b. Make public the proposal on Council's website as a public notice; and
   c. Make available a hard copy of the proposal to be collected from the Barossa Council offices located at 43-51 Tanunda Road, Nuriootpa.

5) Authorises the Deputy CEO & Director, Corporate Services, Strategy and Innovation to sign the agreement with the DoE, should no substantive objections be received. In the event that objections requiring review by Council are submitted, a further report shall be presented to Council for consideration and decision making.

REPORT

Background

The Tanunda Kindergarten has occupied its current site at 41 MacDonnell Street, Tanunda since the 1960's. Over the years, the kindergartens' operations expanded onto an adjoining portion of land located at 29 Bushman Street, Tanunda defined as Allotment 617 in Filed Plan 172068 described in Certificate of Title Volume 5843 Folio 102 (the Land). A map identifying the Land is attached as *Annexure A – Site Plan.*

Records show that in the 1980's the District Council of Tanunda approved this Land to be fenced off by the kindergarten for use as a playground. The kindergarten has remained in possession of the Land since that time.

At its meeting held on 19th March 2019, pursuant to Section 202 and 223 of the Local Government Act 1999, Members of The Barossa Council resolved as follows:

***MOVED** Cr de Vries that Council:*

(1) Notes that the Tanunda Kindergarten located at MacDonnell Street, Tanunda has a long-standing use of a portion of Council owned land CT: Volume 5843 Folio 102 and marked B on Attachment 1 ref: 19/14572, but that a formal land use agreement has never been entered into between Council and the Department for Education.

(2) Provides approval for Officers to negotiate a draft land only lease agreement with the Department for Education in respect of land marked B already in use by the Tanunda Kindergarten for an initial lease term of 10 years with a further 10 year right of renewal, with a condition that the land reverts to Council if the Kindergarten is sold or ceases to operate during that period.

(3) Authorises Officers to consult with the community in respect of the draft agreement in accordance with the requirements of the Local Government Act 1999 and Council's Public Consultation Policy.

(4) Authorises the Director Corporate and Community Services to sign the agreement unless there is community objection to the proposed agreement that requires further review by Council.

***Seconded** Cr Hurn*

CARRIED 2018-22/142

For reasons unclear to current administration officers, this matter did not progress. The kindergarten continues to occupy the Land, with no formal agreement in place.

Introduction

Any previous agreements between Council and either the DoE or the Tanunda Kindergarten that may have occurred over the years have now expired, and both parties seek to execute new leasing contracts in good faith.

The Land is owned by the Barossa Council and is classified as Community Land in accordance with relevant legislation.

This report seeks Council's endorsement to undertake public consultation for a new land-only agreement, and if no objections are received, to draft and execute an agreement between the Barossa Council and the DoE for use of the Land.

Discussion

The Land, and the Tanunda Kindergarten, is immediately adjacent to The Barossa Regional Gallery located within the Tanunda Soldier's Memorial Hall. Consideration has been given to whether this proposed lease agreement is likely to have an impact on the Barossa Creative Industries Centre (BCIC) project, which is scheduled to commence mid-2025. It has been determined through engagement with relevant stakeholders that this proposal will not have an impact on the BCIC project. The kindergarten's use of the Land is so long-standing and so familiar to the community, that any external landscaping and design appertaining to the BCIC project was done with the continued presence of the kindergarten's playground in its current location firmly in mind.

It is important to understand that this proposed agreement leases the land to the DoE for use by the Tanunda Kindergarten and does not constitute an obligation on the part of Council to undertake any improvements on the land, or in any way maintain the land. All responsibilities associated with use of the Land rest solely on the DoE as lessees.

Summary and Conclusion

The Tanunda Kindergarten have long occupied a portion of Community Land adjacent to the kindergarten for use as a playground. This portion of Land is identified as 29 Bushman Street, Tanunda defined as Allotment 617 in Filed Plan 172068 described in Certificate of Title Volume 5843 Folio 102. Despite the long-standing nature of the land use, there are no current agreements in place between Council and the Department of Education (DoE) authorising this activity.

Council resolved to enter into a lease with the DoE in 2019, however this matter was never progressed. This report seeks Council's endorsement to rectify this oversight and enter into a formal agreement with the DoE on behalf of the Kindergarten. The following conditions shall apply:

- Officers to undertake public consultation in accordance with the process set out in this reports' *Recommendations* in order to meet the requirements of Sections 202 and 223 of the *Local Government Act 1999*;
- The agreement shall be for land-use only, with the DoE having sole responsibility for maintenance and improvements upon the Land;
- The rent shall be peppercorn in recognition of the benefit this playground brings to the community;
- The initial term shall be for 10 years, with a further 5-year right of renewal to align the dates with Council's original resolution dated 19th March 2019;
- In the event that the kindergarten is sold or ceases to operate, the Land shall revert back to Council on the understanding that this agreement is not transferrable; and
- Should no objections be raised as part of the Public Consultation process, the Deputy CEO & Director, Corporate Services, Strategy and Innovation be authorised to sign the agreement with the DoE.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Annexure A - Site Plan, Tanunda Kindergarten ⇩
Attachment 2 Annexure B - Proposed Public Consultation Press Announcement ⇩
Attachment 3 Annexure C - Proposal Supporting Council's Public Consultation ⇩

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Community and Culture

Goal

4 The Barossa fosters community resilience, connection and wellbeing through its social planning, recreation, safety, education, preventative health and social strategies especially for our youth and vulnerable people.

Strategies

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

4.2 Continue creating strong and sustainable community networks, and support young people to actively participate in the community and develop the leaders of the future.

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

Legislative Requirements

Compliance with Sections 202 and 223 of the Local Government Act 1999 is a mandatory requirement. The granting of a lease or licence upon this portion of community land will then be reflected in Council's appropriate Community Land Management Register.

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial

A peppercorn lease fee is proposed. All maintenance costs and expenses associated with improvements upon the Land will be the responsibility of the DoE.

Resource

No additional Council resources are required.

Risk Management

Council is potentially at risk without the current arrangement being formalised in accordance with Section 202 of the Local Government Act 1999. Risks associated with the use of the Land shall be borne by the DoE as this Land is fenced for exclusive use by the kindergarten.

COMMUNITY ENGAGEMENT

Public Consultation is required in accordance with section 223 of the Local Government Act 1999 and Council's own Public Consultation Policy. Council Administration staff propose to engage with the community in the following manner:

a. Publish an advertisement in the Leader newspaper (*Annexure B – Proposed Public Consultation Press Announcement)*;
b. Publish the proposal on the Barossa Council website as a public notice (*Annexure C – Proposal Supporting Council's Public Consultation)*; and
c. Make available a hard copy of the proposal to be collected from the Barossa Council offices located at 43-51 Tanunda Road, Nuriootpa.

Feedback is welcome, and any submissions will be assessed on merit. Should responses likely to impact the proposal be received, a further report will be presented for Council's consideration if required.

REPORT:

LAND-ONLY LEASE – DEPARTMENT OF EDUCATION ON BEHALF OF THE TANUNDA KINDERGARTEN

ANNEXURE A – Site Plan



Yellow delineates land owned by the Tanunda Kindergarten Association Inc.

Blue delineates land owned by the Barossa Council, home of the Barossa Regional Gallery

Red delineates land owned by the Barossa Council subject to this Proposal. This Land is currently occupied by the Tanunda Kindergarten and used as a secure playground by educators and children who attend the kindergarten

REPORT:

LAND-ONLY LEASE – DEPARTMENT OF EDUCATION ON BEHALF OF THE TANUNDA KINDERGARTEN

ANNEXURE B – Proposed Public Consultation Press Announcement

Land Only Lease – Tanunda Kindergarten

The Barossa Council leases and licences various portions of community land to user groups for purposes which benefit the community in accordance with its endorsed plans, policies and relevant legislation. In most cases, these agreements are up to five years in length.

Notice is hereby given that at a meeting held on 18th February 2025, pursuant to Sections 202 and 223 of the *Local Government Act 1999*, Members of The Barossa Council resolved to seek public comment on a proposal to lease a portion of the land known as 29 Bushman Street, Tanunda defined as Allotment 617 in Filed Plan 172068 described in Certificate of Title Volume 5843 Folio 102 to the Department of Education for use by the Tanunda Kindergarten for a period of up to 15 years. The kindergarten has historically held agreements with Council for use of this land as a playground. As previous agreements have now expired, both parties seek to execute new contracts in good faith.

Details on this proposal are available for inspection at The Barossa Council offices located at 43-51 Tanunda Road, Nuriootpa or via Council's website. Feedback is welcome and must be in writing including the full name and address of the person making the submission, be fully supported by reasoning, and must be received by close of business on Wednesday 19th March 2025 and addressed to The Chief Executive Officer, The Barossa Council, PO Box 867 Nuriootpa SA 5355.

Any further information can be obtained from Lavinia Morcoase, Property Lead, on 08 8563 8244 or LMorcoase@barossa.sa.gov.au

Public Consultation – Land Only Lease – Department of Education and Tanunda Kindergarten
February 2025 - press and social media post

Corporate Services, Strategy and Innovation

PROPOSAL

LAND-ONLY LEASE TO THE DEPARTMENT OF EDUCATION FOR USE BY THE TANUNDA KINDERGARTEN AS A SECURE PLAYGROUND

PURPOSE

The Barossa Council leases and licences various portions of community land to user groups for purposes which benefit the community in accordance with its endorsed plans, policies and relevant legislation. In most cases, these agreements are up to five years in length.

Council seeks to alienate a portion of Community Land via a lease or licence for a period longer than five years in accordance with Sections 202 and 223 of the *Local Government Act 1999*.

BACKGROUND

The Tanunda Kindergarten has historically held agreements with Council for use of a portion of the land known as 29 Bushman Street, Tanunda defined as Allotment 617 in Filed Plan 172068 and described in Certificate of Title Volume 5843 Folio 102. A map identifying the affected portion of land is attached as *Annexure A – Site Plan*.

As previous agreements have now expired, both parties seek to execute new leasing arrangements in good faith.

DISCUSSION

Council is committed to engaging with the community to maximise opportunities that support the needs of local residents, businesses and service providers.

At its meeting held on 18th February 2025, pursuant to Sections 202 and 223 of the *Local Government Act 1999*, Members of The Barossa Council resolved to seek public comment on a proposal to lease a portion of the land known as 29 Bushman Street, Tanunda defined as Allotment 617 in Filed Plan 172068 and described in Certificate of Title Volume 5843 Folio 102 to the Department of Education to be used as a secure playground space by the Tanunda Kindergarten for a period of up to 15 years.

COMMUNITY ENGAGEMENT

Any member of the public has a right to have their say. Feedback on the proposal is welcome, must be in writing and include the full name and address of the person making the submission, be fully supported by reasoning and must be received by 5pm on Wednesday 19th March 2025 and addressed to The Chief Executive Officer, The Barossa Council, PO Box 867 Nuriootpa SA 5355.

Any further information can be obtained from Lavinia Morcoase, Property Lead, by calling 08 8563 8244 or via email to LMorcoase@barossa.sa.gov.au.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

ANNEXURE A – Site Plan



Yellow delineates land owned by the Tanunda Kindergarten Association Inc.

Blue delineates land owned by the Barossa Council, home of the Barossa Regional Gallery

Red delineates land owned by the Barossa Council subject to this Proposal. This Land is currently occupied by the Tanunda Kindergarten and used as a secure playground by educators and children who attend the kindergarten

Corporate Services and Business Innovation

DEBATE REPORT

7.2 Corporate Services, Strategy and Innovation

7.2.2 VARIATION TO DELEGATIONS REGISTER - UPDATES TO LEGISLATION

Author: Governance and Information Support Officer
25/16578

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 "Amendments to the Delegation Register - Council Report Attachment - 18 February 2025," 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:

- Independent Commission Against Corruption Act 2012
- Instrument A - Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity
- Local Government (General) Regulations 2013
- Supported Residential Facilities Regulations 2024

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.

New Delegations

Independent Commission Against Corruption Act 2012

- Power to seek Supreme Court approval for the council to withhold investigation details from the subject.

Instrument A - Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions

of Powers of a Council as a Council; a Designated Authority; a Designated Entity Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity

- Power to initiate code amendment by submitting via the SA planning portal
- Power to initiate a code amendment for proposed changes to code policy
- Power to initiate a code amendment for affected area
- Power to initiate a code amendment that requires identifying relevant state planning policies and assessing alignment
- Power to initiate a code amendment for regional plan
- Power to initiate a code amendment for consultation
- Power to initiate a code amendment for planning merit statement
- Power to initiate a code amendment for investigations
- Power to initiate a code amendment for SA planning portal publication instructions
- Power to initiate a code amendment for designating a place of local heritage value
- Power to initiate a code amendment for designating a tree/s as significant
- Power to prepare a draft code amendment prior to consultation: investigations
- Power to prepare a draft code amendment prior to consultation: instructions
- Power to prepare a draft code amendment prior to consultation: proposal
- Power to prepare a draft code amendment prior to consultation: provide proposal to the department
- Power to prepare a draft code amendment prior to consultation: provide engagement plan
- Power to prepare a draft code amendment prior to consultation: amend engagement plan
- Power to support a draft code amendment following requirements
- Power to prepare engagement plan prior to consultation
- Power to prepare engagement plan prior to consultation: state planning policy
- Power to prepare engagement plan prior to consultation: code or design standard
- Power to prepare engagement report following consultation with amendments
- Power to prepare engagement report with feedback
- Power to prepare engagement report with evaluation
- Request for Minister to agree to complying changes
- Power to request early commencement of code amendment
- Regulations, planning and design code and practice directions added to delegation source and numbering updated

Local Government (General) Regulations 2013

- Power to prepare and maintain employee complaints policy

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 pieces of legislation being:

Instrument A - Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity

- Regulations, planning and design code and practice directions added to delegation source and numbering updated

Supported Residential Facilities Regulations 2024

- Updated delegation source year and removed registered from nurse
- Updated delegation source year and removed registered from nurse and to oversee
- Updated delegation source year and removed registered from nurse

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 Delegation Register - Council Report Attachment - 18 February 2025 ⇩

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

Risk mitigation is provided through the effective management of the delegation's processes and ensuring the CEO is aware of their responsibilities.

The risk of having ineffective or invalid delegations is minimised as the delegations being considered have been recommended by the LGA, who have engaged lawyers to ensure they are correctly set out with appropriate terminology. It is imperative that delegations are validly made as consequences of ineffective or invalid delegations include:

- 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.

It is Council's decision as to whether it delegates any specific power, or not, under any legislation, except where otherwise directed. Section 44(3) of the Local Government Act 1999 also specifies Council decisions that cannot be delegated.

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*.

Independent Commission Against Corruption Act 2012

NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
755302	Independent Commission Against Corruption Act 2012	section 39A(3)	Apply to the Supreme Court for an order authorising the council to withhold information relating to the determination from a person the subject of the investigation	Director Development and Community Services, Director Infrastructure and Environmental Services, Director Corporate Services, Strategy and Innovation		public authority

Instrument A - Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity

NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
754723	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(1)	89. Initiating a Code Amendment 89.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction – 2 Preparation and Amendment of Designated Instrument (PD2), to initiate a Code Amendment and lodge the following documents to the	Director Development and Community Services, Manager	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			Department via the SA Planning Portal: 89.1.1 a Proposal to Initiate; 89.1.2 SA Planning Portal Publication Instructions – for Initiation; 89.1.3 Heritage Report with datasheet(s) and analysis of historic themes (relevant proposals only); 89.1.4 Significant Tree Report with description/s and assessment/s (relevant proposals only).	Development Services	
754724	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.1 Code Policy 89.2.1.1 an outline of: (a) any overlay, general development policy, zone, subzone or technical or numeric variation in the Code being proposed for amendment; and/or (b) the intended spatial application of an overlay, zone, subzone or technical or numeric variation in the Code over an identified area;	Director Development and Community Services, Manager Development Services	
754725	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2.2 Affected Area 89.2.2.1 a map or description of the Affected Area;	Director Development and Community Services, Manager Development Services	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
754726	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.3 State Planning Policies 89.2.3.1 identification of the relevant principles or objectives of the State Planning Policies and an assessment of the proposed Code Amendment's alignment with those State Planning Policies;	Director Development and Community Services, Manager Development Services	
754727	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.4 Regional Plan 89.2.4.1 identification of relevant regional plans and assessment of how the matters or issues proposed to be addressed by the proposed Code Amendment will relate to the relevant regional plan;	Director Development and Community Services, Manager Development Services	
754728	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.5 Consultation 89.2.5.1 information regarding any consultation that has already occurred with respect to the proposed Code Amendment; 89.2.5.2 details of further consultation proposed to be undertaken with respect to the proposed Code Amendment;	Director Development and Community Services, Manager Development Services	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
754729	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.6 Planning Merit Statement 89.2.6.1 provide a statement detailing how the proposed Code Amendment relates to strategic directions and outlines desired policy/development outcomes and anticipated residential/ employment yields;	Director Development and Community Services, Manager Development Services	
754730	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.7 Investigation Information 89.2.7.1 information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment; 89.2.7.2 commitment to undertake further investigations to support the proposed Code Amendment including the following as applicable: (a) infrastructure (road, civil, corridor); (b) service infrastructure (water, wastewater, stormwater, electricity, gas, telecommunications); (c) cultural and heritage significance (search of the Register of Aboriginal Sites and Objects); (d) Code policy (zone, overlay, TNVs, concept plan); (e) hazard risk (analysis of relevant overlays and site conditions); (f) the extent to which there are social, economic, land use, built form or environmental features that present a barrier to the outcomes sought;	Director Development and Community Services, Manager Development Services	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			89.2.7.3 high-level details of any infrastructure required to support development arising through the proposed Code Amendment and how that infrastructure will be provided (for example potable water and sewerage connection requirements); 89.2.7.4 where known, details of any infrastructure agreement (or agreements) or infrastructure scheme which will need to be established or entered into in connection with the proposed Code Amendment.		
754731	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.8 The power pursuant to clause 5(3) of PD2 to set out in the SA Planning Portal Publication Instructions – for Initiation: 89.2.8.1 a summary of the Code Amendment in plain English, which will be published on the SA Planning Portal; 89.2.8.2 where possible, an indication of when consultation may begin.	Director Development and Community Services, Manager Development Services	
754732	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.9 The power pursuant to clause 5(4) of PD2 to, in relation to initiating a Code Amendment which is intended to designate a place as a place of local heritage value, provide a report which: 89.2.9.1 includes a heritage datasheet for each proposed Local Heritage Place, which includes: (a) all relevant property details and descriptions (including images);	Director Development and Community Services, Manager Development Services	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			(b) historical background and thematic analysis; (c) a statement of heritage value; (d) an assessment against the Local Heritage Criteria; and (e) the extent of listing (including any exclusions); 89.2.9.2 includes an analysis of historic themes of importance to the area; 89.2.9.3 is prepared by a heritage architect, historian or person with similar qualifications, skills or experience; and 89.2.9.4 is otherwise prepared in accordance with any guidelines prepared and published by the Commission under Section 67(2)(c) of the PDI Act.		
754733	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.10 The power pursuant to clause 5(5) of PD2 to, in relation to initiating a Code Amendment which is intended to designate a tree (or stand of trees) as a significant tree (or trees), provide a report which: 89.2.10.1 includes relevant details and descriptions of the tree or stand of trees (including images as necessary); 89.2.10.2 includes an assessment of the tree (or stand of trees) against the Significant Tree Criteria; 89.2.10.3 is prepared by an urban planner, arborist or person with qualifications, skills or experience relevant to the assessment in the report.	Director Development and Community Services, Manager Development Services	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
754734	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.1 carry out investigations and obtain such information: 90.1.1.1 as provided in the Proposal to Initiate approved by the Minister; 90.1.1.2 as required under any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act; and 90.1.1.3 as specified by the Commission under Sections 73(6)(e) or 73(6)(f) of the PDI Act;	Director Development and Community Services, Manager Development Services	
754735	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.2 provide the Department with: 90.1.2.1 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and 90.1.2.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Agreement;	Director Development and Community Services, Manager Development Services	
754736	State Planning Commission Practice Direction 2 - Preparation	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment:	Director Development and Community	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	and Amendment of Designated Instruments		90.1.3 prepare the draft Code Amendment in accordance with the approved Proposal to Initiate and any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act and the requirements of this Practice Direction;	Services, Manager Development Services	
754737	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.4 provide the Department with written instructions (in a form acceptable to the Department) to prepare the SA Planning Portal for consultation on the draft Code Amendment; and	Director Development and Community Services, Manager Development Services	
754738	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.5 provide the Department with the engagement plan prepared (and approved, if required) under these Practice Directions, for the purpose of the Department publishing the engagement plan on the SA Planning Portal.	Director Development and Community Services, Manager Development Services	
754739	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(2)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.2 The power pursuant to clause 6(2) of PD2, where an engagement plan is amended during any period of consultation or any time prior to finalisation of the engagement report under PD2, to provide the Department with the	Director Development and Community Services, Manager	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			engagement plan (as updated) for the purpose of the Department publishing the updated engagement plan on the SA Planning Portal	Development Services	
754740	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 7(1)	91. Requirements for a Draft Code Amendment 91.1 The power pursuant to clause 7(1) of PD2 to support a draft Code Amendment by the following information: 91.1.1 an explanation of the current code policy as it applies to the Affected Area (at the time of preparation of the draft Code Amendment); 91.1.2 an explanation of the amendments to the Code policy proposed for the Affected Area; 91.1.3 an assessment of the strategic planning outcomes intended to be achieved through the draft Code Amendment, including an analysis of the consistency of the draft Code Amendment with the relevant provisions of State Planning Polices, the Regional Plan and any other relevant strategic plans; 91.1.4 a summary and explanation of the investigations undertaken and how these support the draft Code Amendment; and 91.1.5 an explanation of any infrastructure or services required to support development facilitated by the proposed Code Amendment, and an explanation of how and when the infrastructure will be provided.	Director Development and Community Services, Manager Development Services	
754741	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 9(1)	92. Preparation of an Engagement Plan (Prior to Consultation) 92.1 The power pursuant to clause 9(1) of PD2 to prepare an engagement plan that: 92.1.1 meets the principles and performance outcomes of the Charter; 92.1.2 describes the persons or bodies to be consulted on the proposed amendment of the Designated Instrument, which must include any persons or	Director Development and Community Services, Manager	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			bodies: 92.1.2.1 required to be consulted with under a condition imposed by the Minister under Section 73(5) of the PDI Act; 92.1.2.2 specified by the Commission under Section 73(6)(e) of the PDI Act; and 92.1.2.3 who must be consulted with under the Charter; 92.1.3 outlines any relevant previous engagement undertaken to inform the proposal; 92.1.4 describes the evaluation framework for the engagement.	Development Services	
754742	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 9(2)	92. Preparation of an Engagement Plan (Prior to Consultation) 92.2 The power pursuant to clause 9(2) of PD2 to, in relation to engagement plans which relate to proposed preparation of or amendment to a State Planning Policy or a Regional Plan submit the engagement plan to the Commission for approval prior to commencement of formal engagement on the proposal.	Director Development and Community Services, Manager Development Services	
754743	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 9(3)	92. Preparation of an Engagement Plan (Prior to Consultation) 92.3 The power pursuant to clause 9(3) of PD2 to, in relation to an engagement plan relating to a proposed amendment to the Code or a Design Standard, submit the engagement plan to the Commission or the Minister for approval, if a condition has been imposed by the Minister under Section 73(5) of the PDI Act which requires such approval.	Director Development and Community Services, Manager Development Services	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
754744	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 10(1)	93. Preparation of an Engagement Report (Following Consultation) 93.1 The power pursuant to clause 10(1) of PD2 to, at the completion of engagement on a proposal prepare or amend a Designated Instrument, provide the Department with: 93.1.1 if amendments to the proposal are required: 93.1.1.1 written instructions (in a form acceptable to the Department) that set out any changes to the draft Designated Instrument for the purposes of the Department updating and providing the draft policy for inclusion in the draft Designated Instrument; and/or 93.1.1.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Designated Instrument; 93.1.2 the updated draft Designated Instrument or amendment to the Designated Instrument in the form of amendment instructions (once finalised by the Designated Entity, incorporating any amendments); and 93.1.3 a final engagement report as required under Section 73(7) of the PDI Act and prepared in accordance with PD2, for the purpose of the Department arranging for the engagement report and draft Designated Instrument to be furnished to the Minister.	Director Development and Community Services, Manager Development Services	
754745	State Planning Commission Practice Direction 2 - Preparation	clause 10(2)	93. Preparation of an Engagement Report (Following Consultation) 93.2 The power pursuant to clause 10(2) of PD2 to set out in an engagement report required under Section 73(7) of the PDI Act: 93.2.1 details of the engagement undertaken and how that engagement met the engagement plan and reasons for variations (if any) to the engagement	Director Development and Community Services, Manager	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	and Amendment of Designated Instruments		plan; 93.2.2 the outcome of the engagement including a summary of the written submissions or feedback received; 93.2.3 any proposed changes to the proposal to prepare or amend a Designated Instrument (when compared with the proposal that was engaged on) and the reasons for those proposed changes. This should specifically indicate: 93.2.3.1 where changes are proposed to the Designated Instrument based on or as a result of the engagement; and 93.2.3.2 any other changes which are proposed based on or as a result of additional investigations or information which was not available when the proposal was released for engagement.	Development Services	
754746	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 10(3)	93. Preparation of an Engagement Report (Following Consultation) 93.3 The power pursuant to clause 10(3) of PD2 to also include in the engagement report an evaluation of the effectiveness of the engagement that considers whether: 93.3.1 the principles of the Charter have been activated; and 93.3.2 all mandatory requirements identified in the Charter have been met (where the consultation category is applicable).	Director Development and Community Services, Manager Development Services	
754747	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 11(1)	94. Complying Changes to the Code of Conduct 94.1 The power pursuant to clause 11(1) of PD2 to, in relation to a request for the Minister to agree to a complying change to the Code under Section 75 of the PDI Act provide the request to the Department and include the following information: 94.1.1 description of the relevant recommendations in the Regional Plan	Director Development and Community Services, Manager	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			which relate to the proposed Code Amendment, including any specific maps or other specific information which clearly and expressly identify the changes relevant to the proposed Code Amendment; 94.1.2 a summary of any consultation which has occurred in accordance with the Charter in relation to the proposed Code Amendment or the relevant Regional Plan. This should include a copy of the engagement report prepared for the relevant Regional Plan and any additional consultation that has occurred for the proposed Code Amendment; 94.1.3 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and 94.1.4 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment.	Development Services	
754748	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 12(1)	95. Early Commencement of a Code Amendment 95.1 The power pursuant to clause 12(1) of PD2 to provide a request for early commencement of a Code Amendment under Section 78 of the PDI Act to the Department and include: 95.1.1 explanation, justification and evidence as necessary to demonstrate how early commencement of the Code Amendment is: 95.1.1.1 necessary in the interest of the orderly and proper development of an area of the State; and 95.1.1.2 required in order to counter applications for undesirable development (which should identify possible future development	This power remains with CEO - no further sub-delegation	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			that would detract from or negate the object of the proposed Code Amendment) ahead of the outcome of consideration of the Code Amendment; 95.1.2 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and 95.1.3 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment.		

CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
326109	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(15)	45.Land Management Agreements – Development Applications 45.8The power pursuant to Section 193(15) of the PDI Act to apply to the Registrar-General in relation to an agreement under Section 193 that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.	Director Development and Community Services, Manager Development Services	

Local Government (General) Regulations 2013

NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
755352	Local Government (General) Regulations 2013	clause 2(1), Schedule 2A	Prepare and maintain a policy relating to complaints against employees	Director Corporate Services, Strategy and Innovation, Team Leader Corporate Governance and Information Services, Manager Organisational Culture and People, Manager Corporate Services		

Supported Residential Facilities Regulations 2024

CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
461361	Supported Residential Facilities Regulations ~~2009~~2024	regulation 18(1)	Approve a ~~registered~~ nurse to oversee the provision of nursing care at a facility	Director Development and Community Services		licensing authority
461362	Supported Residential Facilities Regulations ~~2009~~2024	regulation 18(2)	Revoke the approval of a ~~registered~~ nurse to ~~overseeing~~oversee the provision of nursing care at a facility	Director Development and Community Services		licensing authority
461363	Supported Residential Facilities Regulations ~~2009~~2024	regulation 18(2)	Require a new appointment of a ~~registered~~ nurse to oversee the provision of nursing care at a facility	Director Development and Community Services		licensing authority

DEBATE REPORT

7.2 Corporate Services, Strategy and Innovation

7.2.3 MINOR AMENDMENTS TO 2024-25 FEES AND CHARGES REGISTER - CHANGE IN GST STATUS FOR BURIAL RIGHTS

Author: Manager Financial Services
25/16583

PURPOSE

The 2024-25 Fees and Charges Register was approved by Council at the 18 June 2024 meeting.

On 4 December 2024 the Australian Taxation Office (ATO) released Taxation Determination GSTD 2024/2 which states that a fee for the grant of burial rights by a council cemetery operator is now GST exempt, requiring the amendment of Council's Fees and Charges Register.

RECOMMENDATION

That Council approves:

(1) For the 2024-25 Fees and Charges Register to be updated to remove the GST from burial rights, thereby reducing the fees previously approved at the 18 June 2024 meeting, as outlined in Attachment 1. These new fees will be effective from the date of Council's resolution.

(2) For any GST refund requests to be considered and dealt with on a case-by-case basis as and when they arise.

REPORT

Discussion
On 4 December 2024 the ATO released Taxation Determination GSTD 2024/2 dealing with the topic of GST on burial rights. GSTD 2024/2 states that on or after 4 December 2024 a fee for the grant of burial rights is GST exempt.

GSTD 2024/2 leaves it open to councils to make a decision regarding pricing - either reducing the price by the GST amount, or keeping the fee as is but no longer paying the GST. It is proposed that the fees approved at the 18 June 2024 meeting be reduced by the GST amount given there has been no change in the council's costs to provide these burial rights and therefore the GST saving should be passed on to the community.

GSTD 2024/2 is prospective rather than retrospective however this does not prevent past customers from making a claim on council for overcharged GST. The ATO states there is no obligation on a council to refund overcharged GST to customers and therefore there is no obligation on Council to actively seek out past customers and

pay them the overcharged GST. However, customers do have the right to approach Council seeking a refund of the overcharged GST. In relation to refunds, the ATO has said that this is a private contractual matter between the supplier (Council) and the customer.

If a customer approaches Council requesting a refund for overcharged GST and a refund is provided, Council can obtain a refund of that GST from the ATO, via a BAS adjustment. Under the ATO refund rules, Council is permitted to charge an administration fee to the customer and the ATO will still pay the full refund to the Council. For example, if the customer was entitled to a $200 refund and an administration fee of $100 was determined to be appropriate, the net payment to the customer would be $100. The ATO would still pay the Council $200 provided the administration fees are reasonable and the customer agrees to the fee.

It is proposed that if any refund requests are received by Council for GST previously paid on burial rights, that these requests be considered and dealt with on a case-by-case basis as and when they arise.

The ATO is allowing councils three months to change their systems to fall in line with the requirements outlined in GSTD 2024/2. This means that the 2024-25 fees and charges register is required to be updated by 4 March 2025 to show that GST is no longer payable on burial rights.

GSTD 2024/2 also confirmed that there has been no change to the GST-status of fees for other goods and services made in relation to a burial or cremation, including memorial plaques and grave digging services, with these goods and services continuing to be taxable.

Summary and Conclusion:
The amended fees for burial rights are attached for Council consideration and approval.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Amendment to 2024-25 fees and charges register - burial rights - February 2025 - to Council ⇩

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

Legislative Requirements
ATO Taxation Determination GSTD 2024/2

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The current budget is aligned to the 2024-25 fees and charges register and this report represents no change in risk, financial outcomes and resource allocations.

COMMUNITY ENGAGEMENT

The revised 2024-25 fees and charges register will be made available on Council's website for the community to access once approved.

Approved at 18 June 2024 Council meeting:

Service	Title	General Information	GST	2023-2024	2024-2025
Cemetery	Interment Right Fee (50 Year Term) - Resident/Ratepayer		Yes	$1,183.00	$1,233.00
Cemetery	Interment Right Fee (50 Year Term) - Non-Resident/Non-ratepayer		Yes	$2,541.00	$2,650.00
Cemetery	Grave Interment Right Fee - Children's Section (60 Year Term) - Resident/Ratepayer		Yes	$546.00	$569.00
Cemetery	Grave Interment Right Fee - Children's Section (60 Year Term) - Non-Resident/Non-ratepayer		Yes	$1,268.00	$1,322.00

Adjustment to fees required for 2024-25:

Service	Title	General Information	GST	2023-2024	2024-2025
Cemetery	Interment Right Fee (50 Year Term) - Resident/Ratepayer	No longer subject to GST per Tax Determination GSTD 2024/2 - 4 December 2024	No	$1,183.00	$1,120.00
Cemetery	Interment Right Fee (50 Year Term) - Non-Resident/Non-ratepayer	No longer subject to GST per Tax Determination GSTD 2024/2 - 4 December 2024	No	$2,541.00	$2,410.00
Cemetery	Grave Interment Right Fee - Children's Section (60 Year Term) - Resident/Ratepayer	No longer subject to GST per Tax Determination GSTD 2024/2 - 4 December 2024	No	$546.00	$517.00
Cemetery	Grave Interment Right Fee - Children's Section (60 Year Term) - Non-Resident/Non-ratepayer	No longer subject to GST per Tax Determination GSTD 2024/2 - 4 December 2024	No	$1,268.00	$1,202.00

DEBATE REPORT

7.2 Corporate Services, Strategy and Innovation

7.2.4 MONTHLY FINANCE REPORT AS AT 31 JANUARY 2025

Author: Manager Financial Services
25/16743

PURPOSE

The monthly finance report as at 31 January 2025 provides information on the financial position and performance of the Council, including notes on material financial trends and transactions.

RECOMMENDATION

That Council receives and notes the monthly finance report as at 31 January 2025 as provided at Attachment 1.

REPORT

The monthly finance report as at 31 January 2025 is attached. This report has been prepared comparing actuals to the original adopted 2024-25 budget.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Monthly finance report as at 31 January 2025 ⇩

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 25 – Monitoring Council Budget Performance

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

To enable Council to make effective and strategic decisions, a high-level monthly finance report is provided for Council's noting.

COMMUNITY ENGAGEMENT

Community consultation was part of the original budget adoption process in June 20245, as required by legislation. This report is advising Council of the monthly finance position compared to that budget.

MONTHLY FINANCE REPORT

AS AT 31 January 2025
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 revenue			49,517	50,316	46,077
Less: Operating expenses		**55.68%**	(49,954)	(50,580)	(27,812)
Operating Surplus / (Deficit)			**(437)**	**(264)**	**18,265**
CAPITAL ACTIVITIES:					
Net Outlays on Existing Assets		*Capital*			
Capital expenditure on renewal and replacement of existing assets	*2*	38.96%	(11,202)	(12,092)	(4,364)
Add back: Depreciation, amortisation & impairment			10,816	10,816	6,309
Add back: Proceeds from sale of replaced assets			368	368	187
Subtotal			**(18)**	**(908)**	**2,132**
Net Outlays on New and Upgraded Assets					
Capital Expenditure on new and upgraded assets	*2*	73.64%	(29,484)	(29,016)	(21,713)
Add back: Amounts received specifically for new and upgraded assets	*1*		6,725	7,349	1,626
Add back: Proceeds from Sale of Surplus Assets			0	0	0
Subtotal			**(22,759)**	**(21,667)**	**(20,087)**
Net Lending/(Borrowing) for the Financial Year			**(23,214)**	**(22,839)**	**310**
Total % Capital Budget Spent		**64.09%**			

NOTES
1) Total Barossa Park SA Government contributions year-to-date excluded from figure - $14.453m
2) 2024-25 capital expenditure to end of January includes:
- Barossa Park redevelopment (less SA Government contribution) - $18.6m
- Nuriootpa soccer - $1.4m
- Sealed roads - $1.2m
- Unsealed roads - $1.1m

DEBATE REPORT

7.2 Corporate Services, Strategy and Innovation

7.2.5 BUDGET REVIEW - QUARTER 2 FOR THE 2024-25 FINANCIAL YEAR AS AT 31 DECEMBER 2024

Author: Chief Executive Officer
25/16868

PURPOSE

The review of the 2024-2025 budget as at 31 December 2024 is attached for Council consideration and adoption of budget variations.

RECOMMENDATION

That Council, having reviewed the budget for 2024/2025 as at 31 December 2024 presented at Attachment 1, adopt the updates, variations and financial reports and budgets contained therein.

REPORT

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

Budget managers undertake a review of all budget lines and adjust where budgets are trending over or under budget and where changes are required for capital programs or new or changed funding conditions.

Discussion
The reports provide information on the financial position of Council, containing budget update reports, variations and restated financial statements as normally presented. This quarter's report has also been reviewed to improve its readability and to provide improved information related to the operating, functional and capital budget. New information is provided on more detailed operational and functional budget performance as at 31 December 2024 and a revised capital budget report that directly aligns to the format of the adopted capital budget in the annual business plan and budget document.

At this time in the financial year the predicted borrowings for the year are $23.5M significantly down from the first budget review and adopted budget.

The revised budget indicates continued alignment with the deliverables of the business plan and the operating and capital budget outcomes improve Council's cash position by over $1M.

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

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Q2 Budget Update 2024-25 as at 31 December 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

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

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The reports provide the best up-to-date estimates of financial and resource estimates to achieve the annual business plan and strategies set by Council and the stability of Council's long term financial position and operations.

COMMUNITY ENGAGEMENT

Community consultation was part of the original 2024-25 budget adoption process in June 2024.

Annual Budget and Business Plan 2024/25

Update as at 31 December 2024

Annual Business Plan and Budget Update Report

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Executive Summary

This report is a Budget Update as at 31 December 2024 for the 2024/25 financial year pursuant to Regulations 7, 9 and 10 of the *Local Government (Financial Management) Regulations 2011* under the Act. Unless otherwise indicated figures shown are for the 2024/25 financial year and the variance report comparison is actual to original budget.

The proposed revised budget adjustments include a number of 'one-off' variations shown as Favourable (F) or Unfavourable (U). Only larger variances (excluding carried forward amounts from 2023/24) are highlighted below. For further details and information on the note numbers refer to variance adjustments within this report.

Long Term Financial Plan (LTFP) – Considerations

Since the adoption of the Budget, Council has made decisions on projects and service levels that have material financial implications not only for the 2024/25 year (these are included within the yearly budget wherever possible) but also may affect the longer term. In some cases not all information is available for these projects and not included in the budget review. The following list is a summary of material project changes:

- Infrastructure expenditure on project scoping, designs and works with this budget update at $13.6m this includes additional and carried forward expenditure with this update at $800k as outlined in the first quarter budget review.
- Office and Community Facilities inc. The Big Project (TBP) expenditure on project scoping, designs and works with this budget update at $29m this includes the Barossa Park – Lyndoch Project and Creative Industries hub. There is additional and carried forward expenditure with this update at $1.9m, as well as a reduction in spending of $2.9m see more detail in this report as outlined in the first quarter budget review. Increases to scope and funding for these two projects partly offset by additional third-party revenue totalling at least $1.208M.
- The Council's Community Wastewater Management Systems (CWMS) operating result and capital expenditure programs are transferred to/from a reserve held specifically for this service area. A review of the service charges and rating methodology is required to check the charge vs service provision in line with legislative and ESCOSA requirements as outlined in the first quarter budget review.
- Implementation of resourcing for the Strategic, Economic Activation and Events unit as approved by Council at its meeting of 19 November 2024.
- Extension to the waste management contract for 7 years as revised and approved by Council at its meeting of 19 November 2024.
- The financial statements presented within this review have been aligned to the long term financial model this means capital spending distributions on the cash flow and uniform presentation of finance will not directly correlate to the prior monthly report for December 2024.

Uniform Presentation of Finances

for the year ending 30 June 2025

The following is a high level summary of both operating and capital investment activities of the Council prepared in a uniform and consistent basis. All Councils in South Australia voluntarily have agreed to summarise annual budgets and long term financial plans on the same basis. The arrangement ensures that all Councils provide a common 'core' of financial information, which enables meaningful comparisons of each Council's finances.

	Budget Adjustment Notes	Original Full Year Budget ($'000)	Actuals as at 31 Dec ($'000)	*Full year Revised Budget in Last Update ($'000)	Budget Adjustments Quarter 2 ($'000)	Proposed Full Year Revised Budget ($'000)
Income	1-7	49,517	45,837	50,316	274	50,590
Less Expenses	8-11	(49,954)	(24,186)	(50,580)	(813)	(51,393)
Operating Surplus / (Deficit)		(437)	21,651	(264)	(539)	(803)
Less Net Outlays on Existing Assets						
Capital Expenditure on Renewal and Replacement of Existing Assets	12	(11,202)	(2,586)	(10,689)	0	(10,689)
add back Depreciation, Amortisation and Impairment	10	10,816	5,408	10,816	320	11,136
add back Proceeds from Sale of Replaced Assets	13	368	0	368	0	368
		(18)	2,822	495	320	815
Less Net Outlays on New and Upgraded Assets						
Capital Expenditure on New and Upgraded Assets	14	(29,484)	(23,398)	(33,983)	503	(33,480)
Capital Expenditure on New and Upgraded Assets - Accounting Adjustment		0	0	0	1,341	1,341
add back Amounts Received Specifically for New and Upgraded Assets	15	6,725	5,164	7,349	847	8,196
add back Proceeds from Sale of Surplus Assets	16	0	0	0	0	0
		(22,759)	(18,234)	(26,634)	2,690	(23,944)
Net Lending / (Borrowing) for Financial Year		(23,214)	6,239	(26,403)	2,471	(23,932)

*Full Year Revised Budget is the Quarter 1 Budget Review for the year.

Key Performance Indicators (KPI) – 2024/25

Key Performance Indicators (KPI)	Original Budget 30 June 25	Budget Update 30 Sep 24	Budget Update 31 Dec 24
Operating Surplus / (Deficit) ($'000)	(437)	(264)	(803)
Target	To achieve an operating breakeven position, or better, over any five year period.		
Notes	*Operating deficit increased by $539k as a result of an increase in net costs of $813k and an increase in operating revenue of $274k. The change is primary due to three main adjustments Nurioopta Centennial Park Authority net deficit adjustment of $243K (salaries and wages of $165K and other expenses of $81K); increase to depreciation estimates of $320K and increased expenses due to a large mechanical breakdown of $128K). The long-term financial plan predicts the target will be met with a five year operating surplus of $572K.*		
Operating Surplus Ratio	(0.9%)	(0.5%)	(1.6%)
Target	To achieve an operating surplus ratio of between -2% to 10.		
Notes	*Within target with the long term financial plan indicating an operating surplus of 1.7%.*		
Net Financial Liabilities ($'000)	45,385	45,007	41,736
Target	Council's level of net financial liabilities (NFL) is no greater than its annual operating revenue and not less than zero.		
Notes	*Within target. Has significantly reduced due to delayed expenditure of $6M on the Barossa Creative Industries Centre, whilst still receiving 50% of the Commonwealth Growing Regional Fund grant, thus lowing borrowings and expenses.*		
Net Financial Liabilities Ratio	91.6%	89.4%	82.5%
Target	Net financial liabilities ratio is greater than zero but less than 100% of total operating revenue.		
Notes	*Within target see comments on net financial liabilities above.*		
Asset Funding Renewal Ratio	129.4%	140%	124%
Target	Capital outlays on renewing/replacing assets is greater than 80% but less than 110% of Infrastructure Asset Management Plans (previously Depreciation) over a rolling 3 year period, the ratio shown above is based on the spend for the current year only.		
Notes	*Exceeds the target.*		

Attachment 1

Detailed Second Quarter Budget Adjustments for the 2024/25 Financial Year – Operating Budget

Department	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2024/25 Adjustment Quarter 2
Operating Adjustments – Rates and Charges					
Finance Services	Property Rating	Rate Revenue - Fines & Interest	Adjust for reduction in rates received due to valuation appeals.	DECREASE REVENUE	40,959
Finance Services	Property Rating	Rate Revenue - Fines & Interest	Adjust for land use changes, period for amendments now passed.	DECREASE EXPENSE	(35,591)
Finance Services	Property Rating	Rate Revenue - Fines & Interest	Adjust to match actual rebates that are mandatory at time of raising rate charges.	INCREASE EXPENSE	5,856
Finance Services	Property Rating	Rate Revenue - Fines & Interest	Adjust to reflect actual rebates applied at time of rates being raised.	DECREASE EXPENSE	(13,810)
Finance Services	Property Rating	Rate Revenue - Fines & Interest	Adjust to align to trend.	INCREASE REVENUE	(13,000)
CWMS	CWMS - Infrastructure Maintenance	Rate Revenue - Fines & Interest	Adjust to reflect actual CWMS rates raised at time of raising rates.	INCREASE REVENUE	(10,067)
Rates				***Note 1***	***(25,653)***
Operating Adjustments – Statutory Charges					
Community Safety	Compliance, Monitoring & Enforcement- Regulatory	41240 - Fines Received - Car parking	We met budget last year due to many complaints in a particular area. This has now been addressed. We have received parking complaints, however, drivers are adhering to the education given.	DECREASE REVENUE	3,000
Statutory Charges				***Note 2***	***3,000***

Attachment 1

Department	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2024/25 Adjustment Quarter 2
Operating Adjustments – User Charges and Fees					
Works Operating	Cemeteries - Other maintenance	Fees - Cemetery Fees	Trending above budget	INCREASE REVENUE	(10,000)
Nuriootpa Centennial Park Authority	Nuriootpa Caravan Park (NCPA)	Caravan Park - Site Fees	Site fees down - industry trend.	DECREASE REVENUE	78,900
Nuriootpa Centennial Park Authority	Nuriootpa Caravan Park (NCPA)	Caravan Park - Cabin Fees	Cabin Fees up - industry trend.	INCREASE REVENUE	(74,485)
User Charges and Fees				***Note 3***	***(5,585)***
Operating Adjustments – Grant, Subsidies and Contributions					
Community Services	Creative Industries	Capital Grant - Other	Align grant revenue for the creative industries centre to the recently executed funding agreement.	INCREASE REVENUE	(846,950)
Grants, Subsidies and Contributions				***Note 4***	***(846,950)***
Operating Adjustments – Investment Income					
Investment Income				***Note 5***	***0***
Operating Adjustments – Reimbursements					
Corporate Services	Risk and Safety	Reimburse. Inc - Insurance Claims	Increased insurance recoveries.	INCREASE REVENUE	(5,000)
Works Operating	Depot - Misc/Maint	Reimburse. Inc - Insurance Claims	Additional insurance recoveries.	INCREASE REVENUE	(3,000)
Finance Services	Financial Services	Reimburse. Inc - Workers Comp Claims	Increased WHS insurance recoveries.	INCREASE REVENUE	(25,000)
Works Operating	Works Admin	Reimburse. Inc - Workers Comp Claims	Increased WHS insurance recoveries.	INCREASE REVENUE	(30,000)
Finance Services	Financial Services	Recoupments - Income Protection Insurance	Increased income insurance recoveries.	INCREASE REVENUE	(33,635)
Works Operating	Works Admin	Recoupments - Income Protection Insurance	Increased income insurance recoveries.	INCREASE REVENUE	(38,149)
Reimbursements				***Note 6***	***(134,784)***

Attachment 1

Department	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2024/25 Adjustment Quarter 2
Operating Adjustments – Other Income					
Office of the Mayor and CEO	Sister City - Grapevine	Other Income - Fundraising	Recognise target Nurioopta High School fundraising for Grapevine visit.	INCREASE REVENUE	(40,000)
Community Programs and Development	Williamstown Historical Society	Other Income - Donations - Other	Recognising budget for donation/bequest received by Williamstown Historical Society.	INCREASE REVENUE	(49,577)
Works Operating	Parks & Gardens Services	Other Income - Misc.	Additional works were undertaken for remediation after the Medieval fair $15k which has been invoiced to the event owner but is still unpaid.	INCREASE REVENUE	(15,000)
Nuriootpa Centennial Park Authority	Nuriootpa Caravan Park (NCPA)	Other Income - Misc.	BIG 4 promotions membership	INCREASE REVENUE	(6,500)
Other Income				***Note 7***	***(111,077)***
Operating Adjustments – Employee Expenses					
Works Operating	Parks & Gardens Services	Wages - Normal Rate	Permanent Change - Increase funded by adjustments from CC 4252. To fund one ME5 positions moving to a ME7 and as part of open space restructure.	TRANSFER	4,000
Nuriootpa Centennial Park Authority	Nuriootpa Caravan Park (NCPA)	Wages - NCPA	NCPA salary and wages significantly above budget related to greater cabin occupancy	INCREASE EXPENSE	148,005
Nuriootpa Centennial Park Authority	Nuriootpa Caravan Park (NCPA)	Wages - Superannuation NCPA	NCPA superannuation significantly above budget related to greater cabin occupancy	INCREASE EXPENSE	16,905
All Salary Budgets	All Salary Budgets	All Salary Budgets	Correct salary and superannuation distribution in budget no change to total budget.	TRANSFER	1,328,275
All Salary Superannuation Budgets	All Salary Superannuation Budgets	All Salary Superannuation Budgets	Correct salary and superannuation distribution in budget no change to total budget.	TRANSFER	(1,328,275)
Works Operating	Asset Management	Salaries - Normal	Moving Salary from TL Assets to Contractors for Plant Utilisation Review	TRANSFER	(80,626)
Works Operating	Asset Management	Salaries - Superannuation	Moving Salary from TL Assets to Contractors for Plant Utilisation Review	TRANSFER	30,626
Employee Costs				***Note 8***	***118,910***

Attachment 1

Department	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2024/25 Adjustment Quarter 2
Operating Adjustments – Materials, Contract and Other Expenses					
Organisational Culture and People	Organisational Culture and People	Staff Training - Seminar/Conference Fees	Funds transferred to Risk and Safety to address allocation error during Chart of Accounts setup. No net change to budget.	TRANSFER	(15,046)
Corporate Services	Risk and Safety	Staff Training - Seminar/Conference Fees	$14,000 to be transferred from OCP account 1160-60050. Original Budget entered into OCP account in error during Chart of Accounts set up. No net increase in budget.	TRANSFER	14,000
Corporate Services	Corporate Governance and Information Services	Staff Training - Seminar/Conference Fees	Transfer unallocated training provision to 1185-60050 Property and Procurement Training to support onboarding and training of new staff.	TRANSFER	(700)
Corporate Services	Property and Procurement	Staff Training - Seminar/Conference Fees	Increase funded by transfer of unallocated training funds from CGIS 1180- 60050 to support onboarding training for new staff in property and procurement function. No net increase on budget.	TRANSFER	700
Planning Services	Assessment Panel formerly Support Dev Assessment Panel	Staff Training - Seminar/Conference Fees	Transfer from Compliance Legals	TRANSFER	1,000
Office of the Mayor and CEO	Sister City - Grapevine	Staff Training - Travel Expenses	Establish budget for grapevine mission for approved delegates - majority of costs will be incurred in 2024-25 with pre-purchase of flights being largest cost - attempting to purchase though Grapevine at their rates and arrangements with Qantas.	INCREASE EXPENSE	16,000
Health Services	Pest Control formerly Pest Control - Miscellaneous	Contractors - Pest Control Services	Transferred from cost centre 3620 since it relates to rat trapping	TRANSFER	5,750
Works Ovals and Open Space	Barossa Rugby Precinct Development Tanunda	Contractors - Cleaning Services	Establish base costs for the rugby precinct building	INCREASE EXPENSE	500
Offices and Community Facilities	Tanunda Depot	Contractors - Fire Equipment Servicing	Transferred $5021 from 4302-61126 for fire safety replacements as needed.	TRANSFER	5,021
Works Ovals and Open Space	Barossa Rugby Precinct Development Tanunda	Contractors - Fire Equipment Servicing	Establish base costs for the rugby precinct building	INCREASE EXPENSE	2,000

Department	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2024/25 Adjustment Quarter 2
Operating Adjustments – Materials, Contract and Other Expenses (cont)					
Tourism Services	Barossa Visitor Centre - Building Expenditure	Contractors - Bldg Maintenance Services	From 4302-61126 to Visitors Centre for AC Compressor Replacement.	TRANSFER	7,778
Offices and Community Facilities	Community Assets & Facilities	Contractors - Bldg Maintenance Services	Transfers to: 1. Talunga Park - 4344-1380-61126 - $6288.50 - for Rekey of pavilion, market shed and atrium. 2. Visitors Centre 1230-1375-61126 - $778.10 - For AC Compressor Replacement. 3. Tanunda Depot - 4366-1375-61125 - $5021 - Fire safety portable replacements.	TRANSFER	(19,088)
Works Ovals and Open Space	Rec Park - Talunga (Mt Pleasant)	Contractors - Bldg Maintenance Services	Transfer from 4320-61126 for rekey of pavilion, market shed and atrium at Talunga	TRANSFER	6,289
Works Ovals and Open Space	Barossa Rugby Precinct Development Tanunda	Contractors - Bldg Maintenance Services	Establish base costs for the rugby precinct building	INCREASE EXPENSE	2,000
Works Ovals and Open Space	Barossa Rugby Precinct Development Tanunda	Contractors - Hygiene Services	Establish base costs for the rugby precinct building	INCREASE EXPENSE	500
Finance Services	Financial Services	Contractors - Relief Staff	Transferring $23,000 for purchase of EFT sure software to natural account 61185 Software - Purchase Licence Fee	TRANSFER	(23,000)
Offices and Community Facilities	Hall - Lyndoch	Contractors - Lawn Mowing/Grass slashing	Transfer to 4344-61142. Works have been insourced and undertaken by ops team.	TRANSFER	(500)
Offices and Community Facilities	Barossa Aquatic & Fitness Centre 'The Rex'	Contractors - Lawn Mowing/Grass slashing	Transfer to 4344-61142. Works have been insourced and undertaken by ops team.	TRANSFER	(1,000)
Works Ovals and Open Space	Barossa Rugby Precinct Development Tanunda	Contractors - Domestic Waste Collection	Establish base costs for the rugby precinct building	INCREASE EXPENSE	3,000
Director Corporate Services	Director Corporate Services and Business Innovation	Contractors - Plant/Machinery Servicing	Funds transferred from Culture and People to address allocation error during Chart of Accounts setup. No net change to budget.	TRANSFER	1,500
Corporate Services	Risk and Safety	Contractors - Other Services	Funds to be redistributed from Consultants to Contractors to address Chart of Account set up anomaly and represent actual spend. No net increase to budget.	TRANSFER	10,000
Customer Experience	Events	Contractors - Other Services	Transfer from OMCEO events to align budget with new Event Delivery Function. No net increase on budget.	TRANSFER	100,000

Department	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2024/25 Adjustment Quarter 2
Operating Adjustments – Materials, Contract and Other Expenses (cont)					
Community Safety	Compliance, Monitoring & Enforcement- Regulatory	Contractors - Other Services	Adjust to trend	INCREASE EXPENSE	411
Health Services	Assessment and Advice - Health	Contractors - Other Services	Transferring to cost centre 3625 as it relates to rat trapping	TRANSFER	(5,750)
Works Operating	Bike Path - Repair/Maintenance	Contractors - Other Services	Increase by $15k. Funded by adjustment from 4251-61140	TRANSFER	15,000
Works Operating	Machine/Vehicle/Equip - Other	Contractors - Other Services	Request additional budget of $128,714. This is a forecast for end of Q3 actual spend with a review of budget and additional adjustment to be submitted at that point.	INCREASE EXPENSE	128,714
Works Operating	Parks & Gardens Services	Contractors - Other Services	Tracking to go over budget - Additional works were undertaken for remediation after the Medieval fair $15k which has been invoiced to the event owner but is still unpaid.	INCREASE EXPENSE	15,000
Works Operating	Footpaths/Kerbing - Repair/Maintenance	Contractors - Other Services	Reduce by $15k. Budget transferred to bike path maintenance 4210-61140	TRANSFER	(15,000)
Works Operating	Footpaths/Kerbing - Repair/Maintenance	Contractors - Other Services	Reduce by $15k transfer funds to assist with plant and equipment maintenance increase to centre 4243.	DECREASE EXPENSE	(15,000)
Works Operating	Sealed Roads - Repair/Maintenance	Contractors - Other Services	Transfer funds to assist with plant and equipment maintenance increase to centre 4243.	DECREASE EXPENSE	(15,000)
Works Operating	Biodiversity	Contractors - Other Services	Increase in funds required for weed control in waterways. As approved by Ben C.	INCREASE EXPENSE	10,000
Works Operating	Asset Management	Contractors - Other Services	Moving Salary from TL Assets to Contractors for Plant Utilisation Review	TRANSFER	50,000
Offices and Community Facilities	Bethany Reserve	Contractors - Other Services	Additional $6842.00 Funding required for replacement of multiple toilet cisterns that failed	INCREASE EXPENSE	5,537
Works Ovals and Open Space	Barossa Rugby Precinct Development Tanunda	Contractors - Other Services	Establish base costs for the rugby precinct building	INCREASE EXPENSE	2,000
Nuriootpa Centennial Park Authority	Nuriootpa Caravan Park (NCPA)	Contractors - Other Services	Linen and cabin costs increased due to greater occupancy	INCREASE EXPENSE	50,040
Works Ovals and Open Space	Rec Park - Talunga (Mt Pleasant)	Contractors - Works Contract Labour Staff	Increase funded from 4321 & 4335 - 61130 for works that have been insourced to ops team	TRANSFER	1,500

Department	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2024/25 Adjustment Quarter 2
Operating Adjustments – Materials, Contract and Other Expenses (cont)					
Director Corporate Services	Director Corporate Services and Business Innovation	Consultants - Other	Transfer of unallocated funds to Economic Development function to support delivery of Local Economic Development Plan.	TRANSFER	(30,000)
Finance Services	Property Rating	Consultants - Other	Transferring budget to 63416 Postage given tracking above budget in that natural account.	TRANSFER	(6,000)
Organisational Culture and People	Organisational Culture and People	Consultants - Other	Funds transferred from ICT salaries to offset outsourced recruitment of vacancy. No net change to budget.	TRANSFER	17,500
Corporate Services	Risk and Safety	Consultants - Other	Transfer $10,000 from Consultants to Contractors to address Chart of Account set up anomaly and represent actual spend. No net increase to budget.	TRANSFER	(10,000)
Office of the Mayor and CEO	Regional Development - Miscellaneous	Consultants - Other	Transfer from DCSSI to align with new Economic Development function. No net increase on budget.	TRANSFER	30,000
Planning Services	Assessment and Advice-Planning	Contractors - Heritage Advisor	Transferred $10000 from Building Legals	TRANSFER	10,000
Finance Services	Financial Services	Software - Purchase Licence Fee	Transferring $23,000 for purchase of EFT sure software from natural account 61129 Contractors - Relief Staff	TRANSFER	23,000
Organisational Culture and People	Organisational Culture and People	Direct Purchases - First Aid Supplies	Transferred to Risk and Safety. Original budget entered into OCP account in error during Chart of Accounts set up. No net increase in budget.	TRANSFER	(6,000)
Corporate Services	Risk and Safety	Direct Purchases - First Aid Supplies	Transferred from OCP 1160-61200. Original budget entered into OCP account in error during Chart of Accounts set up. No net increase in budget.	TRANSFER	6,000
Nuriootpa Centennial Park Authority	Nuriootpa Caravan Park (NCPA)	Direct Purchases - Cleaning Supplies	Adjust to trend	INCREASE EXPENSE	(7,000)
Corporate Services	Property and Procurement	Direct Purchases - Vehicle/Machine Parts	Transfer $2,500 from 61223 Direct Purchases Other to fund ongoing maintenance of Manager Corporate Services vehicle - no net increase on budget.	TRANSFER	2,500
Works Operating	Machine/Vehicle/Equip - Other	Direct Purchases - Vehicle/Machine Parts	Request additional $15k. To the forecasted actual spend by end of Q3.	INCREASE EXPENSE	15,000

Attachment 1

Department	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2024/25 Adjustment Quarter 2
Operating Adjustments – Materials, Contract and Other Expenses (cont)					
Director Corporate Services	Director Corporate Services and Business Innovation	Direct Purchases - Stationery	Transferred to Customer Experience. Original budget entered into Directors account in error during Chart of Accounts set up. No net increase in budget.	TRANSFER	(6,500)
Customer Experience	Customer Experience Operations	Direct Purchases - Stationery	Transferred from Director CSSI. Original budget entered into Directors account in error during Chart of Accounts set up. No net increase in budget.	TRANSFER	6,500
Organisational Culture and People	Organisational Culture and People	Direct Purchases - Safety Equip or Clothing	Transferred to Risk and Safety. Original budget entered into OCP account in error during Chart of Accounts set up. No net increase in budget.	TRANSFER	(1,000)
Corporate Services	Risk and Safety	Direct Purchases - Safety Equip or Clothing	$1,000 to be transferred from OCP 1160-61217. Original budget entered into OCP account in error during Chart of Accounts set up. No net increase in budget.	TRANSFER	1,000
Director Corporate Services	Director Corporate Services and Business Innovation	Direct Purchases - Other	Transfer of $2500 to Customer Experience and $3000 to Risk and Safety. Original budget entered into Directors account in error during Chart of Accounts set up. No net increase in budget.	TRANSFER	(5,500)
Organisational Culture and People	Organisational Culture and People	Direct Purchases - Other	Transferred to Risk and Safety. Original budget entered into OCP account in error during Chart of Accounts set up. No net increase in budget.	TRANSFER	(5,000)
Corporate Services	Risk and Safety	Direct Purchases - Other	Transfer $5,000 from OCP 1160-61226. Original budget entered into OCP account in error during Chart of Accounts set up. No net increase in budget.	TRANSFER	5,000
Corporate Services	Property and Procurement	Direct Purchases - Other	Transfer to Direct Purchases Vehicle/Machine Parts 61209 to make provision for ongoing maintenance of Manager Corporate Services Vehicle.	TRANSFER	(2,500)
Customer Experience	Customer Experience Operations	Direct Purchases - Other	Transferred from Director CSSI. Original budget entered into Directors account in error during Chart of Accounts set up. No net increase in budget.	TRANSFER	2,500

Attachment 1

Department	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2024/25 Adjustment Quarter 2
Operating Adjustments – Materials, Contract and Other Expenses (cont)					
Customer Experience	Events	Direct Purchases - Other	Transfer from OMCEO events to align budget with new Event Delivery Function. No net increase on budget.	TRANSFER	30,000
Office of the Mayor and CEO	Sister City - Grapevine	Direct Purchases - Other	Budget for Nurioopta High School Grapevine visit paid for through fundraising.	INCREASE EXPENSE	40,000
Community Programs and Development	Williamstown Historical Society	Direct Purchases - Other	Recognising budget for expenses associated with the donation/bequest received by the Williamstown Historical Society. Processed on behalf of Carly given she had already submitted her budget pack.	INCREASE EXPENSE	49,577
Community Services - Home Assist	Community - Home Assist	Direct Purchases - Other	Minor transfer from 63416	TRANSFER	500
Works Administration	Tour Down Under Committee	Direct Purchases - Other	Transfer from Works TDU budget to Tourism and Events to align budget with new Event Delivery Function. No net increase on budget.	TRANSFER	(9,090)
Works Operating	Street furniture (includes signs)	Direct Purchases - Other	Adjustment to reflect actual spending with forecast to spend $90k by end of Q3. This is the cost centre which all signs are bought against which is a regulatory function and necessary for public safety.	INCREASE EXPENSE	37,162
Works Operating	Roadside Management - Trees/Weeds	Direct Purchases - Other	Reduce to fund additional open spaces wages budget.	TRANSFER	(4,000)
Nuriootpa Centennial Park Authority	Nuriootpa Caravan Park (NCPA)	Direct Purchases - Other	Adjust to trend	INCREASE EXPENSE	7,000
Director Corporate Services	Director Corporate Services and Business Innovation	Direct Purchases - Office Paper	Transferred to Customer Experience. Original budget entered into Directors account in error during Chart of Accounts set up. No net increase in budget.	TRANSFER	(5,700)
Customer Experience	Customer Experience Operations	Direct Purchases - Office Paper	Transferred from Director CSSI. Original budget entered into Directors account in error during Chart of Accounts set up. No net increase in budget.	TRANSFER	5,700
Organisational Culture and People	Organisational Culture and People	Direct Purchases - Uniforms	Increase in funds required to offset greater than anticipated new starters eligible for and up taking higher uniform allowance upon commencement.	INCREASE EXPENSE	15,000

Attachment 1

Department	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2024/25 Adjustment Quarter 2
Operating Adjustments – Materials, Contract and Other Expenses (cont)					
Works Operating	Footpaths/Kerbing - Repair/Maintenance	Road Materials - Quarry Sand	Transfer funds to assist with plant and equipment maintenance increase to centre 4243.	TRANSFER	(10,000)
Nuriootpa Centennial Park Authority	Nuriootpa Caravan Park (NCPA)	Bank Charges	RMS pay settlement charges - banking charges	INCREASE EXPENSE	30,660
Finance Services	Financial Services	Fringe Benefits Tax Expenses	Recognise FBT expense for Manager Financial Service's fuel use given was not budgeted for.	INCREASE EXPENSE	1,000
Community Programs and Development	Community Assistance Scheme	Donations - Community Assistance Scheme	Budget set up against incorrect account transferring to 63190	TRANSFER	(24,900)
Customer Experience	Events	Contributions - Other	Transfer from OMCEO events to align budget with new Event Delivery Function. No net increase on budget.	TRANSFER	62,950
Office of the Mayor and CEO	Support Other LGA Bodies	Contributions - LGAs	To reflect actual contribution costs to LGA and NYLGA (previously Legatus)	INCREASE EXPENSE	2,352
Works Administration	Tour Down Under Committee	Contributions - Tour Down Under	Transfer from Works TDU budget to Tourism and Events to align budget with new Event Delivery Function. No net increase on budget.	TRANSFER	(25,000)
Community Programs and Development	Community Assistance Scheme	Donations - Community Assistance Scheme	Budget set up against incorrect account transferring from 63151	TRANSFER	24,900
Office of the Mayor and CEO	Sister City - Grapevine	Councillors - Travelling & Accommodation	Establish budget for grapevine mission for approved delegates - majority of costs will be incurred in 2024-25 with pre-purchase of flights being largest cost - attempting to purchase though Grapevine at their rates and arrangements with Qantas.	INCREASE EXPENSE	10,000
Organisational Culture and People	Organisational Culture and People	General - Advertising	Increase in costs associated with volume of recruitment and associated advertising of roles.	INCREASE EXPENSE	10,000
Customer Experience	Events	General - Advertising	Transfer from TDU events to align budget with new Event Delivery Function. No net increase on budget.	TRANSFER	10,000
Planning Services	Assessment Panel formerly Support Dev Assessment Panel	General - Advertising	Transfer from Compliance Legals	TRANSFER	500

Attachment 1

Department	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2024/25 Adjustment Quarter 2
Operating Adjustments – Materials, Contract and Other Expenses (cont)					
Works Administration	Tour Down Under Committee	General - Advertising	Transfer from Works TDU budget to Tourism and Events to align budget with new Event Delivery Function. No net increase on budget.	TRANSFER	(1,092)
Director Corporate Services	Director Corporate Services and Business Innovation	General - Postage	Transferred to Customer Experience. Original budget entered into Directors account in error during Chart of Accounts set up. No net increase in budget.	TRANSFER	(1,500)
Finance Services	Property Rating	General - Postage	Transferring budget from 61168 Consultants - Other given tracking below budget in that natural account. Will need to speak to Marcia to understand why so over budget - are we paying for postage for other areas of Council? Expense will not be double the first 6 months given some ratepayers pay in full in the first quarter (and therefore no need to send subsequent rate notices)	TRANSFER	6,000
Customer Experience	Customer Experience Operations	General - Postage	Transferred from Director CSSI. Original budget entered into Directors account in error during Chart of Accounts set up. No net increase in budget.	TRANSFER	1,500
Community Services - Home Assist	Community - Home Assist	General - Postage	We no longer use this line	TRANSFER	(500)
Director Corporate Services	Director Corporate Services and Business Innovation	General - Printing	Transferred to Events. Original budget entered into Directors account in error during Chart of Accounts set up. No net increase in budget.	TRANSFER	(5,540)
Customer Experience	Events	General - Printing	Transfer from Director CSSI to align budget with new Event Delivery Function. No net increase on budget.	TRANSFER	5,540
Building Services	Assessment and Advice - Building	Legal Fees	Transfer to Heritage Consultants 3460-1415-61179	TRANSFER	(10,000)
Compliance Services	Compliance, Monitoring & Enforcement- Development	Legal Fees	Transfer to Panel Advertising and Panel Training	TRANSFER	(2,000)

Attachment 1

Department	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2024/25 Adjustment Quarter 2
Operating Adjustments – Materials, Contract and Other Expenses (cont)					
Corporate Services	Risk and Safety	Subscriptions/Memberships	During Chart of Accounts set up provision for WHS and Risk staff was remove. Funds allocated to reinstate capacity to support industry memberships in accordance with best practice.	INCREASE EXPENSE	1,500
Office of the Mayor and CEO	Sister City - Grapevine	Other Misc. Expenses - Sundry	Establish budget for grapevine mission for approved delegates - majority of costs will be incurred in 2024-25 with pre-purchase of flights being largest cost - attempting to purchase though Grapevine at their rates and arrangements with Qantas.	INCREASE EXPENSE	5,000
Organisational Culture and People	Organisational Culture and People	Employee Wellbeing & Resilience Program	Transfer budget into one control account for better management	TRANSFER	10,993
Various	Various	Employee Wellbeing & Resilience Program	Transfer budget into one control account for better management	TRANSFER	(10,993)
Office of the Mayor and CEO	OMCEO Events	Fringe Benefits Tax Expenses	Transfer from OMCEO events to align budget with new Event Delivery Function. No net increase on budget.	TRANSFER	(500)
Office of the Mayor and CEO	OMCEO Events	Contributions - Other	Transfer from OMCEO events to align budget with new Event Delivery Function. No net increase on budget.	TRANSFER	(160,000)
Materials, Contract and Other Expenses				***Note 9***	***480,674***
Operating Adjustments - Depreciation, Amortisation and Impairment					
Various	Various	Building and Infrastructure Depreciation Centres	Revised depreciation based on 2023-2024 actual result	INCREASE EXPENSES	320,000
Depreciation, Amortisation and Impairment				***Note 10***	***320,000***

Attachment 1

Department	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2024/25 Adjustment Quarter 2
Operating Adjustments – Materials, Contract and Other Expenses (cont)					
Finance Services	Financial Services	Cash Advance Interest - LGFA	Continued management of cash flow and budget position and deferral of timing of various projects, namely creative industries, has reduced year to date interest exposure. LGFA also reduced interest on cash advanced by 0.15% in mid January all contributing to lower interest expenses predicted for 2024-25	DECREASE EXPENSE	(106,534)
Finance Costs				***Note 11***	***(106,534)***
NET TOTAL - Operating Adjustments					***(307,998)***
Reserve Account Adjustments only					***0***

Detailed Second Quarter Budget Adjustments for the 2024/25 Financial Year – Capital Budget

Department	Asset	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2024/25 Adjustment Quarter 2
Capital Expenditure on Renewal and Replacement of Existing Assets						
Works Capital	Bethany Road Bethany - Footpath	Capital Exp-Footpaths	Capital Exp Structures - Contractors	Only minor maintenance works required funded from operating budget.	DECREASE EXPENSE	(16,000)
Works Capital	Cross Street Angaston – Footpath	Capital Exp-Footpaths	Capital Exp Structures - Contractors	Works completed in 23/24	DECREASE EXPENSE	(28,000)
Works Capital	Hospital Road Mt Pleasant - Footpath	Capital Exp-Footpaths	Capital Exp Structures - Contractors	Works completed in 23/24	DECREASE EXPENSE	(14,000)
Works Capital	Lyndoch Valley Road Lyndoch – Footpath	Capital Exp-Footpaths	Capital Exp Structures - Contractors	Works completed in 23/24	DECREASE EXPENSE	(10,000)
Works Capital	Mill Street Tanunda – Footpath	Capital Exp-Footpaths	Capital Exp Structures - Contractors	Works completed in 23/24	DECREASE EXPENSE	(27,000)
Works Capital	Park Street Angaston – Footpath	Capital Exp-Footpaths	Capital Exp Structures - Contractors	Works completed in 23/24	DECREASE EXPENSE	(16,000)
Works Capital	Penrice Road Nurioopta – Footpath	Capital Exp-Footpaths	Capital Exp Structures - Contractors	Works completed in 23/24	DECREASE EXPENSE	(45,000)
Works Capital	Queen Street Williamstown – Footpath	Capital Exp-Footpaths	Capital Exp Structures - Contractors	Works completed in 23/24	DECREASE EXPENSE	(100,000)
Works Capital	ROAD SEAL,BAIRD ST,NURIOOTPA	Capital Exp - Road resealing	Capital Exp Structures - Contractors	Works to be undertaken post stormwater upgrade in 25/26	CARRYOVER EXPENSE	(125,877)
Works Capital	Road Pave - Bastion Hill Road Moculta	Capital Exp-Roads	Capital Exp Structures - Contractors	Budget transferred from PJ311856 Allendale Road resheet $121,454.00 and 313454 Cromer Road resheet $24,094 Increase to fund additional section of road which required urgent attention. As approved by Jo Moen	TRANSFER	158,997
Works Capital	CROMER ROAD RESHEET	Capital Exp-Roads	Capital Exp Structures - Contractors	Increase funded from 601261 - Resheet budget and 313454 - Cromer Road Resheet	TRANSFER	133,268

Department	Asset	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2024/25 Adjustment Quarter 2
Capital Expenditure on Renewal and Replacement of Existing Assets (cont)						
Works Capital	Road Pave - Allendale Road Kalbeeba	Capital Exp-Roads	Capital Exp Structures - Contractors	Transferred to PJ 307405 for resheeting of additional section of Bastion Hill Road which required urgent repairs. As approved by Jo Moen on 10/1/25	TRANSFER	(121,454)
Works Capital	ROAD,BEECH ST,TANUNDA	Capital Exp - Road resealing	Capital Exp Structures - Contractors	Brought forward due to deterioration of surface requiring urgent works	INCREASE EXPENSE	51,445
Works Capital	Road Seal - Basedow Road Tanunda	Capital Exp - Road resealing	Capital Exp Structures - Contractors	Deferred - requires detailed design and may require additional funds - design to occur in 25/26	DECREASE EXPENSE	(110,855)
Works Capital	Road Seal - Menge Road Tanunda	Capital Exp - Road resealing	Capital Exp Structures - Contractors	Deferred - requires detailed design and may require additional funds - design to occur in 25/26	DECREASE EXPENSE	(68,805)
Works Capital	ROAD,OAK ST,TANUNDA	Capital Exp - Road resealing	Capital Exp Structures - Contractors	Road brought forward due to increased deterioration and required urgent works.	INCREASE EXPENSE	104,951
Works Capital	Road Pave - Jutland Road Eden Valley	Capital Exp-Roads	Capital Exp Structures - Contractors	Budget transferred from PJ 313454 Cromer Road Resheet. Significant increase in rubble costs, contractors and AWU wages has caused this job to go over budget	TRANSFER	21,593
Works Capital	ROAD SEAL, MAGNOLIA STREET, TANUNDA	Capital Exp - Road resealing	Capital Exp Structures - Contractors	Deferred - requires detailed design and may require additional funds - design to occur in 25/26	DECREASE EXPENSE	(68,805)
Works Capital	Road Resheeting Budget	Capital Exp-Roads	Capital Exp Structures - Contractors	Budget Transferred to 307750 - Rhine Park Road Resheet. Note all costs that have been charged to this budget line are to be journalled to correct cost centres which will bring the actual spendings to $0	TRANSFER	(109,902)
Works Capital	Footpath Renewal Budget	Capital Exp-Footpaths	Capital Exp - Salaries	Offset by savings in individual budgets for works completed in 23/24	INCREASE EXPENSE	145,491
Works Capital	Footpath Renewal Budget	Capital Exp-Footpaths	Salaries - Normal	Correct allocations between works and project management costs	INCREASE EXPENSE	110,509
Works Capital	Road Shoulders Budget	Capital Exp-Roads	Capital - CITB Levy	Reducing budget to offset increase to road budgets, negative budget will be resolved in Q3.	DECREASE EXPENSE	(33,983)

Attachment 1

Department	Asset	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2024/25 Adjustment Quarter 2
Capital Expenditure on Renewal and Replacement of Existing Assets (cont)						
Library Services	Library Books - Local Purchase	Capital Exp-Library books-Local Purchase	Capital Exp Equip - Materials	Transferring $14,700 of budget from CC 8060 to CC 8324	TRANSFER	14,700
Library Services	Library Books - Local Purchase	Capital Exp-Libraries	Capital Exp Equip - Materials	Transferring $14,700 of budget from CC 8060 to CC 8324	TRANSFER	(14,700)
Works Administration	Project Officer Capital Delivery	Capital Exp-Admin Vehicles	Capital Exp Equip - Materials	Adjustment to vehicle budgets	TRANSFER	(10,700)
Works Administration	Manager Corporate Services	Capital Exp-Admin Vehicles	Capital Exp Equip - Materials	Adjustment to vehicle budgets	TRANSFER	(500)
Community Services - Community Transport	Community Transport 2	Capital Exp-Community Transport Scheme	Capital Exp Equip - Materials	Adjustment to vehicle budgets	TRANSFER	40
Works Administration	Project Manager - Capital Delivery	Machine/Vehicle/Equip - Office	Capital Exp Equip - Materials	Adjustment to vehicle budgets	TRANSFER	27,300
Community Services - Community Transport	Community Transport 7	Capital Exp-Community Transport Scheme	Capital Exp Equip - Materials	Adjustment to vehicle budgets	TRANSFER	40
Works Administration	Manager Health Services and Community Safety	Capital Exp-Admin Vehicles	Capital Exp Equip - Materials	Adjustment to vehicle budgets	TRANSFER	7,000
Works Administration	Office Vehicle - Contingency 2425MVContingency	Capital Exp-Admin Vehicles	Capital Exp Equip - Materials	Adjustment to vehicle budgets	TRANSFER	(23,180)
Works Capital	ROAD SEAL,SIEGERSDORF RD,TANUNDA	Capital Exp - Road resealing	Capital Exp Structures - Contractors	Additional works required due to unforeseen site issues	INCREASE EXPENSE	94,881
Works Capital	St Petri Community Car Park, Nuriootpa	Capital Exp - Road resealing	Capital Exp Structures - Contractors	Brought forward works due to deterioration requiring urgent repair	INCREASE EXPENSE	143,601
Works Capital	Road Pave - Cromer Road Mt Pleasant	Capital Exp-Roads	Capital Exp Structures - Contractors	Transfer budget to 313544 Jutland Road Resheet, 307750 Rhine Park Road Resheet & 307405 Bastion Hill Road Resheet. Significant increase in rubble costs, contractors and AWU wages has caused these jobs to go over budget	TRANSFER	(69,053)
Capital Expenditure on Renewal and Replacement of Existing Assets						**0**

Attachment 1

Department	Asset	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2024/25 Adjustment Quarter 2
Capital Revenue						
Asset Sales adjustments/Capital Income						
Proceeds from Sale of Replaced Assets						
						0
NET TOTAL - Asset Renewal/Replacement Adjustments						**0**
Capital Expenditure on New and Upgraded assets						
Gallery	Creative Industries Centre - The Big Project	Capital Exp-Barossa Regional Gallery	Capital Exp Structures - Contractors	Creative Industries Centre full build now not starting until May 2025 majority of expenditure will now occur in 2025-26.	DECREASE EXPENSE	(3,850,925)
Works Ovals and Open Space	Lyndoch Recreation Park Redevelopment	Capital Exp-Lyndoch Rec Park	Capital Exp Structures - Contractors	Minor amend for security over Christmas break.	INCREASE EXPENSE	15,000
Capital Expenditure on New and Upgraded Assets						**(3,835,925)**
Amounts received specifically for New and Upgraded Assets/Profit and loss for asset disposal						
Works Ovals and Open Space	601789 - Lyndoch Rec Park Development - Capital Recovery	8200 - Capital Exp-Lyndoch Rec Park	41586 - Capital Contributions - Other	Align State Recoveries with final allocation. Remainder of the $21.104M was already received in the 2023-24 financial year.		3,333,375
Amounts Received Specifically for New and Upgraded Assets						**3,333,375**
Asset Sales adjustments						
Asset Sales adjustments						
Asset Disposal and Fair Value Adjustments					***Note 16***	**0**
NET TOTAL - Asset New/Upgrade Adjustments						**(502,550)**
NET TOTAL - Capital Adjustments						**(502,550)**

Revised Financial Statements for the 2024/25 Financial Year

Statement of Comprehensive Income

for the year ending 30 June 2025

	Budget Adjustment Notes	Original Full Year Budget ($'000)	Actuals as at 31 Dec ($'000)	*Full year Revised Budget in Last Update ($'000)	Budget Adjustments Quarter 2 ($'000)	Proposed Full Year Revised Budget ($'000)
Income						
Rates	1	39,840	39,756	39,913	26	39,939
Statutory Charges	2	825	530	825	(3)	822
User Charges	3	3,991	1,859	3,991	6	3,997
Grants, Subsidies and Contributions	4	4,055	3,037	4,699		4,699
Investment Income	5	150	105	150		150
Reimbursements	6	74	35	74	135	209
Other Income	7	582	516	664	111	775
Net Gain – Joint Ventures and Associations		0	0	0	0	0
Total Revenues		49,517	45,837	50,316	274	50,590
Expenses						
Employee Costs	8	18,382	8,981	18,821	119	18,940
Materials, Contracts and Other Expenses	9	18,869	9,538	19,198	481	19,679
Depreciation, Amortisation and Impairment	10	10,816	5,408	10,816	320	11,136
Finance Costs	11	1,887	259	1,745	(107)	1,638
Net Loss – Joint Ventures and Associations		0		0		0
Total Expenses		49,954	24,186	50,580	813	51,393
Operating Surplus / (Deficit)		(437)	21,651	(264)	(539)	(803)
Physical Resources Received Free of Charge		2,211	0	2,211		2,211
Asset Disposal and Fair Value	16	(878)	124	(878)		(878)
Amounts Received Specifically for New or Upgraded Assets	4	6,725	5,164	7,349	847	8,196
Net Surplus / (Deficit)		7,621	26,939	8,418	308	8,726
Changes in revaluation surplus - infrastructure, property, plant and equipment		0	0	0	0	0
Infrastructure, property, plant and equipment Impairment (Expense)/Recoupments offset to Asset Revaluation Reserve		0	0	0	0	0
Total Other Comprehensive Income		0	0	0	0	0
Total Comprehensive Income		7,621	26,939	8,418	308	8,726

*Full Year Revised Budget is the Budget Update as at 30 September 2024.

Statement of Financial Position

as at 30 June 2025

	Original Full Year Budget	Full Year Revised Budget at Q1 Budget Update	Budget Adjustments Quarter 2	Proposed Full Year Revised Budget
	($'000)	($'000)	($'000)	($'000)
Assets				
Current Assets				
Cash and Cash Equivalents	39	89	1,251	1,340
Trade and Other Receivables	2,966	3,254	0	3,254
Other Financial Assets	0	0	0	0
Inventories	245	123	0	123
Subtotal	3,250	3,466	1,251	4,717
Non-Current Assets Held for Sale	0	0		0
Total Current Assets	3,250	3,466	1,251	4,717
Non-current Assets				
Financial Assets	985	1,108	0	1,108
Equity Accounted Investments in Council Businesses	2,263	4,518	0	4,518
Infrastructure, Property, Plant and Equipment	474,818	466,123	7,723	473,846
Other Non-Current Assets		0		0
Total Non-current Assets	478,066	471,749	7,723	479,472
Total Assets	481,316	475,215	8,974	484,189
Liabilities				
Current Liabilities				
Trade and Other payables	5,077	5,358	0	5,358
Borrowings	37,697	3,351	0	3,351
Provisions	3,008	3,169	0	3,417
Total Current Liabilities	45,782	11,878	0	12,126
Non-Current Liabilities				
Borrowings	2,908	34,590	0	34,590
Provisions	682	722	0	722
Total Non-current Liabilities	3,590	35,312	0	35,312
Total Liabilities	49,372	47,190	0	47,438
Net Assets	431,944	428,025	8,974	436,751
Equity				
Accumulated Surplus	114,759	120,191	8,726	128,917
Asset Revaluation Reserve	304,871	294,938	0	294,938
Other Reserves	12,314	12,896	0	12,896
Total Equity	431,944	428,025	8,726	436,751

Statement of Cash Flows

as at 30 June 2023

	Original Full Year Budget	Full Year Revised Budgt at Q1 Update	Budget Adjustments Quarter 2	Proposed Full Year Revised Budget
	($'000)	($'000)	($'000)	($'000)
Cash Flows from Operating Activities				
Receipts				
Operating Receipts	49,368	50,166	274	50,440
Investment Receipts	150	150	0	150
Payments				
Operating payments to Suppliers and Employees	(37,244)	(38,141)	(598)	(38,739)
Finance Payments	(1,888)	(1,746)	645	(1,101)
Net Cash Provided by (or Used in) Operating Activities	10,386	10,429	321	10,750
Cash Flows from Investing Activities				
Receipts				
Amounts Specifically for New or Upgraded Assets	6,725	5,944	847	6,791
Amounts Specifically for New or Upgraded Assets - Correction to Q1 Statement	0	0	1,405	1,405
Sale of Replaced Assets	368	523	0	523
Sale of Surplus Assets	0	0	0	0
Net Purchase of Investment Securities	0	0	0	0
Repayments of Loans by Community Groups	115	115	0	115
Payments				
Expenditure on Renewal / Replacement of Assets - Adjustments	(11,202)	(10,689)	0	(10,689)
Expenditure on New / Upgraded Assets - Adjustments	(29,484)	(33,983)	503	(33,480)
Expenditure on Renewal / Replacement of Assets - Accounting Adjustments*	0	0	1,096	1,096
Expenditure on New / Upgraded Assets - Accounting Adustments*	0	0	1,828	1,828
Net Cash Provided by (or Used in) Investing Activities	(33,478)	(38,090)	5,679	(32,411)
Cash Flows from Financing Activities				
Receipts				
Loans Received	26,600	28,250	(4,750)	23,500
Proceeds from Bonds and Deposits	0	0	0	0
Payments				
Repayments of Borrowings	(3,638)	(3,638)	0	(3,638)
Repayment of Lease Liabilities	(14)	(14)	0	(14)
Net Cash Provided by (or Used in) Financing Activities	22,948	24,598	(4,750)	19,848
Net Increase / (Decrease) in Cash Held	(144)	(3,063)	1,250	(1,813)
Cash and Cash Equivalents at Beginning of Period	183	3,153	3,153	3,153
Cash and Cash Equivalents at End of Period	39	90	4,403	1,340

* Reflects adjustment to reflect estimate capital delivery target of 92% to total budget as outlined in the Long Term Financial Plan and other adjustments to align cash to current forecast.

Functional Reporting – Operating Budget

Detailed Operating Budget Actual vs Budget Year to Date

The table below provides a year to date comparison of budget performance. Some variations will be the result of timing issues between the expected revenues and expenses being incurred and what has been incurred to date.

Negative variances to budget are in (brackets) positive variances are not.

Type of Income or Expenditure	Year To Date Actual Result as at 31 December 2024		
	Actual	Q1 Revised Budget	Variance
Rates, Rebates, Fines and Interst and Legal Costs Recovered	(32,321,229)	(32,343,243)	(22,014)
Wastewater Collection Service Charge	(3,442,556)	(3,440,289)	2,267
Waste Collection Service Charge	(3,142,091)	(3,196,902)	(54,811)
Landscpae Levy	(851,361)	(850,122)	1,239
Licences and Fees	(691,190)	(696,656)	(5,466)
User Charges	(44,858)	(47,982)	(3,124)
Statutory Fines and Expiations	(8,661)	(9,580)	(919)
Contributions	(216,720)	(80,333)	136,387
Operating Grants	(3,037,258)	(2,842,892)	194,366
Reimbursements and Recoupments	(187,033)	(104,326)	82,707
Interest Received	(104,603)	(75,004)	29,599
Commercial and Caravan Park Revenue	(1,553,001)	(1,593,883)	(40,882)
Other Income	(236,934)	(276,824)	(47,508)
Total Operating Income	**(45,837,495)**	**(45,558,036)**	**271,842**
Wages - Council	2,021,526	2,040,354	18,829
Salary and Wages - NCPA	594,836	541,606	(53,230)
Salary Council	6,083,512	6,679,861	568,990
Total Employee Expenditure	**8,699,874**	**9,261,821**	**534,589**
Staff and Elected Member Training and Development	46,551	96,756	50,204
Contrators and Contract Management Fees	4,285,423	4,824,019	538,596
Consultant Fees	275,169	396,274	121,105
External Plant Hire	24,492	53,886	29,394
Computer Equipment and License Fees	605,653	642,514	36,861
Fuel	159,943	223,044	63,101
Direct Purchases	737,353	680,518	(56,835)
Electricity and Gas Expenses	832,330	866,994	34,664
Water Expenses	214,222	307,480	93,258
Road Materials	57,703	57,564	(139)
Depreciation	5,407,921	5,407,866	(54)
Interest Expenses	259,246	937,010	677,764
Bank and Other Fees	68,544	50,048	(18,496)
Statutory Committee Sitting Fees and Audit Expenses	17,015	30,459	13,443
Taxes, Levies and Registration Costs	476,215	603,502	127,287
Insurance Expenses	1,249,378	1,005,769	(243,609)
Communtiy Assistance Scheme and Other Donations	9,809	20,516	10,707
Contributions	215,258	346,408	131,150
Elected Member Expenses	123,384	162,174	38,790
General Expenses	221,473	248,465	26,991
Other Expenses	204,943	222,414	23,587
Internal Allocations Recovered	(5,619)	(629,675)	(624,057)
Total Operating Expenses	**15,486,406**	**16,554,005**	**1,073,714**
Operating Result Deficit / (Surplus)	**(21,651,215)**	**(19,742,210)**	**1,880,145**

Functional Net Operating Cost of Services Year to Date

Please note this table is operating costs including depreciation and does not include capital expenditure.

Function	Year To Date Actual Result as at 31 December 2024		
	Actual	Q1 Revised Budget	Variance
Agricultural Services	175,330	133,266	(42,063)
Business Undertakings	(2,468,282)	(2,355,389)	112,893
Community Amenities	339,159	358,915	19,756
Community Support	135,169	352,931	217,762
Cultural Services	460,164	500,910	40,745
Economic Development	413,966	496,757	82,791
Governance	(296,790)	255,633	552,423
Health Services	267,954	256,187	(11,766)
Library Services	647,004	668,291	21,287
Other Environment	854,594	845,873	(8,721)
Plant Hire/Depot/Indirect	839,291	726,461	(112,830)
Public Order & Safety	120,688	135,195	14,507
Recreation	2,951,050	2,943,490	(7,560)
Regulatory Services	462,701	727,309	264,608
Support Services	(27,587,661)	(27,303,772)	283,890
Transport	2,678,797	2,927,213	248,416
Waste Management	(1,709,436)	(1,471,781)	237,655
Unallocated	65,087	60,299	(4,788)
Operating Result Deficit / (Surplus)	**(21,651,215)**	**(19,742,210)**	**1,909,005**

Capital Budget Reporting – Year To Date

Capital Program 2024/25 as at 31 December 2024				
Description	**Q1 Revised Budget**	**Expenses to Date**	**Remaining Budget**	**Relevant Notes**
(Items noted as 'Carried Forward' are items transferred from 2023/24 Budget)				
Development and Community Services	**95,619**	**2,402**	**93,217**	
Library books	95,619	2,402	93,217	
Infrastructure and Environmental Services	**41,902,345**	**25,785,956**	**16,116,389**	
Building Renewal	**1,409,598**	**302,507**	**1,107,091**	
Asset renewal The Rex	15,000	12,545	2,455	Balance of original budget allocated to Mt Pleasant kitchen
Kegel Club – Tanunda Recreation Park – Clubrooms rebuild	172,000	16,456	155,544	
Public Toilet - Tanunda Recreation Park - Kegel Club (carry over from 2023-24)	63,000	0	63,000	
Public Toilet renewal program – year 1 of multiyear program	125,001	0	125,001	
Office Fit out Renewal (includes carry over from 2023-24 awaiting grant application)	150,000	8,647	141,354	Works completed early February.
The Rex – Main Pool Heaters (carry over from 2023-24 awaiting grant application)	316,375	0	316,375	Still awaiting grant application outcome.
Mount Pleasant Farmers Market Kitchen Upgrade (carry over from 2023-24)	275,000	148,531	126,469	Deferred projects from 24-25 to fund this project.
Bushgardens Office Renewal (carry over from 2023-24)	13,442	670	12,773	
Talunga Park Lighting Upgrade (carry over from 2023-24)	57,287	6,506	50,781	
Tanunda Recreational Park Clubrooms - solar installation	36,296	35,604	692	
Project Management Costs	186,197	73,549	112,648	Delay in accounting transactions to allocate salary costs to capital budgets - works underway to update.
Footpath Renewal	**605,124**	**491,310**	**113,814**	
Bilyara Road Tanunda – Elizabeth Street to Park Street	10,000	0	10,000	Was able to complete these from 23-24 budget and bring forward future works into 24-25 - forms part of Q2 adjustments
Cross Street Angaston – Tyne Street to Middle Street and Middle Street to Moculta Road	28,000	0	28,000	
Lyndoch Valley Road Lyndoch – 130m before railway line to footbridge	10,000	0	10,000	
Mill Street Tanunda – Edwards Street to MacDonnell Street and Murray Street to Edward Street	27,000	0	27,000	
Park Street Tanunda – Langmeil Road to Bilyara Road	16,000	0	16,000	
Penrice Road Nurioopta – Murray Street to end bitumen and concrete	45,000	0	45,000	
Queen Street Williamstown – Margaret Street to 42 Queen Street	100,000	0	100,000	
Fifth Street Nuriootpa – First Street to Old Kapunda Road	16,000	3,380	12,620	
Hospital Road Mt Pleasant – Phillips Street to Giles Thorpe Crescent	14,000	0	14,000	Deferred to 2025-26
Margaret Street Williamstown – Queen Street to end	25,000	6,435	18,565	

Description	Q1 Revised Budget	Expenses to Date	Remaining Budget	Relevant Notes
Mount Crawford Road Williamstown– Wild Street to Charles Street	14,000	7,215	6,785	
North Street Angaston – Dean Street to Schilling Street	28,000	0	28,000	Deferred to 2025-26 waiting for vegetation removal by private owner, matter with compliance.
Park Street Angaston – Christian Street to Dean Street	16,000	13,810	2,190	
Penrice Road Angaston – Breakneck Hill Road to Murray Street	20,000	8,125	11,875	
Second Street Nuriootpa – Gawler Street to First Street	26,000	10,400	15,600	
Tolley Reserve Nuriootpa – Within Reserve	39,000	4,160	34,840	
Dean Street Angaston – Schilling Street to end of bitumen	8,000	6,695	1,305	
Bethany Road Bethany - In front of Church	16,000	0	16,000	Only required minimal works and was funded by maintenance budget.
Truro Road Moculta – Sarah Street to Jane Street	19,000	6,760	12,240	
Acacia Street Tanunda	0	33,424	-33,424	Additional footpaths works brought forward from asset plan due to cost saving and bulking up of works - forms part of Q2 adjustments.
Christin Street Angaston	0	24,180	-24,180	
Gawler Park Angaston	0	14,675	-14,675	
Gilbert Street Lyndoch	0	7,020	-7,020	
Appleton Street Lyndoch	0	33,345	-33,345	
Boehm Street Nuriootpa	0	17,730	-17,730	
Falkenberg Street Nuriootpa	0	8,190	-8,190	
First Street Nuriootpa	0	5,915	-5,915	
Murray Street Nuriootpa	0	3,900	-3,900	
Old Kapanda Road Nuriootpa	0	2,015	-2,015	
Garrett Court Tanunda	0	10,980	-10,980	
Murray Street Tanunda	0	7,770	-7,770	
Dean Street Reserve Angaston	0	10,205	-10,205	
Vine Street Nuriootpa	0	10,080	-10,080	
Third Street Nurioopta	0	29,580	-29,580	
Melrose Street Mt Pleasant	0	25,800	-25,800	
Mount Pleasant Recreation Park	0	6,950	-6,950	
North Street Angaston	0	17,355	-17,355	
Kindler Parade Tanunda	0	18,315	-18,315	
Falland Avenue Nuriootpa	0	50,490	-50,490	Transfer from development reserves and contributions in Q2 will establish the budget.
Steinborner Avenue Nurioopta	0	20,000	-20,000	
Le Page Lane Angaston	0	4,560	-4,560	
Buna Terrace Nurioopta - Tree Removal, Carpark and Footpath Upgrade	60,000	61,852	-1,852	
Footpath Renewal - contingency/unallocated	-32,466	0	-32,466	Will be offset with savings in footpaths completed to date as part of Q2 adjustments.
Project Management	110,590	0	110,590	Delay in accounting transactions to allocate salary costs to capital budgets - works underway to update.

Description	Q1 Revised Budget	Expenses to Date	Remaining Budget	Relevant Notes
The Big Project, Recreation, Sport and Open Spaces	**27,381,265**	**22,181,509**	**5,199,757**	
Barossa Park - Lyndoch Recreation Precinct Redevelopment and Expansion	40,718,831	29,989,589	10,729,242	
Barossa Park - Lyndoch Recreation Precinct Redevelopment and Expansion - Recoveries	-19,987,080	-9,555,875	-10,431,205	
Creative Industries Centre (includes carry over from 2023-24)	4,950,925	189,142	4,761,783	
Barossa Rugby Park	90,000	106,368	-16,368	
Mount Pleasant Caravan Park	0	7,927	-7,927	
Nuriootpa Soccer Development – Completion of Clubrooms (carry over from 2023-24)	1,492,650	1,444,358	48,293	
Tanunda Recreational Park Playground – Fencing	15,000	0	15,000	
Project Management	100,939	0	100,939	Delay in accounting transactions to allocate salary costs to capital budgets - works underway to update.
Motor Vehicles, Plant and Equipment	**1,350,751**	**408,149**	**942,602**	
General Inspector, Office and Other Vehicles (includes carry over from 2023-24)	587,751	158,395	429,356	
Minor Plant – Depots	50,000	0	50,000	
Security System Updates	25,000	0	25,000	
Loader Replacement	408,000	0	408,000	Delivered in late January.
Tandem Truck	250,000	249,755	245	
Sweeper Refurbishment (carry over from 2023-24)	30,000	0	30,000	
Parks and Gardens	**226,250**	**76**	**226,174**	
Playgrounds New and Upgrade (includes carry over from 2023-24) - Springton Oval	141,015	76	140,939	
Playground Equipment Renewal (includes carry over from 2023-24) - Eden Valley Oval	60,000	0	60,000	
Project Management Costs	25,235	0	25,235	
Road Resheeting	**1,431,027**	**379,651**	**1,051,377**	
Trial Hill Pewsey Vale – 2.60 kms	147,408	0	147,408	
Jutland Road Eden Valley – 1.80 kms	117,752	39,345	78,407	
Allendale Road Kalbeeba– 1.90 kms	121,454	0	121,454	Being deferred to fund urgent works on Bastion Hill will be undertaken in 25-26 part of Q2 adjustments.
Bastion Hill Road Moculta – 1.19 kms	87,035	93,760	-6,725	
Bastion Hill Road Moculta – urgent works	0	0	0	Urgent works where approved by the CEO due to safety and road conditions from remaining budget contingency and deferral for Allendale Road being in sound condition - $120K part of Q2 adjustments.
Kalbeeba Road Kalbeeba – 0.35 kms	22,534	0	22,534	
Keyneton Road Keyneton – 0.37 kms	25,743	578	25,165	
Rifle Range Tanunda – 1.07 kms	67,881	0	67,881	
Rosedale Scenic Rosedale – 2.76 kms	154,420	147,111	7,309	

Description	Q1 Revised Budget	Expenses to Date	Remaining Budget	Relevant Notes
Mount Road Mt Crawford – 2.81 kms	171,723	0	171,723	
Wirra Wirra Road Pewsey Vale – 1.89 kms	135,000	0	135,000	
Cromer Road Cromer – 2.50 kms	163,544	0	163,544	
Blackwood Road Cromer – 1.63 kms	106,631	0	106,631	
Rhine Park Road - Angaston	109,902	98857	11,045	Final estimate is $130K part of Q2 adjustments.
Road Resealing	**1,585,026**	**550,102**	**1,034,924**	
Light Pass Road Angaston - Siegersdorf Road Surface change to Spray Sealed 38m South	55,545	5,601	49,944	
Light Pass Road Angaston - Surface change to Siegersdorf Road				
Siegersdorf Road Angaston - Surface change to Light Pass Road	55,545	0	55,545	
Siegersdorf Road Angaston - Light Pass Road to Surface change Spray Sealed 40m E				
Baird Street Nuriootpa - Macarthur Street to Flinders Street	125,877	19,821	106,056	
Baird Street Nuriootpa - Flinders Street to Francis Street West				
Baird Street Nuriootpa - Francis Street West to Old Kapunda Road				
Lange Street Nuriootpa - Centenary Avenue to Welland Road	48,979	53,449	-4,470	
Acacia Street Tanunda - 64m from Krieg Street-Carob Street	61,060	70,993	-9,933	
Acacia Street Tanunda - Carob Street to 16m from end				
Acacia Street Tanunda - 74m from Carob Street to end (West)				
Ash Street Tanunda – end to Pioneer Avenue	67,299	62,910	4,389	
Ash Street Tanunda - Pioneer Avenue to Hobbs Street				
Bethany Road Tanunda- 580m from Barossa Valley Way to Biscay Road (subject to grant application)	700,000	20,837	679,163	
Bethany Road Tanunda - Biscay Road to Menge Road (subject to grant application)				
Basedow Road Tanunda - Murray Street to MacDonnell Street	110,855	0	110,855	Deferred to 25-26 needs additional design and may need additional funding.
Basedow Road Tanunda - MacDonnell Street to Railway Line				
Carob Street Tanunda - Braunack Avenue to Acacia Street	29,186	35,634	-6,448	
Falkenberg Street Tanunda- Barossa Valley Way to end	16,160	19,322	-3,162	
Magnolia Road Tanunda - Menge Road to Surface change	68,805	0	68,805	Deferred to 25-26 needs additional design and may need additional funding.
Magnolia Street Tanunda - railway line to Kerryn Drive				
Magnolia Street Tanunda - Kerryn Drive to Surface change				
Magnolia Street Tanunda - Surface change to Menge Road				
Menge Road Tanunda - Surface change to Magnolia Road	68,805	0	68,805	Deferred to 25-26 needs additional design and may need additional funding.
Menge Road Tanunda - Magnolia Street to Surface change-Spray sealed				

Description	Q1 Revised Budget	Expenses to Date	Remaining Budget	Relevant Notes
Menge Road Tanunda - Surface change to Spray sealed to Start-Rural 80k Zone (to water course only)				
Pioneer Avenue Tanunda Ash Street to Walden Street	64,734	72,193	-7,459	
Beech Street - Tanunda	0	51,445	-51,445	Reseals had to be brought forward due to road condition funding from program allocation and part of Q2 adjustments
Oak Street - Tanunda	0	104,951	-104,951	Reseals had to be brought forward due to road condition funding from program allocation and part of Q2 adjustments
Project Management	112,175	32,946	79,229	
Road Construction / Reconstruction / Other	**2,152,880**	**815,109**	**1,337,771**	
Fife Street Angaston – from gravel to two coat sealed surface	398,500	46,778	351,722	
Keyneton Road Keyneton – year 2 – from gravel to two coast sealed surface	750,000	224,410	525,590	
Melrose Street Mt Pleasant – complementary drainage and footpath works prior to State Government Reseal of road (carry over from 2023-24)	550,343	542,691	7,652	
Neldner Road	350,000	0	350,000	
Signage Track System (carry over from 2023-24)	104,037	1,230	102,807	
Kerbing Upgrades	**134,500**	**112,543**	**21,957**	
Elizabeth Street Tanunda – Left 195m	15,000	112,543	-97,543	Required significantly more work than originally expected, project extended to complete full length rather than go back again next year.
Gilbert Street – Lyndoch – Left 129m - Right 157m	34,500	0	34,500	Deferred to 25-26 due to above needs of Elizabeth Street.
Kleinig Street- Lyndoch – Left 55m	6,000	0	6,000	
Magnolia Street Tanunda – Left 158m	12,500	0	12,500	
Melrose Street Mount Pleasant - Right 245m	21,500	0	21,500	
Murray Street Angaston – Right 106m	9,000	0	9,000	
Murray Street Tanunda – Right 253m	25,500	0	25,500	
Gramp Avenue Angaston – Left 118m	10,500	0	10,500	
Carparking	**0**	**143,601**	**-143,601**	
St Petri carpark reseal	0	143,601	-143,601	Urgently needed resealing undertaken from reseal budget being resolve as part of Q2 adjustments.
Stormwater	**1,589,394**	**238,129**	**1,351,265**	
Baird Street, drainage upgrade – stage 2 (includes carry over from 2023-24)	965,000	191,306	773,694	
Calton Road to Hameister Court Drainage Kalbeeba (carry over from 2023-24)	367,901	0	367,901	
Maria Street / Goat Square Drainage (carry over from 2023-24)	21,066	6,744	14,322	
Moss Street Bridge Design Only (carry over from 2023-24)	88,112	5,306	82,806	
Elizabeth Street Tanunda - Remain Stormwater Works - Open Swale	30,391	16,451	13,940	

Description	Q1 Revised Budget	Expenses to Date	Remaining Budget	Relevant Notes
Project Management	116,924	18,322	98,602	
Streetscaping	**88,500**	**43,999**	**44,501**	
Streetscaping - Mt Pleasant Main Street	38,000	43,999	-5,999	
Streetscaping - Angaston Main Street	50,500	0	50,500	
Community Wastewater Management System (CWMS)	**3,948,029**	**119,271**	**3,828,759**	
Gravity Mains Asset Management	60,000	0	60,000	
Gooden Drive Pump Station Upgrade	320,000	34,489	285,512	
Gooden Drive Pump Station Rising Main	320,000	18,800	301,200	
Lagoon and Infrastructure Tanunda	65,840	0	65,840	
Pump Station and Infrastructure	83,480	0	83,480	
Water reuse infrastructure	42,300	0	42,300	
Lyndoch Waste Water Treatment Plant – Upgrade	66,400	2,574	63,826	
Springton Waste Water Treatment Plant	240,000	0	240,000	
Nuriootpa Treatment Plant Stage 1 – completion (includes carry over from 2023-24)	2,555,404	34,552	2,520,852	Significant delay in obtaining materials and engineering support - started on ground early February 2025.
General System Network - Capital Renewal	20,346	0	20,346	
General System Network - Capital New	31,000	0	31,000	
Lagoon Upgrades Williamstown	100,000	28,856	71,144	
Project Management	43,259	0	43,259	
Corporate Services and Business Innovation	**937,487**	**178,450**	**759,038**	
Continuous Improvement and Reform Program - ICT Software/Hardware (includes carry over from 2023-24)	84,864	28,100	56,764	
Intranet (carry over from 2023-24)	90,424	42,538	47,886	
Mobile Phone Fleet Renewal (carry over from 2023-24)	25,621	0	25,621	
Finance System Upgrades (carry over from 2023-24)	222,859	106,552	116,307	
Pathway Systems Upgrades (carry over from 2023-24)	252,181	0	252,181	
Network Security Upgrades	123,400	0	123,400	
Telecommunications Infrastructure	120,000	0	120,000	
Conquest Platform	16,139	0	16,139	
Switching Technology Renewal (carry over from 2023-24)	2,000	1,261	739	

Description	Q1 Revised Budget	Expenses to Date	Remaining Budget	Relevant Notes
Nuriootpa Centennial Park Authority	**395,733**	**17,572**	**378,161**	
Nuriootpa Main Oval Lighting Upgrade	175,733	0	175,733	To be carried over to 2025-26 pending grant application outcomes and pooling of resources to achieve lighting upgrades at Nuriootpa and Angaston.
Vehicle Change Over	25,000	0	25,000	
Airconditioning Replacement for Sports Centre	50,000	0	50,000	
Fencing Recreation Park	25,000	17,572	7,428	
Amenities and Camp Kitchen Refurbishment (carry over from 2023-24)	120,000	0	120,000	
Grand Total	**43,331,185**	**25,984,380**	**17,346,805**	

Please note this table is full budgeted capital and will not directly align to the Statement of Cash Flows or Uniform Presentation of Finances due to the assumptions in the Long Term Financial Plan of estimated capital deliverable based on 92% performance with and adjustment for 100% performance for Barossa Park Lyndoch.

DEBATE REPORT

7.4 Development and Community Services

7.4.1 COMMENCEMENT OF COMMUNITY ENGAGEMENT ON THE ACCOMMODATION DIVERSITY CODE AMENDMENT

Author: Manager Development Services
24/114737

PURPOSE

To seek endorsement of a submission to the State Planning Commission in relation to the Accommodation Diversity Code Amendment.

RECOMMENDATION

That Council:

(1) Authorise the draft submission to the State Planning Commission in relation to the Accommodation Diversity Code Amendment, contained in Attachment 1.

(2) Authorises the Chief Executive Officer, or delegate, to make minor technical or typographical amendments to the submission.

REPORT

Background
The Code Amendment forms part of a number of initiatives by the State Government as part of the housing roadmap to facilitate increased housing supply and diversity. The Code Amendment has been introduced to encourage affordable and sustainable smaller housing types, greater flexibility in design requirements, address both self-contained and non self-contained housing types and to support greater capacity for retirement facilities and supported accommodation on large sites.

Introduction
The State Planning Commission has commenced community engagement on the draft Accommodation Diversity Code Amendment for a period of 12 weeks until 27 February 2025. An information report was presented to Council in relation to the Code Amendment at the 18 June 2024 Council Meeting.

The draft Code Amendment proposes to make changes to the Planning and Design Code to provide:

- Greater design flexibility to assist in the provision of apartment-type housing, to support the provision of alternative housing options and housing and supply;
- Additional capacity for the provision of retirement facilities and support accommodation in response to significant growing demand as a result of the state's ageing population.

Discussion
More specifically, the draft Code Amendment proposes to:

- Introduce a new "co-living" land use definition for residential accommodation that is not self-contained (ie. does not contain either a full kitchen) and provides shared facilities. Associated policy will promote "co-living in zones supportive of residential infill and guide te nature and design of shared facilities and new car parking rates and private open space for co-living;
- New and amended policy to improve apartment style accommodation including introduction of minimum habitable room dimensions in place of overall minimum floor area;
- New policies for the provision of communal reaction space and shared facilities for student accommodation;
- Update policies for communal open space to clarify that private open space can be substituted with communal open space, with a lower rate applying for apartments and new provisions guiding design such as solar access, planting areas and facilities;
- Introduce a new "Significant Retirement Facilities and Supported Accommodation Sites" Overlay to be applied in zones including the Established Neighbourhood Zone, Neighbourhood Zone and Master Planned Neighbourhood Zone, that:
    - Allows for buildings up to four storeys on sites over one hectare and up to six storeys on sites over two hectares;
    - Includes policy that seeks to mitigate interface impacts with adjoining properties;
    - Supports compatible non-residential uses such as a café or consulting rooms for the provision of allied health services;
    - Changes to public notification triggers to exempt significant retirement facility and supported accommodation sites from public notification.

A new draft *Practice Guideline – Communal Recreation Spaces and Shared Facilities* has also been prepared and provides guidance on the various features within and size of communal recreation spaces and shared kitchen/living. The new draft Guideline is being consulted on at the same time as the Code Amendment.

A draft submission is contained in Attachment A. The draft submission raises the following matters:

Co-Living Land Use Definition and Policies

The Code Amendment proposes to introduce the 'Co-Living' land use definition for development that involves six (6) or more residences in a single building which share facilities such as kitchens and/or bathroom and/or laundry. The most common example to such accommodation may be repurposing of a dwelling to a boarding house or similar.

A performance assessed pathway will apply to co-living in zones generally supportive of residential infill. New policy will exist to guide the nature and design of shared facilities for co-living accommodation and new car paring rates, bicycle parking rates and private open space/communal open space rates for co-living accommodation.

The car parking rates assigned for co-living residences will be 0.5 spaces per bedroom, meaning a proposal for co-living in nature of six persons would require three on-site

car parking spaces. Private open space will be assigned at 2.5m^2 per bedroom or where in a communal arrangement, 2.5m^2 per residence, meaning co-living for six persons would require 15 square metres of communal open space.

The submission supports the land use definition. In respect to the policy settings, these are geared towards urban settings and are considered to be less appropriate for Barossa townships. It is suggested that car parking rates per bedroom and minimum open space requirements be increased. A suggestion could be to maintain the current rate but suggest a minimum provision of 4 spaces per site. In addition, it is suggested that an increase in private open space to 4m^2 per bedroom or 24m^2 minimum per site. The policy should also be explicit that open space is behind the building line and has minimum dimension of 3m.

Significant Retirement Facilities and Supported Accommodation Sites

This proposal will support increased building heights for retirement facilities and supported accommodation of up to four storeys on 1ha sites and up to six storeys on 2ha sites. The Code Amendment suggests the Overlay will apply to the Established Neighbourhood Zone and Neighbourhood Zone, which are existing zones applying to residential areas in all main Barossa townships. The Master Planned Neighbourhood Zone is also identified and is the zone expected to apply to majority of the Concordia Growth Area, as part of the Concordia Code Amendment.

It is acknowledged there are few sites exceeding 1ha in existing townships that would support a retirement facility of scale. Notwithstanding, the draft submission raises objection to the proposal to introduce increased building heights of this magnitude in Barossa townships. Neighbourhood and Established Neighbourhood Zones in Tanunda, Nuriootpa and Angaston are presently subject to a single storey height limit and as such, the proposal to enable building heights of up to six storeys are considered to be in significant conflict with the existing policy framework.

Further, The Barossa Council has recently consulted with the community in relation to the Growth and Infrastructure Investment Strategy. Building heights were a matter of significant concern to the community and the general feedback from the consultation summary, received by Council in August 2024, was that increased building heights were not supported. As such, the submission seeks that the Overlay not apply to The Barossa Council.

The other concerns with this proposal are that:

- There is likely to be conflict with existing Historic Area Overlay policies that apply to the Established Neighbourhood Zone. The Historic Area Overlay seeks to reinforce historic themes and characteristics through conservation and contextually responsive development, design and adaptive reuse. Development in the scale of that identified in the Overlay has potential to be in conflict with the Desired Outcome and Performance Outcomes of the Historic Area Overlay.

- Public notification will not apply to owners/occupied of adjacent areas, given that developments that comply with the building height/envelope policy are exempt from public notification.

Summary and Conclusion
Council is requested to endorse the draft submission to the Accommodation Diversity Code Amendment and authorise the Chief Executive Officer, or delegate, to make minor technical or typographical amendments to the submission.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Submission to the Accommodation Diversity Code Amendment ⇩

Supporting references
Updating Planning Rules to Increase Accommodation Diversity | YourSAy

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Natural Environment and Built Heritage

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

Strategies
1.1 Ensure land use planning and resource use protects the quality of the natural environment, the existing character of rural landscapes, historic significance and the high value of agricultural land.
1.2 Support tourism development that is sensitive to the natural environment and ensures that the unique character of the rural landscape is appropriately managed and promoted.

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
Planning, Development and Infrastructure Act 2016

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

The community have the opportunity to make public submissions as part of the current consultation process which concludes on 27 February 2025.

Reference:

18 February 2024

Mr Craig Holden
Chair
State Planning Commission

By email: plansasubmissions@sa.gov.au

Dear Mr Holden,

ACCOMMODATION DIVERSITY CODE AMENDMENT

Thank you for the opportunity to provide comment in respect to the *Accommodation Diversity Code Amendment*.

The Barossa Council broadly supports the intent of the Code Amendment to improve housing diversity and supply although Council shares concerns in respect to the introduction of 4-6 storey building heights in Barossa townships.

Further commentary in relation to the Code Amendment is contained below under headings:

Co-Living Land Use Definition and Policies

The introduction of a new land use definition for co-living is supported. In respect to the proposed policies for co-living, it is considered that rates assigned to car parking and open space are geared towards urban context and are considered to be less appropriate for Barossa townships and should therefore be reviewed as they relate to townships generally.

A suggestion could be to maintain the current car parking rate of 0.5 per bedroom but also introduce a minimum provision of 4 spaces per site. In addition, it is suggested to increase the open space to 4m^2 per bedroom or 24m^2 minimum per site. The policy should also be explicit that open space is behind the building line and has minimum dimension of 3m.

Significant Retirement Facilities and Supported Accommodation Sites

This proposal will support increased building heights for retirement facilities and supported accommodation of up to four storeys on 1ha sites and up to six storeys on 2ha sites. The Code Amendment suggests the Overlay will apply to the Established Neighbourhood Zone and Neighbourhood Zone which are zones applying to residential areas in Barossa townships.

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DRAFT

While it is acknowledged there are few sites exceeding 1ha in existing Barossa townships to support a retirement facility of scale, The Barossa Council expresses concern in relation to the introduction of building heights of 4-6 storeys. Present building heights in the townships of Angaston, Nuriootpa and Tanunda are subject to single storey height Technical & Numeric Variations in the Neighbourhood and Established Neighbourhood Zones while two storey building heights apply in remaining townships at two storeys.

The effect of the existing policy settings is that significant retirement facilities and supported accommodation could be accommodated in the Barossa at heights significantly at odds with the character of existing townships. Further, The Barossa Council has recently consulted with the community in relation to the Growth and Infrastructure Investment Strategy in early 2024. Building heights were a matter of significant concern to the community and the consultation summary received by Council in August 2024 has highlighted that increasing building heights was not supported.

The other concerns with this proposal are that:

- Development of the scale anticipated in the proposed Overlay may result in conflict with existing Historic Area Overlay policies of the Planning & Design Code that relate to areas of townships in the Established Neighbourhood Zone.

- Public notification will not apply to owners/occupiers of adjacent areas, given that developments that comply with the building height/envelope policy are exempt from public notification.

It is recommended that the Significant Retirement Facilities and Supported Accommodation Overlay should not apply to The Barossa Council.

Thank you again for the opportunity to participate in this Code Amendment process.

Should you wish to discuss this matter further, please contact Aaron Curtis, Manager – Development Services, acurtis@barossa.sa.gov.au or 8563 8492.

Yours faithfully

Martin McCarthy
Chief Executive Officer

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DEBATE REPORT

7.4 Development and Community Services

7.4.2 APPOINTMENT OF COUNCIL MEMBER TO THE BUILDING FIRE SAFETY COMMITTEE AND UPDATE TO THE TERMS OF REFERENCE AND BUILDING FIRE SAFETY POLICY

Author: Manager Development Services
25/2448

PURPOSE

To appoint the Senior Assessment Officer – Building to the Building Fire Safety Committee for duration of the current term of membership (30 June 2025) and to update the Building Fire Safety Committee Terms of Reference and Building Fire Safety Policy.

RECOMMENDATION
That Council:

(1) Appoint Mr Grant Hewitt, Senior Assessment Officer – Building to The Barossa Council Building Fire Safety Committee, pursuant to Section 157(17) of the *Planning, Development and Infrastructure Act 2016*, for remainder of the current term of the Committee, expiring 30 June 2025.

(2) Receive and adopt the draft Building Fire Safety Committee Terms of Reference contained in Attachment 1, pursuant to Section 157 of the *Planning, Development and Infrastructure Act 2016*.

(3) Receive and adopt the draft Building Fire Safety Policy contained in Attachment 2.

REPORT

Background
Mr Rick Stephen was appointed to the Building Fire Safety Committee (the "Committee") as the Council Member on 19 April 2022. Following his resignation in June 2024, the Council Member position has been vacant. With the appointment of a Senior Assessment Officer – Building, Mr Grant Hewitt in January 2025, there is a need to appoint Mr Hewitt as the Council Member to the Committee for remainder of the current term of the Committee, which expires 30 June 2025.

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

Mr Hewitt is an Accredited Professional pursuant to the Accredited Professionals Scheme established under the Act and holds Level 1 accreditation and prescribed qualifications in building surveying. Mr Hewitt was engaged by The Barossa Council on the 13 January 2025. Mr Hewitt is a suitable person in which to be appointed to the Committee pursuant to Clause 2.1.1 of the Terms of Reference.

It is recommended that Mr Hewitt be appointed to the Committee for the duration of the current term of membership, in order to align with the membership term of the other existing members. A further report will be presented to Council for its consideration to appoint members for the new 4 year term in coming months.

At the same time, the current Terms of Reference of the Building Fire Safety Committee and Building Fire Safety Policy are due for review on 1 April 2024. Some minor improvements to the Terms of Reference are identified in track changes within the draft Terms of Reference contained in Attachment 1 and Building Fire Safety Policy contained in *Attachment* 2 and are presented to Council for endorsement.

Summary and Conclusion
Council is requested to appoint the Senior Assessment Officer – Building, Mr Grant Hewitt, to the Committee for duration of the current term of membership, expiring 30 June 2025 and to endorse the draft Terms of Reference contained in Attachment 1 and draft Building Fire Safety Policy contained in Attachment 2.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Terms of Reference of the Building Fire Safety Committee ⇩
Attachment 2 Building Fire Safety Policy - draft 18 February 2025 - pdf version ⇩

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Natural Environment and Built Heritage

Goal

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

Strategies

1.1 Ensure land use planning and resource use protects the quality of the natural environment, the existing character of rural landscapes, historic significance and the high value of agricultural land.

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

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

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
Section 157, Planning, Development and Infrastructure Act 2016
Planning, Development and Infrastructure (General) Regulations 2017.

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

An existing budget allocation exists for the ongoing activities of the Building Fire Safety Committee, which are not impacted by this appointment.

COMMUNITY ENGAGEMENT

Nil.

THE BAROSSA COUNCIL

TERMS OF REFERENCE OF THE BUILDING FIRE SAFETY COMMITTEE

1.	ESTABLISHMENT

1.1 The Barossa Council (the "Council"), at its meeting held on 16 March 2021 established The Barossa Council Building Fire Safety Committee (the "Committee") pursuant to section 157(17) of the *Planning, Development and Infrastructure Act 2016* ("PDI Act").

1.2 The Committee is established for the purpose of acting as the "appropriate authority" (as defined in the PDI Act) in respect of all fire safety matters arising under section 157 of the PDI Act, including those commenced under section 71 of the *Development Act 1993* and which are treated as having been commenced under the PDI Act by virtue of section 15 of the *Acts Interpretation Act 1915*).

~~1.3 The first meeting of the Committee shall not be held until, on or after the date on which the PDI Act becomes fully operational in the Council area i.e. upon the commencement of the Planning and Design Code for Phase 3 Councils.~~

~~1.4~~1.3 The Committee may be wound up at any time by resolution of the Council.

2.	MEMBERSHIP

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

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

who shall be appointed to the Committee by Council.

2.2 The Council may appoint deputy members to the Committee.

2.3 The Committee will, its first meeting appoint an independent Presiding Member for a term of 4 (four) years. The Presiding Member may be reappointed at the expiration of the term.

2.4 ~~Subject to clause 1.3, m~~Membership of the Committee is for four (4) years.

2.5 The office of a member of the Committee will become vacant if:

2.5.1 A member dies; or
2.5.2 A member completes a term of office and is not reappointed; or
2.5.3 A member resigns by written notice addressed to the Council; or
2.5.4 A member is removed from office by the Council for any reasonable cause.

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2.6 Subject to clauses 1.34 and 2.5, Committee members are eligible for re-appointment to the Committee at the expiration of their term of office.

2.62.7 In the event that the Presiding Member is not present at a meeting (or part thereof) or has declared a personal interest or a direct or indirect pecuniary interest in any matter before the Committee, or is for any other reason unable to take part in any deliberations or decision of the Committee, then an Acting Presiding Member will be appointed by those members who are present at the meeting for the purpose of presiding at that meeting.

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3. GOVERNANCE

3.1 Notwithstanding this Terms of Reference, all Committee members will observe the relevant requirements under the:

3.1.1 PDI Act 2016 and associated regulations;
3.1.2 *Local Government Act 1999* and associated Regulations;
3.1.3 Any relevant Code of Conduct
3.1.4 Council's policies and processes that are relevant to the operations of the Committee, and where applicable, any accreditation or qualifications that the member is required to hold.

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4. MEETINGS

4.1 The Committee shall meet on a day and time nominated by the Presiding Member, with a minimum of two (2) ordinary meetings in each calendar year. The Committee may hold a special meeting at any other time at the direction of the Presiding Member.

4.2 The Committee shall meet at the Council office at 43-51 Tanunda Road, Nuriootpa, or at such other place as the Committee may, from time to time, determine and can meet electronically.

4.3 Quorum

4.3.1 A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.

4.3.2 A quorum for a meeting of the Committee shall be a minimum of two (2) members and those members in attendance must be: ~~three (3) persons~~:

4.3.2.1 ~~one of whom shall be the~~ a person nominated by the Chief Officer of the Country Fire Service or Metropolitan Fire Service or their proxy; and
~~4.3.2.2 one of whom shall be a Council officer; and~~
~~4.3.2.3~~4.3.2.2 Council's building surveyor or consultant building surveyor who holds qualifications in building surveying ~~and/or engineer or proxy~~.

4.4 Calling of Meetings

4.4.1 In the case of an ordinary Committee meeting, the Presiding Member must give each member of the Committee notice of a meeting at least three (3) clear days before the date of the meeting.

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4.4.2 In case of a special meeting of the Committee, the Presiding Member must give each member of the Committee notice of the meeting at least four (4) hours before the commencement of the meeting.

4.4.3 All items to be considered by the Committee should be submitted at least three (3) days prior to the Committee's scheduled meetings, unless deemed urgent by the Presiding Member of the Committee.

4.4.4 Notice may be given to a member of the Committee:

4.4.4.1 Personally;
4.4.4.2 By posting to the person at their usual or last known place of business; or
4.4.4.3 By email known to be used by the person.

4.5 All decisions of the Committee shall be made on the basis of a majority decision of the members present. Each member of the Committee present at the meeting must, subject to clause 4.6, or a provision of the Act or Regulations to the contrary, vote on a question arising for decision at that meeting.

4.5 In an event of a tied vote, the Presiding Member shall have a casting vote in addition to their deliberative vote.

4.6 Conflict of Interest

4.6.1 A member of the Committee who has a personal interest or a direct or indirect pecuniary interest in any matter before the Committee (other than an indirect interest which exists in common with a substantial class of persons) must not take part in any deliberations or decisions of the Committee in relation to that matter.

4.7 Minutes

4.7.1 The minutes of each meeting must include:

4.7.1.1 the names of the members present;
4.7.1.2 in relation to each member present, the time at which the person entered or left the meeting;
4.7.1.3 all motions and amendments, and the names of the mover and seconder;
4.7.1.4 whether a motion or amendment is carried or lost;
4.7.1.5 any disclosure of interest made by a member; and
4.7.1.6 any other matter required to be included in the minutes by direction of the Council.

4.7.2 The Committee's administrative support will:

4.7.2.1 keep minutes of each meeting;

4.7.2.2 within five (5) days of the meeting:

- register the draft minutes to Council's Electronic Document Record Management System (EDRMS);
- ensure that a copy of any complaint(s), any reports prepared for the Committee by an Authorised Officer and the Minute relating to the matter are registered to the Committee EDRMS location; and
- provide the draft minutes to the Committee members;

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4.7.2.3 submit for confirmation the draft minutes at the next Committee meeting; and

4.7.2.4 report to Council, on a regular basis, on the Committee's activities, noting that any such report will not contain any private or sensitive information.

4.7.3 The minutes of the Committee shall be confirmed at the next meeting of the Committee.

4.8 Insofar as the PDI Act or these Terms of Reference do not prescribe the process to be observed in relation to the conduct of a meeting of the Committee, the Committee may determine its own process. In that case, the Committee will document that process within its Minutes.

4.9 The agendas and minutes of the Committee will not be published.

4.10 A report shall be prepared for Council annually to outline the activities of the Committee.

~~4.8~~

5. RESOURCES

5.1 *Planning, Development and Infrastructure Act 2016* and associated Regulations
5.2 Building Fire Safety Policy (10/23720*)
5.3 Building Inspection Policy
5.4 Enforcement Policy

6. TRAINING AND SUPPORT

6.1 Committee members who are required to hold qualifications or accreditation are expected at all times to maintain and comply with all requirements of their qualification and/or accreditation, including any continuing professional development requirements.

6.2 Internal inductions may be provided to Committee members on an as-needs basis, or upon request.

7. DOCUMENT CONTROL

Corporate Plan Link:	1.11 Provide transparent, efficient and effective development assessment processes and regulatory activities. 6.2 Ensure that Council's policy and process frameworks are based on principles of sound governance and meet legislative requirements.				
Document Owner:	Director, Development and ~~Environmental~~ Community Services			**Document Control Officer:**	~~Senior Assessment Officer,~~ ~~Building~~Manager – Development Services
Consultation Rating:	N/A	**Audience:**	External	**Next Review Date:**	01/04/202~~5~~
Version history					

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Version No.	Date	Description of Change
1.0	16/03/2021	Terms of Reference established under the *Planning, Development and Infrastructure Act 2016*
2.0	18/02/2025	Removal of transitional clause, new acting presiding member clause, change to quorum provisions, new clause in event of a tied decision, clause relating to non-publication of minutes and provision of an annual report to Council.

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THE BAROSSA COUNCIL
BUILDING FIRE SAFETY POLICY

1.	Purpose

1.1. The purpose of this Policy is to establish The Barossa Council (the "Council") and Council's Building Fire Safety Committee (the "Committee")'s obligations as an "appropriate authority" under section 157 of the *Planning, Development and Infrastructure Act 2016 (the Act)* with respect to building fire safety.

2.	Scope

2.1. This Policy applies to Officers and Committee members with respect to ensuring that Officers are fully aware of their responsibilities when dealing with matters involving the Building Fire Safety Committee.

2.2. Committee members and officers should refer to the Committee's Terms of Reference with respect to Committee meeting procedures.

3.	Policy Statement

Inspections

3.1. Inspections shall be carried out when:

3.1.1. Council requests a Fire Safety report on a particular building;

3.1.2. At the request of the fire authority;

3.1.3. When complaints are received – refer to clause 3.3 below;

3.1.4. An audit-based inspection is required;

3.1.5. Determining the action to be taken when building fire safety is deemed to be inappropriate;

3.2. Inspections shall be prioritised in accordance with ***Appendix 1 – Building Fire Safety Committee Investigation / Inspection Priority***. The Committee may review the appendix every four (4) years or more frequently if required, and insert an updated appendix if required.

Procedure upon receipt of a complaint

3.3. Where a complaint is received regarding a matter which should be considered by the Committee:

3.3.1. It will be allocated to an Authorised Officer for an inspection to take place;

3.3.2. The Authorised Officer will inspect the site and if they determine that it is necessary for the building to be further inspected, then it will be referred to the Committee. If the building is within the limitations of the Act for the Authorised Officer and it appears that the defects are not major the Officer will undertake an inspection and must submit a report to the Committee to consider.

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Issuing and Service of Notices

3.4. If the Committee is satisfied that the risk of the alleged building fire safety matter is of extreme or high risk to the safety of any person, the Committee may cause or resolve for a Notice to be served on the owner of the building, alternatively the Committee should review its proposed actions against the Enforcement Policy framework.

3.5. Notices served by the Committee must be signed by an Authorised Officer who holds the required accreditation.

3.6. When Notices are served, varied, revoked or complied with to the satisfaction of the Committee the building owner must be notified as soon as possible.

3.7. Notices must be detailed and issued in accordance with legislation, and the rights of appeal must be notified to the building owner.

3.8. Council will be kept appraised of the activities of the Committee via regular reporting processes, noting that any such reporting will not include any private or sensitive information and that the agendas and minutes of the Committee will not be published.

4. Supporting Processes and Documents

Building Fire Safety Committee Terms of Reference - Ref: CD/21/2*
Enterprise Risk Management Framework – Risk Analysis – Ref: CD/20/21*

5. Related Policies

Building Inspection Policy and associated Processes
Enforcement Policy and associated Processes

6. Legislation and References

Planning, Development and Infrastructure Act 2016 and associated Regulations
Attorney-General's Department Council Building Fire Safety Committees Guide (September 2020)

7. Review

This Policy will be reviewed by the Council 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* (see clause 8.1 above for availability).

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9. Document Control

Corporate Plan Link:	1.11 Provide transparent, efficient and effective development assessment processes and regulatory activities. 6.2 Ensure that Council's policy and process frameworks are based on principles of sound governance and meet legislative requirements.				
Document Owner:	Director, Development and Environmental Services			**Document Control Officer:**	Senior Assessment Officer, Building
Consultation Rating:	N/A	**Audience:**	External	**Next Review Date:**	01/04/2025

Version history

Version No.	Date	Description of Change
1.0	June 2010	Policy last reviewed.
2.0	16/03/2021	Policy reviewed to incorporate obligations under PDI Act.
3.0	18 February 2024	Policy reviewed to make explicit that agendas and minutes will not be published.

10. Definitions

Appropriate Authority	As defined by section 157(16) of the *Planning, Development and Infrastructure Act 2016* (PDI Act): A body established by a council, or by 2 or more councils, under section 157(17) of the PDI Act and designated by the council or councils as an appropriate authority under section 157 of the PDI Act. The appropriate authority appointed by The Barossa Council under section 157(17) is the Building Fire Safety Committee.
Authorised Officer	A person appointed to exercise the powers of an authorised officer under the *Planning Development and Infrastructure Act 2016*, and who holds the prescribed qualifications and/or appropriate accreditation as required by the Act, Regulations and legislative instruments under the Act.
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).
Employee	All full-time, part-time and casual employees of The Barossa Council including trainees, apprentices, and on-hire employees.
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.
Committee	The Barossa Council's Building Fire Safety Committee
Council	The Barossa Council
Supervisor	Any direct line supervisor, including Chief Executive Officer, Director, Team Manager, Line Manager, Coordinator, Supervisor or Leading Worker who are responsible for Worker(s) reporting to them.

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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.

Appendix 1	**Building Fire Safety Committee Investigation / Inspection Priority**

1. **Complaint**
2. **Accommodation**

2A. Accommodation – no prior MFS, CFS, Committee or Council knowledge or in bushfire prone area

2A1. Accommodation – vulnerable patrons

Includes aged care, nursing home, health care, private hospitals, day surgery, supported residential facilities, accommodation for aged, children or people with disabilities, school boarding houses, school and youth camps

Reinspection of these premises should occur within 10 years if regular audits by MFS or CFS or other body are being undertaken or within 5 years otherwise

2A2. Accommodation – public

Includes hotel, motel, boarding house, guest house, hostel, lodging house, backpackers, workplace accommodation, short term holiday accommodation, caravan park

Reinspection of this premises should occur within 10 years

2B. Accommodation – prior MFS, CFS, Committee or Council knowledge

2B1. Accommodation – vulnerable patrons

Includes aged care, nursing home, health care, private hospitals, day surgery, supported residential facilities, accommodation for aged, children or people with disabilities, school boarding houses, school camps

Reinspection of these premises should occur within 10 years if regular audits by MFS, CFS or other body are being undertaken or within 5 years otherwise

2B2. Accommodation – public

Includes hotel, motel, boarding house, guest house, hostel, lodging house, backpackers, workplace accommodation, short term holiday accommodation, cavaran park

Reinspection of these premises should occur within 10 years

3. **Public Assembly Buildings**

3A. Public Assembly Buildings with liquor license or vulnerable patrons

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Includes hotel, clubrooms, nightclub, social club, entertainment venue

Reinspection of these premises should occur within 5 years

3B. Public Assembly buildings – other

Includes public hall, town hall, theatre, cinema, church, airport, school assembly buildings and theatres, sports stadium, library

Reinspection of these premises should occur within 10 years

4. **Large Public Population / Large Fire Load**

   4A. Shopping Centres & Large / Multi-storey Shops

   4B. Large warehouses & Factories (ie >2000m^2)

5. **Aged or Disabled Independent Living**

6. **Other Commercial & Educational Premises**

   Includes warehouses, factories, offices, shops, restaurant, laboratory, carpark, health care building (no accommodation), school and university classrooms and administration

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DEBATE REPORT

7.4 Development and Community Services

7.4.3 NOMINATION FOR SOUTH AUSTRALIAN RAINBOW COUNCIL NETWORK

Author: Team Leader Community Programs
25/16404

PURPOSE

To nominate and endorse two representative members, consisting of one staff member and one Elected Member, to the South Australian Rainbow Council Network in response to the invitation for nominations.

RECOMMENDATION

That Council:

(1) Endorse Courtney Dswonitzky (Team Leader Community Programs) as a representative for the Barossa Council on the South Australian Rainbow Network.

(2) Nominate and endorse Cr…….. to represent the Barossa Council on the South Australian Rainbow Network.

REPORT

Discussion
The South Australia Rainbow Advocacy Alliance (SARAA) is seeking nominations from local councils for the Rainbow Council Network. Nominees will be required to attend quarterly online meetings in 2025. The Rainbow Council Project will equip councils and the Local Government sector with resources, guides and expert advice to help strengthen Local Government engagement with and inclusion of LGBTIQA+ people. The SARAA has recommended that nominations consist of a Council staff member and an Elected Member.

Summary and Conclusion
Participating in the Rainbow Council Network presents a valuable opportunity to further the Wellbeing Project and strategy for the LGBTIQA+ community. This collaboration will enable us to connect with other local councils, gaining insights, advice, and resources to enhance our support and engagement with the community while promoting inclusion in both the workplace and the broader community.

In summary, this partnership will strengthen our efforts in creating a more inclusive and supportive environment for the LGBTIQA+ cohort within our community.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Invitation to join the Rainbow Council Network

Supporting references
https://www.saraa.org.au/rainbow-council/

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Health and Wellbeing

Goal

10 Our region enjoys the benefits of sustainable community groups, networks and facilities that encourage everybody to participate in the community.

Strategies

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

Legislative Requirements

Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

Community consultation is not required under Legislation or Council Policy.

From: Chris Kruger
To: Chris Kruger
Subject: FW: [EXTERNAL] Invitation to join the Rainbow Council Network
Date: Thursday, 6 February 2025 2:04:34 PM

From: Info SARAA <info@saraa.org.au>
Sent: Monday, January 20, 2025 2:52 PM
To: Martin McCarthy <mmccarthy@barossa.sa.gov.au>
Subject: [EXTERNAL] Invitation to join the Rainbow Council Network

CAUTION: This Message originated outside your organization. Treat all attachments and hyperlinks with suspicion.

Dear Mr Martin McCarthy of The Barossa Council,

On behalf of the SA Rainbow Advocacy Alliance (SARAA), the charitable peak body for LGBTIQA+ South Australians, I am pleased to invite The Barossa Council to join the Rainbow Council Network.

To improve the wellbeing and inclusion of LGBTIQA+ people in our community, the Rainbow Council Project will equip councils and the local government sector with resources, guides and expert advice to help strengthen local government engagement with and inclusion of LGBTIQA+ people.

Funded by the Local Government Association (LGA) of South Australia and the SA Power Networks Employee Foundation, SARAA will collaborate with local council representatives to:

- establish a network of councillors and local government staff to champion LGBTIQA+ inclusion
- understand and share LGBTIQA+ initiatives across South Australian councils
- develop resources and guides for councils to foster inclusion, visibility and safety for LGBTIQA+ people in their communities.

From libraries to parks, sports and arts, local councils play a crucial role in providing essential services that enable our communities to thrive. As the closest level of government to the community they serve, we aim to support local government to enhance their LGBTIQA+ inclusion capabilities to help create connected communities where everyone belongs.

We invite all local councils to participate in the project by taking the following actions -

1. Nominate up to 2 representatives

Please nominate a Councillor and a council staff member to represent your local council on the Rainbow Council Network. These representatives will come together at quarterly online meetings in 2025 to:

- learn strategies to improve the wellbeing and inclusion of LGBTIQA+ people in your community

share initiatives and experiences in LGBTIQA+ inclusion on behalf of your council
- guide the development of LGBTIQA+ inclusion resources for local councils.

All participating councils will be acknowledged on the project's webpage and in resources developed during the project.

To nominate your representatives, fill out the registration here by Tuesday 25 February.

The first Rainbow Local Council Network meeting is scheduled for 2:30-3:30PM on Thursday 27 February.

2. Complete the Rainbow Council Project scoping survey

We request all local councils to complete the Rainbow Council Project scoping survey here by Friday 7 March 2025.

The survey aims to understand current and previous LGBTIQA+ initiatives within local government in South Australia. We recognise that many councils already support and celebrate LGBTIQA+ wellbeing, and we want to share your success to inspire others.

We look forward to collaborating with your Council to improve the wellbeing and inclusion of LGBTIQA+ people in our communities.

For more information about the Rainbow Council Project, please visit www.saraa.org.au/rainbow-council and the LGA website.

If you want to discuss this project further or have any questions, please contact us by email at info@saraa.org.au.

Kind regards,

--

Varo (they/them)
Chief Executive Officer
SA Rainbow Advocacy Alliance
E: info@saraa.org.au | P: 0490 290 259

Ngadlu tampinthi yaintya yarta. Munaintya puru purruna ngadlu-itya. Munaintyanangku yalaka tarrkarriana tuntarri.
I acknowledge we are on Kaurna Miyurna land. The Dreaming is still living. From the past, in the present, into the future, forever.

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DEBATE REPORT

7.4 Development and Community Services

7.4.4 DEED OF VARIATION - COMMONWEALTH HOME SUPPORT PROGRAM 2024-2025

Author: Team Leader Community Programs
25/16591

PURPOSE

That approval be provided for the Mayor and Chief Executive Officer to sign and seal the Commonwealth Government Deed of Variation relating to the amendment of the increased funding amount for the provision of social support group services within the current Commonwealth Home Support Program funding for 2024/25.

RECOMMENDATION

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

REPORT

Additional funding for the provision of social support group services within the Commonwealth Home Support Program has been allocated to The Barossa Council as part of our monthly payments for the remainder of the 2024/25 financial year. Our Funding Agreement Manager has confirmed that this funding will also be included in our recurring funding offer for the period of 2025-2027.

The funding is allocated to social support group services to support programs such as the Out and About Social Groups and the Barossa Community Men's Shed, which are key offerings within this service type.

This funding was offered, following the monthly reporting of outputs, which highlighted that Council is exceeding the contractual outputs outlined in our agreement with the Department of Health and Aged Care. As a result, it was determined that additional funding is necessary to support the increased demand.

With the additional funding, the contractual outputs, as specified in the Activity Work Plan, have increased to 4,464 hours for the 2024/25 financial year, and staff are on track to meet this target.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 CHSP - Commonwealth Home Support Programme - deed of variation - 2024-2025 contract - 6 February 2025

Attachment 2 CHSP - Commonwealth Home Support Programme - 2024-2025 - contract agreement - 6 February 2025 ⇩

Attachment 3 CHSP - Commonwealth Home Support Programme - Activity Work Plan - 2024-2025 - 6 February 2025 ⇩

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Infrastructure

Health and Wellbeing

Goal

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

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

Strategies

8.1 Support opportunities to increase community transport and access to services and facilities.

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

Legislative Requirements

Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

None required

Australian Government

Department of Health and Aged Care

Organisation ID:	1-AWMWY2
Agreement ID:	4-7RK0SLP
Program Schedule ID:	4-7SYEL5H

Deed of Variation in relation to Aged Care Services

1. Date

This Deed is made on

2. Parties

This Deed is made between:

1. The Commonwealth, as represented by Department of Health and Aged Care, ABN 83 605 426 759 (the 'Commonwealth'); and
2. The Barossa Council, ABN 47 749 871 215 (the 'Grantee').

3. Context

A. The Parties entered in an agreement on 31 May 2018 under which the Commonwealth gave a Grant to the Grantee for Aged Care Services (the 'Agreement').
B. The Parties have agreed to amend the Agreement on the terms and conditions contained in this Deed.

4. Amendments

With effect from the date of execution of this Deed, the Agreement is amended:

Funding for existing Activities under this Agreement is adjusted as per the table below. This table shows only those existing Activities with funding varied under this Deed:

Activity Name	Activity Id	Financial Year	Current Grant Amount (excl. GST)	Variation Amount (excl. GST)	New Total Grant Amount (excl. GST)
Social Support - Group - Community and Home Support	4-7W4D6HT	2018-2019	$68,488.30	$0.00	$68,488.30
Social Support - Group - Community and Home Support	4-7W4D6HT	2019-2020	$69,515.62	$0.00	$69,515.62
Social Support - Group - Community and Home Support	4-7W4D6HT	2020-2021	$70,558.35	$0.00	$70,558.35
Social Support - Group - Community and Home Support	4-7W4D6HT	2021-2022	$71,757.84	$0.00	$71,757.84

Social Support - Group - Community and Home Support	4-7W4D6HT	2022-2023	$72,834.21	$0.00	$72,834.21
Social Support - Group - Community and Home Support	4-7W4D6HT	2023-2024	$76,475.93	$0.00	$76,475.93
Social Support - Group - Community and Home Support	4-7W4D6HT	2024-2025	$79,152.59	$28,515.02	$107,667.61
		Total	**$508,782.84**	**$28,515.02**	**$537,297.86**

Revised payment amounts, reporting milestones and other detailed amendments resulting from this Deed are described in the Program Schedule, including any attachments, enclosed.

5. Entire agreement and interpretation

5.1 The parties confirm all the other provisions of the Agreement and, subject only to the amendments contained in this Deed, the Agreement remains in full force and effect.

5.2 This Deed and the Agreement, when read together, contain the entire agreement of the parties with respect to the parties' rights and obligations under the Agreement.

5.3 Unless otherwise specified or the context otherwise requires, terms that are defined in the Agreement have the same meaning in this Deed.

Signatures

Organisation ID:	1-AWMWY2
Agreement ID:	4-7RK0SLP
Program Schedule ID:	4-7SYEL5H

Executed as a deed

Signed, sealed and delivered for and on behalf of the Commonwealth of Australia by the relevant Delegate, represented by and acting through Department of Health and Aged Care, ABN 83 605 426 759 in the presence of:

(Name of Departmental Representative)	(Signature of Departmental Representative) …./…./……
(Position of Departmental Representative)	
(Name of Witness in full)	(Signature of Witness) …./…./……

Signed, sealed and delivered by The Barossa Council, ABN 47 749 871 215 in accordance with its rules, and who warrants that he/she is authorised to sign this Deed:

(Name and position held by Signatory)	(Signature) …./…./……
(Name and position held by second Signatory/Name of Witness)	(Signature of second Signatory/Witness) …./…./……

Explanatory notes on the signature block

- If you are an **incorporated association**, you must refer to the legislation incorporating the association as it will specify how documents must be executed. This process may differ between each State and Territory. If an authorised person is executing a document on behalf of the incorporated association, you should be prepared to provide evidence of this authorisation upon request.

- If you are a **company**, generally two signatories are required – the signatories can be two Directors or a Director and the Company Secretary. Affix your **Company Seal**, if required by your Constitution.

- If you are a **company with a sole Director/Secretary**, the Director/Secretary is required to be the signatory in the presence of a witness (the witness date must be the same as the signatory date). Affix your **Company Seal**, if required by your Constitution.

- If you are a **partnership**, the signatory must be a partner with the authority to sign on behalf of all partners receiving the grant. A witness to the signature is required (the witness date must be the same as the signatory date).

- If you are an **individual**, you must sign in the presence of a witness (the witness date must be the same as the signatory date).

- If you are a **university**, the signatory can be an officer authorised by the legislation creating the university to enter into legally binding documents. A witness to the signature is required (the witness date must be the same as the signatory date).

- If you are a **trustee of a Trust**, the signatory must be a trustee (NOT the Trust) – as the trustee is the legal entity entering into the Agreement. If requested by you, the words 'as trustee of the XXX Trust' could be included at the end of the name.

Schedule – Amendments to the Agreement

- *The Program Schedule 4-7SYEL5H is deleted and replaced with the updated Program Schedule 4-7SYEL5H enclosed.*

Commonwealth Standard Grant Agreement

between
the Commonwealth represented by
Department of Health and Aged Care
and
The Barossa Council

Grant Agreement 4-7RK0SLP

Once completed, this document, together with each set of Grant Details and the Commonwealth Standard Grant Conditions (Schedule 1), forms an Agreement between the Commonwealth and the Grantee.

Parties to this Agreement

The Grantee

Full legal name of Grantee	The Barossa Council
Legal entity type (e.g. individual, incorporated association, company, partnership etc)	Local Government
Trading or business name	
Any relevant licence, registration or provider number	
Australian Company Number (ACN) or other entity identifiers	
Australian Business Number (ABN)	47 749 871 215
Registered for Goods and Services Tax (GST)	Y
Date from which GST registration was effective	
Registered office (physical)	The Barossa Council, 43-51 Tanunda Road, NURIOOTPA SA 5355
Relevant business place (if different)	
Telephone	08 8563 8444
Fax	08 8563 8461
Email	barossa@barossa.sa.gov.au

The Commonwealth

The Commonwealth of Australia represented by Department of Health and Aged Care
23 Furzer Street PHILLIP ACT 2606
ABN 83 605 426 759

Background

The Commonwealth has agreed to enter into this Agreement under which the Commonwealth will provide the Grantee with one or more Grants for the purpose of assisting the Grantee to undertake the associated Activity.

The Grantee agrees to use each Grant and undertake each Activity in accordance with this Agreement and the relevant Grant Details.

Scope of this Agreement

This Agreement comprises:

(a) this document;

(b) the Supplementary Terms from the Clause Bank (if any);

(c) the Standard Grant Conditions (Schedule 1);

(d) the Grant Details;

(e) any other document referenced or incorporated in the Grant Details.

Each set of Grant Details, including Supplementary Terms (if any), only applies to the particular Grant and Activity covered by that set of Grant Details and a reference to the 'Agreement' in the Grant Details or the Supplementary Terms is a reference to the Agreement in relation to that particular Grant and Activity. If there is any ambiguity or inconsistency between the documents comprising this Agreement in relation to a Grant, the document appearing higher in the list will have precedence to the extent of the ambiguity or inconsistency.

This Agreement represents the Parties' entire Agreement in relation to each Grant provided under it and the relevant Activity and supersedes all prior representations, communications, Agreements, statements and understandings, whether oral or in writing.

Certain information contained in or provided under this Agreement may be used for public reporting purposes.

Grant Details

Organisation ID:	1-AWMWY2
Agreement ID:	4-7RK0SLP
Schedule ID:	4-7SYEL5H

A. Purpose of the Grant

The purpose of the Grant is to:

Provide funding to deliver the aged care Activities described in Item B, which are outlined in more detail in the Commonwealth Home Support Program (CHSP) Manual, in accordance with the objectives of the CHSP program outlined below.

It is noted that the CHSP program is expected to be delivered under the proposed new Aged Care Act (the new Act), when it commences on or after 1 July 2024, with the Activities listed in Item B to be included within the funded aged care services that can be accessed under the new Act.

The objectives of the CHSP program, which forms part of the Commonwealth funded aged care system, include to:

- provide high quality home support services at a low intensity on a short-term or ongoing basis, or higher intensity services delivered on a short-term or episodic basis to eligible individuals* who are assessed as requiring such services to maximise their independence at home and in the community, enhancing their wellbeing and quality of life.
- support eligible individuals* through linking them to appropriate and sustainable housing, community care and other support services
- support eligible individuals* through the delivery of planned respite activities which allow carers to take a break from their usual caring responsibilities, and
- contribute to the delivery of quality and safe funded aged care services in Australia.

This Grant is being provided under, and these Grant Details form part of, the Agreement between the Commonwealth and the Grantee.

Note: To access services under the CHSP program individuals are generally required to be aged 65 years or over and be assessed as requiring access to Commonwealth funded aged care services, with some exceptions for younger individuals who are considered to be prematurely aged. The details of eligibility criteria is currently outlined in the CHSP program manual. From the date of its commencement, the new Act is expected to outline eligibility criteria and assessment requirements for all Commonwealth funded aged care services.

This Grant is being provided under, and these Grant Details form part of, the Agreement between the Commonwealth and the Grantee.

The Grant is being provided as part of the Aged Care Services program.

Sector Support and Development - Service System Development - 4-813VEJA

B. Grant Activity

Objective
To support CHSP service providers through reforms to the CHSP, in preparation for a new in-home aged care system, and to operate effectively in line with the objectives of the CHSP and within the context of the broader aged care system.

Description

The Grantee agrees to carry out the Activity as described in the Program Manual to eligible clients identified for this Activity in accordance with the Activity Work Plan (Item E.2) and the CHSP Program Manual (https://www.health.gov.au/resources/publications/commonwealth-home-support-programme-chsp-manual)

The Grantee agrees to participate in program development activity as reasonably requested by the Commonwealth.

Performance Indicators

The Activity will be measured against the following Performance Indicator/s:

Performance Indicator Description	Measure
As described in the Activity Work Plan	As described in the Activity Work Plan and Item E. Reporting

Location Information

The Activity will be delivered from the following site location/s:

	Location Type	Name	Address
1	Direct Funded	The Barossa Council	The Barossa Council 43-51 Tanunda Road NURIOOTPA SA 5355

Service Area Information

The Activity will service the following service area/s:

	Type	Service Area
1	Australia	Australia

C. Duration of the Grant

The Activity starts on 1 July 2018.

The Activity (other than the provision of any final reports) ends on 30 June 2025, which is the Activity's Completion Date.

The Agreement ends on 31 October 2025 or when the Grantee has provided all of the reports and repaid any Grant amount as required under this Agreement.

D. Payment of the Grant

The total amount of the Grant is $528,628.76* (GST exclusive).

A break down by Financial Year is below:

Financial Year	Amount * (excl. GST)

2018-2019	$71,159.79
2019-2020	$72,227.19
2020-2021	$73,310.60
2021-2022	$74,556.88
2022-2023	$75,675.23
2023-2024	$79,459.00
2024-2025	$82,240.07

*This amount may include Social, Community, Home Care and Disability Services Industry Award 2010 Supplementation (SACS).

The Grantee must ensure that the Grant is held in an account in the Grantee's name and which the Grantee controls, with an authorised deposit-taking institution authorised under the Banking Act 1959 (Cth) to carry on banking business in Australia.

The Grantee's nominated bank account into which the Grant is to be paid is:

BSB Number	085-005
Financial Institution	Adelaide Ground Level 22-28 King William St NAB
Account Number	393831998
Account Name	The Barossa Council

The Grant will be paid in instalments by the Commonwealth in accordance with the agreed Milestones, and compliance by the Grantee with its obligations under this Agreement.

Milestone	**Anticipated date**	**Amount (excl. GST)**	**GST**	**Total (incl. GST)**
Payment for the period 1 July 2018 - 30 September 2018 for the Activity described in Item B. Grant Activity	1 July 2018	$17,527.04	$0.00	$17,527.04
Payment for the period 1 October 2018 - 31 December 2018 for the Activity described in Item B. Grant Activity	1 October 2018	$17,527.04	$0.00	$17,527.04
Payment for the period 1 January 2019 - 31 March 2019 for the Activity described in Item B. Grant Activity	1 January 2019	$17,527.04	$0.00	$17,527.04
Indexation 2018-19 back payment	1 April 2019	$788.72	$0.00	$788.72
Payment for the period 1 April 2019 - 30 June 2019 for the Activity described in Item B. Grant Activity	1 April 2019	$17,789.95	$0.00	$17,789.95

Payment for the period 1 July 2019 - 30 September 2019 for the Activity described in Item B. Grant Activity	1 July 2019	$17,789.94	$0.00	$17,789.94
Payment for the period 1 October 2019 - 31 December 2019 for the Activity described in Item B. Grant Activity	1 October 2019	$17,789.94	$0.00	$17,789.94
Indexation 2019-20 back payment	1 October 2019	$533.70	$0.00	$533.70
Payment for the period 1 January 2020 - 31 March 2020 for the Activity described in Item B. Grant Activity	1 January 2020	$18,056.79	$0.00	$18,056.79
Payment for the period 1 April 2020 - 30 June 2020 for the Activity described in Item B. Grant Activity	1 April 2020	$18,056.82	$0.00	$18,056.82
Payment for the period 1 July 2020 - 30 September 2020 for the Activity described in Item B. Grant Activity	4 July 2020	$18,327.65	$0.00	$18,327.65
Payment for the period 1 October 2020 - 31 December 2020 for the Activity described in Item B. Grant Activity	4 October 2020	$18,327.65	$0.00	$18,327.65
Payment for the period 1 January 2021 - 31 March 2021 for the Activity described in Item B. Grant Activity	4 January 2021	$18,327.65	$0.00	$18,327.65
Payment for the period 1 April 2021 - 30 June 2021 for the Activity described in Item B. Grant Activity	4 April 2021	$18,327.65	$0.00	$18,327.65
Payment for the period 1 July 2021 - 30 September 2021 for the Activity described in Item B. Grant Activity	4 July 2021	$18,639.22	$0.00	$18,639.22
Payment for the period 1 October 2021 - 31 December 2021 for the Activity described in Item B. Grant Activity	4 October 2021	$18,639.22	$0.00	$18,639.22
Payment for the period 1 January 2022 - 31 March 2022 for the Activity described in Item B. Grant Activity	4 January 2022	$18,639.22	$0.00	$18,639.22

Payment for the period 1 April 2022 - 30 June 2022 for the Activity described in Item B. Grant Activity	4 April 2022	$18,639.22	$0.00	$18,639.22
Payment for the period 1 July 2022 - 30 September 2022 for the Activity described in Item B. Grant Activity	4 July 2022	$18,918.81	$0.00	$18,918.81
Payment for the period 1 October 2022 - 31 December 2022 for the Activity described in Item B. Grant Activity	4 October 2022	$18,918.81	$0.00	$18,918.81
Payment for the period 1 January 2023 - 31 March 2023 for the Activity described in Item B. Grant Activity	4 January 2023	$18,918.81	$0.00	$18,918.81
Payment for the period 1 April 2023 - 30 June 2023 for the Activity described in Item B. Grant Activity	4 April 2023	$18,918.80	$0.00	$18,918.80
Payment for the period 1 July 2023 - 30 September 2023 for the Activity described in Item B. Grant Activity	4 July 2023	$19,864.75	$0.00	$19,864.75
Payment for the period 1 October 2023 - 31 December 2023 for the Activity described in Item B. Grant Activity	24 July 2023	$19,864.75	$0.00	$19,864.75
Payment for the period 1 January 2024 - 31 March 2024 for the Activity described in Item B. Grant Activity	24 November 2023	$19,864.75	$0.00	$19,864.75
Payment for the period 1 April 2024 - 30 June 2024 for the Activity described in Item B. Grant Activity	24 November 2023	$19,864.75	$0.00	$19,864.75

Payment for the period 1 July 2024 - 30 September 2024 for the Activity described in Item B. Grant Activity	4 July 2024	$20,560.02	$0.00	$20,560.02
Payment for the period 1 October 2024 - 31 December 2024 for the Activity described in Item B. Grant Activity	4 October 2024	$20,560.02	$0.00	$20,560.02
Payment for the period 1 January 2025 - 31 March 2025 for the Activity described in Item B. Grant Activity	4 January 2025	$20,560.02	$0.00	$20,560.02
Payment for the period 1 April 2025 - 30 June 2025 for the Activity described in Item B. Grant Activity	4 April 2025	$20,560.01	$0.00	$20,560.01
Total Amount		**$528,628.76**	**$0.00**	**$528,628.76**

Invoicing

The Grantee agrees to allow the Commonwealth to issue it with a Recipient Created Tax Invoice (RCTI) for any taxable supplies it makes it relation to the Activity.

Taxes, duties and government charges

Refer to Clause 9. Taxes, duties and government charges.

E. Reporting

The Grantee agrees to create the following reports in the form specified and to provide the reports to the Commonwealth representative in accordance with the following.

Milestone	Information to be included	Due Date
Performance Report	A report with progress against the Activity Work Plan for the period 1 July 2018 to 31 December 2018 as described in E.1 Performance Reports for Sector Support and Development - Service System Development Activities.	31 March 2019
DOH Acquittal Other	As described in item E.4 Accounting for the Grant.	31 October 2019
Performance Report	A report with progress against the Activity Work Plan for the period 1 January 2019 to 30 June 2019 as described in Item E.1 Performance Reports for Sector Support and Development - Service System Development Activities.	31 October 2019

Performance Report	A report with progress against the Activity Work Plan for the period 1 July 2019 to 31 December 2019 as described in item E.1 Performance Reports for Sector Support and Development - Service System Development Activities.	31 March 2020
Other Report	Unspent funds stocktake for 2019/20 financial year	7 August 2020
Performance Report	A report with progress against the Activity Work Plan for the period 1 January 2020 to 30 June 2020 as described in item E.1 Performance Reports for Sector Support and Development - Service System Development Activities.	31 October 2020
Performance Report	A report with progress against the Activity Work Plan for the period 1 July 2020 to 31 December 2020 as described in item E.1 Performance Reports for Sector Support and Development - Service System Development Activities.	31 March 2021
Financial Acquittal Report	As described in item E.4 Accounting for the Grant.	30 July 2021
Performance Report	A report with progress against the Activity Work Plan for the period 1 January 2021 to 30 June 2021 as described in item E.1 Performance Reports for Sector Support and Development - Service System Development Activities.	31 October 2021
Performance Report	A report with progress against the Activity Work Plan for the period 1 July 2021 to 31 December 2021 as described in item E.1 Performance Reports for Sector Support and Development - Service System Development Activities.	31 March 2022
Financial Acquittal Report	As described in item E.4 Accounting for the Grant.	30 July 2022
Performance Report	A report with progress against the Activity Work Plan for the period 1 January 2022 to 30 June 2022 as described in item E.1 Performance Reports for Sector Support and Development - Service System Development Activities.	31 October 2022
Performance Report	A report with progress against the Activity Work Plan for the period 1 July 2022 to 31 December 2022 as described in E.1 Performance Reports for Sector Support and Development Activities.	31 January 2023
Performance Report	A report with progress against the Activity Work Plan for the period 1 January 2023 to 30 June 2023 as described in E.1 Performance Reports for Sector Support and Development Activities.	31 July 2023
Financial Acquittal Report	As described in item E.4 Accounting for the Grant.	31 August 2023
Performance Report	A report with progress against the Activity Work Plan for the period 1 July 2023 to 31 December 2023 as described in E.1 Performance Reports for Sector Support and Development Activities.	31 January 2024

Activity Work Plan	An Activity Work Plan for the period 1 July 2024 to 30 June 2025 which must be approved by the Commonwealth. It must include individual activity details and budgets; a risk assessment with mitigation strategies; and a stakeholders and target audiences list. Biannual performance reporting will be against each activity in the approved Activity Work Plan.	15 July 2024
Performance Report	A report with progress against the Activity Work Plan for the period 1 January 2024 to 30 June 2024 as described in E.1 Performance Reports for Sector Support and Development Activities.	31 July 2024
Financial Acquittal Report	As described in item E.4 Accounting for the Grant.	31 August 2024
Performance Report	A report on progress against all activities in the Activity Work Plan for the period 1 July 2024 to 31 December 2024 as described in E.1 Performance Reports for Sector Support and Development Activities.	31 January 2025
Performance Report	A report on progress against all activities in the Activity Work Plan for the period 1 January 2025 to 30 June 2025 as described in E.1 Performance Reports for Sector Support and Development Activities.	31 July 2025
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	31 August 2025

E.1 Performance Reports

The Grantee must provide client level data and service delivery information for all Activities described in Item B. Grant Activity (except for Sector Support and Development - Service System Development Activities) in accordance with the Data Exchange Protocols.

The Grantee must provide the data required within the Data Exchange Protocols through an approved mechanism as outlined in the Data Exchange Protocols.

The Grantee is required to finalise the submission of data within the Data Exchange by the due date set out at Item E.

For Sector Support and Development - Service System Development Activities, the Grantee must report progress in accordance with the Activity Work Plan in the format notified, referred or made available by the Commonwealth to the Grantee (including by reference to an internet site). The Grantee is required to submit reports by the applicable due date set out at Item E.

The Commonwealth will monitor activity levels as reported in the Data Exchange and in proportion to expected service levels according to the Activity Work Plan and may adjust payments (outlined in Item D) according to achieved service delivery levels. Any variation to the payment amount or schedule will only arise if the Commonwealth notifies the Grantee.

Wellness and Reablement Reports

The Grantee must provide service level information to the Commonwealth on wellness and reablement approaches being implemented by the Grantee as part of the Activities described in Item B Grant Activity. The service level information must be provided in accordance with the report template nominated by the Commonwealth.

The Grantee is required to provide a wellness and reablement report by the applicable due date set out at

Item E.

For Sector Support and Development - Service System Development Activities, the Wellness and Reablement report is not a requirement.

E.2 Activity Work Plan

The Grantee agrees that its performance will be measured against the attached Activity Work Plan.

E.3 Annual Report

Not applicable

E.4 Accounting for the Grant

The Grantee must provide a financial declaration for each financial year of this Agreement. A financial declaration is a certification from the Grantee which:

- states that all grant funds were spent for the purpose as outlined in the Agreement; and
- declares the amount of unspent Grant funds.

The financial declaration must be certified by the Grantee's board, the chief executive officer or an officer with the authority to do so verifying the funds have been spent on the Activity in accordance with the Grant Agreement. If SACS supplementation has been paid, confirmation must be provided that the funding was spent in accordance with Clause cb21.

The Grantee is required to provide a financial declaration by the applicable due date at Item E.

E.5 Other Reports

The Grantee must provide assistance and information to the Commonwealth as reasonably required by the Commonwealth, including but not limited to data on existing clients not registered on My Aged Care in the format notified, referred or made available by the Commonwealth in the timeframe specified by the Commonwealth.

F. Party representatives and address for notices

Grantee's representative and address

Grantee's representative name	Mrs Courtney Dswonitzky
Position	Coordinator
Postal/physical address(es)	The Barossa Council, 43-51 Tanunda Road, NURIOOTPA, SA, 5355
Business hours telephone	08 8563 8411
Mobile	
Fax	
E-mail	cdswonitzky@barossa.sa.gov.au

Commonwealth representative and address

Name of representative	Khalida Saud
Position	CGH Grant User
Postal/physical address(es)	Department of Health and Aged Care GPO Box 9848 CANBERRA ACT 2601
Business hours telephone	08 8318 2741
Mobile	Not specified
Fax	Not specified

E-mail	SAperformanceHealth@communitygrants.gov.au

The Parties' representatives will be responsible for liaison and the day-to-day management of the Grant, as well as accepting and issuing any written notices in relation to the Grant.

G. Activity Material

Activity Material means any material, other than Reporting Material, created or developed by the Grantee as a result of the Activity and includes any Existing Material that is incorporated in or supplied with the Activity Material.

None specified

Domestic Assistance - Community and Home Support - 4-7W49GRO

B. Grant Activity

Objective

To provide frail, older people with assistance with domestic chores to maintain their capacity to manage everyday activities in a safe, secure and healthy home environment.

Description

The Grantee agrees to carry out the Activity as described in the Program Manual to eligible clients identified for this Activity in accordance with the Activity Work Plan (Item E.2) and the CHSP Program Manual (https://www.health.gov.au/resources/publications/commonwealth-home-support-programme-chsp-manual)

The Grantee agrees to participate in program development activity as reasonably requested by the Commonwealth.

Any variation to the payment amount or schedule will only arise if the Commonwealth notifies the Grantee otherwise. The Grantee is responsible for sustainably managing its service delivery and number of clients.

Grantees are contracted to deliver a specific number of outputs and any decision to exceed the agreed outputs is taken at the Grantee's own risk and cost.

The Activity period for the grant is until 30 June 2025. Providers must not carry out any Activities, using this funding, after this date. The Activity Completion date of 31 July 2025 is to enable any payment to be made for services delivered in June 2025.

Payments are made for activities that comply with requirements outlined in the Program Manual.

Performance Indicators

The Activity will be measured against the following Performance Indicator/s:

Performance Indicator Description	Measure
As described in the Activity Work Plan	As described in the Activity Work Plan and Item E. Reporting

Location Information

The Activity will be delivered from the following site location/s:

	Location Type	Name	Address
1	Direct Funded	The Barossa Council	The Barossa Council 43-51 Tanunda Road NURIOOTPA SA 5355

Service Area Information

The Activity will service the following service area/s:

	Type	Service Area
1	Aged Care Planning Region (2015)	Yorke, Lower North & Barossa

C. Duration of the Grant

The Activity starts on 1 July 2018.

The Activity (other than the provision of any final reports) ends on 31 July 2025, which is the Activity's Completion Date.

The Agreement ends on 31 October 2025 or when the Grantee has provided all of the reports and repaid any Grant amount as required under this Agreement.

D. Payment of the Grant

The total amount of the Grant is $1,058,131.31* (GST exclusive).

A break down by Financial Year is below:

Financial Year	Amount * (excl. GST)
2018-2019	$141,484.89
2019-2020	$143,607.16
2020-2021	$145,761.27
2021-2022	$148,239.21
2022-2023	$150,462.80
2023-2024	$161,462.40
2024-2025	$167,113.58

*This amount may include Social, Community, Home Care and Disability Services Industry Award 2010 Supplementation (SACS).

The Grantee must ensure that the Grant is held in an account in the Grantee's name and which the Grantee controls, with an authorised deposit-taking institution authorised under the Banking Act 1959 (Cth) to carry on banking business in Australia.

The Grantee's nominated bank account into which the Grant is to be paid is:

BSB Number	085-005
Financial Institution	Adelaide Ground Level 22-28 King William St NAB
Account Number	393831998
Account Name	The Barossa Council

The Grant will be paid in instalments by the Commonwealth in accordance with the agreed Milestones, and compliance by the Grantee with its obligations under this Agreement.

Milestone	Anticipated date	Amount (excl. GST)	GST	Total (incl. GST)
Payment for the period 1 July 2018 - 30 September 2018 for the Activity described in Item B. Grant Activity	1 July 2018	$34,848.50	$0.00	$34,848.50
Payment for the period 1 October 2018 - 31 December 2018 for the Activity described in Item B. Grant Activity	1 October 2018	$34,848.50	$0.00	$34,848.50

Payment for the period 1 January 2019 - 31 March 2019 for the Activity described in Item B. Grant Activity	1 January 2019	$34,848.50	$0.00	$34,848.50
Indexation 2018-19 back payment	1 April 2019	$1,568.19	$0.00	$1,568.19
Payment for the period 1 April 2019 - 30 June 2019 for the Activity described in Item B. Grant Activity	1 April 2019	$35,371.20	$0.00	$35,371.20
Payment for the period 1 July 2019 - 30 September 2019 for the Activity described in Item B. Grant Activity	1 July 2019	$35,371.22	$0.00	$35,371.22
Payment for the period 1 October 2019 - 31 December 2019 for the Activity described in Item B. Grant Activity	1 October 2019	$35,371.22	$0.00	$35,371.22
Indexation 2019-20 back payment	1 October 2019	$1,061.13	$0.00	$1,061.13
Payment for the period 1 January 2020 - 31 March 2020 for the Activity described in Item B. Grant Activity	1 January 2020	$35,901.79	$0.00	$35,901.79
Payment for the period 1 April 2020 - 30 June 2020 for the Activity described in Item B. Grant Activity	1 April 2020	$35,901.80	$0.00	$35,901.80
Payment for the period 1 July 2020 - 30 September 2020 for the Activity described in Item B. Grant Activity	4 July 2020	$36,440.32	$0.00	$36,440.32
Payment for the period 1 October 2020 - 31 December 2020 for the Activity described in Item B. Grant Activity	4 October 2020	$36,440.32	$0.00	$36,440.32
Payment for the period 1 January 2021 - 31 March 2021 for the Activity described in Item B. Grant Activity	4 January 2021	$36,440.32	$0.00	$36,440.32
Payment for the period 1 April 2021 - 30 June 2021 for the Activity described in Item B. Grant Activity	4 April 2021	$36,440.31	$0.00	$36,440.31
Payment for the period 1 July 2021 - 30 September 2021 for the Activity described in Item B. Grant Activity	4 July 2021	$37,059.80	$0.00	$37,059.80

Payment for the period 1 October 2021 - 31 December 2021 for the Activity described in Item B. Grant Activity	4 October 2021	$37,059.80	$0.00	$37,059.80
Payment for the period 1 January 2022 - 31 March 2022 for the Activity described in Item B. Grant Activity	4 January 2022	$37,059.80	$0.00	$37,059.80
Payment for the period 1 April 2022 - 30 June 2022 for the Activity described in Item B. Grant Activity	4 April 2022	$37,059.81	$0.00	$37,059.81
Payment in advance for performance of Activity described in Item B for period 1 July 2022 - 31 July 2022	4 July 2022	$12,548.60	$0.00	$12,548.60
Payment in arrears for performance of Activity described in Item B for period 1 August 2022 - 31 August 2022	31 August 2022	$12,548.60	$0.00	$12,548.60
Payment in arrears for performance of Activity described in Item B for period 1 September 2022 - 30 September 2022	30 September 2022	$12,548.60	$0.00	$12,548.60
Payment in arrears for performance of Activity described in Item B for period 1 October 2022 - 31 October 2022	31 October 2022	$12,548.60	$0.00	$12,548.60
Payment in arrears for performance of Activity described in Item B for period 1 November 2022- 30 November 2022	30 November 2022	$12,533.55	$0.00	$12,533.55
Payment in arrears for performance of Activity described in Item B for period 1 December 2022 - 31 December 2022	31 December 2022	$12,533.55	$0.00	$12,533.55
Payment in arrears for performance of Activity described in Item B for period 1 January 2023 - 31 January 2023	31 January 2023	$12,533.55	$0.00	$12,533.55

Payment in arrears for performance of Activity described in Item B for period 1 March 2023 - 31 March 2023	14 February 2023	$12,533.55	$0.00	$12,533.55
Payment in arrears for performance of Activity described in Item B for period 1 February 2023 - 28 February 2023	14 February 2023	$12,533.55	$0.00	$12,533.55
Payment in arrears for performance of Activity described in Item B for period 1 April 2023 - 30 April 2023	30 April 2023	$12,533.55	$0.00	$12,533.55
Payment in arrears for performance of Activity described in Item B for period 1 May 2023 - 31 May 2023	31 May 2023	$12,533.55	$0.00	$12,533.55
Payment in arrears for performance of Activity described in Item B for period 1 June 2023 - 30 June 2023	30 June 2023	$12,533.55	$0.00	$12,533.55
Payment in arrears for performance of Activity described in Item B for period 1 July 2023 - 31 July 2023	24 July 2023	$13,465.96	$0.00	$13,465.96
Payment in arrears for performance of Activity described in Item B for period 1 November 2023- 30 November 2023	24 July 2023	$13,449.82	$0.00	$13,449.82
Payment in arrears for performance of Activity described in Item B for period 1 August 2023 - 31 August 2023	24 July 2023	$13,465.96	$0.00	$13,465.96
Payment in arrears for performance of Activity described in Item B for period 1 October 2023 - 31 October 2023	24 July 2023	$13,465.96	$0.00	$13,465.96

Payment in arrears for performance of Activity described in Item B for period 1 September 2023 - 30 September 2023	24 July 2023	$13,465.96	$0.00	$13,465.96
Payment in arrears for performance of Activity described in Item B for period 1 December 2023 - 31 December 2023	24 July 2023	$13,449.82	$0.00	$13,449.82
Payment in arrears for performance of Activity described in Item B for period 1 February 2024 - 29 February 2024	24 November 2023	$13,449.82	$0.00	$13,449.82
Payment in arrears for performance of Activity described in Item B for period 1 March 2024 - 31 March 2024	24 November 2023	$13,449.82	$0.00	$13,449.82
Payment in arrears for performance of Activity described in Item B for period 1 January 2024 - 31 January 2024	24 November 2023	$13,449.82	$0.00	$13,449.82
Payment in arrears for performance of Activity described in Item B for period 1 April 2024 - 30 April 2024	24 November 2023	$13,449.82	$0.00	$13,449.82
Payment in arrears for performance of Activity described in Item B for period 1 May 2024 - 31 May 2024	24 November 2023	$13,449.82	$0.00	$13,449.82
Payment in arrears for performance of Activity described in Item B for period 1 June 2024 - 30 June 2024	30 June 2024	$13,449.82	$0.00	$13,449.82
Payment in arrears for performance of Activity described in Item B for period 1 July 2024 - 31 July 2024	31 July 2024	$13,937.27	$0.00	$13,937.27

Payment in arrears for performance of Activity described in Item B for period 1 August 2024 - 31 August 2024	31 August 2024	$13,937.27	$0.00	$13,937.27
Payment in arrears for performance of Activity described in Item B for period 1 September 2024 - 30 September 2024	30 September 2024	$13,937.27	$0.00	$13,937.27
Payment in arrears for performance of Activity described in Item B for period 1 October 2024 - 31 October 2024	31 October 2024	$13,937.27	$0.00	$13,937.27
Payment in arrears for performance of Activity described in Item B for period 1 November 2024- 30 November 2024	30 November 2024	$13,920.56	$0.00	$13,920.56
Payment in arrears for performance of Activity described in Item B for period 1 December 2024 - 31 December 2024	31 December 2024	$13,920.56	$0.00	$13,920.56
Payment in arrears for performance of Activity described in Item B for period 1 January 2025 - 31 January 2025	31 January 2025	$13,920.56	$0.00	$13,920.56
Payment in arrears for performance of Activity described in Item B for period 1 February 2025 - 28 February 2025	28 February 2025	$13,920.56	$0.00	$13,920.56
Payment in arrears for performance of Activity described in Item B for period 1 March 2025 - 31 March 2025	31 March 2025	$13,920.56	$0.00	$13,920.56
Payment in arrears for performance of Activity described in Item B for period 1 April 2025 - 30 April 2025	30 April 2025	$13,920.56	$0.00	$13,920.56

Payment in arrears for performance of Activity described in Item B for period 1 May 2025 - 31 May 2025	31 May 2025	$13,920.56	$0.00	$13,920.56
Payment in arrears for performance of Activity described in Item B for period 1 June 2025 - 30 June 2025	30 June 2025	$13,920.58	$0.00	$13,920.58
Total Amount		**$1,058,131.31**	**$0.00**	**$1,058,131.31**

Invoicing

The Grantee agrees to allow the Commonwealth to issue it with a Recipient Created Tax Invoice (RCTI) for any taxable supplies it makes it relation to the Activity.

Taxes, duties and government charges

Refer to Clause 9. Taxes, duties and government charges.

E. Reporting

The Grantee agrees to create the following reports in the form specified and to provide the reports to the Commonwealth representative in accordance with the following.

Milestone	Information to be included	Due Date
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2018 to 30 September 2018 as described in item E.1 Performance Reports.	31 October 2018
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2018 to 31 December 2018 as described in Item E.1 Performance Reports.	30 January 2019
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2019 to 30 June 2019 as described in Item E.1 Performance Reports.	30 July 2019
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 October 2018 to 30 June 2019 as described in Item E.1 Performance Reports.	31 October 2019
DOH Acquittal Other	As described in item E.4 Accounting for the Grant.	31 October 2019
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2019 to 31 December 2019 as described in Item E.1 Performance Reports.	30 January 2020
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2020 to 30 June 2020 as described in Item E.1 Performance Reports.	30 July 2020

Other Report	Unspent funds stocktake for 2019/20 financial year	7 August 2020
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2019 to 30 June 2020 as described in Item E.1 Performance Reports.	30 November 2020
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2020 to 31 December 2020 as described in Item E.1 Performance Reports.	30 January 2021
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2021 to 30 June 2021 as described in Item E.1 Performance Reports.	30 July 2021
Financial Acquittal Report	As described in item E.4 Accounting for the Grant.	30 July 2021
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2020 to 30 June 2021 as described in item E.1 Performance Reports.	31 October 2021
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2021 to 31 December 2021 as described in Item E.1 Performance Reports.	28 February 2022
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2022 to 30 June 2022 as described in Item E.1 Performance Reports.	30 July 2022
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	30 July 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2022 to 30 July 2022 as described in Item E.1 Performance Reports.	14 August 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 August 2022 to 31 August 2022 as described in Item E.1 Performance Reports.	14 September 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 September 2022 to 30 September 2022 as described in Item E.1 Performance Reports.	14 October 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 October 2022 to 31 October 2022 as described in Item E.1 Performance Reports.	14 November 2022
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2021 to 30 June 2022 as described in Item E.1 Performance Reports.	30 November 2022

Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 November 2022 to 30 November 2022 as described in Item E.1 Performance Reports.	14 December 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 December 2022 to 31 December 2022 as described in Item E.1 Performance Reports.	14 January 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2023 to 31 January 2023 as described in Item E.1 Performance Reports.	14 February 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 February 2023 to 28 February 2023 as described in Item E.1 Performance Reports.	14 March 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 March 2023 to 31 March 2023 as described in Item E.1 Performance Reports.	14 April 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 April 2023 to 30 April 2023 as described in Item E.1 Performance Reports.	14 May 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 May 2023 to 31 May 2023 as described in Item E.1 Performance Reports.	14 June 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 June 2023 to 30 June 2023 as described in Item E.1 Performance Reports.	14 July 2023
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2022 to 30 June 2023 as described in Item E.1 Performance Reports.	31 July 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2023 to 31 July 2023 as described in Item E.1 Performance Reports.	14 August 2023
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	31 August 2023

Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 August 2023 to 31 August 2023 as described in Item E.1 Performance Reports.	14 September 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 September 2023 to 30 September 2023 as described in Item E.1 Performance Reports.	14 October 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 October 2023 to 31 October 2023 as described in Item E.1 Performance Reports.	14 November 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 November 2023 to 30 November 2023 as described in Item E.1 Performance Reports.	14 December 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 December 2023 to 31 December 2023 as described in Item E.1 Performance Reports.	14 January 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2024 to 31 January 2024 as described in Item E.1 Performance Reports.	14 February 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 February 2024 to 29 February 2024 as described in Item E.1 Performance Reports.	14 March 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 March 2024 to 31 March 2024 as described in Item E.1 Performance Reports.	14 April 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 April 2024 to 30 April 2024 as described in Item E.1 Performance Reports.	14 May 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 May 2024 to 31 May 2024 as described in Item E.1 Performance Reports.	14 June 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 June 2024 to 30 June 2024 as described in Item E.1 Performance Reports.	14 July 2024
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2023 to 30 June 2024 as described in Item E.1 Performance Reports.	31 July 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2024 to 31 July 2024 as described in Item E.1 Performance Reports.	14 August 2024
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	31 August 2024

Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 August 2024 to 31 August 2024 as described in Item E.1 Performance Reports.	14 September 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 September 2024 to 30 September 2024 as described in Item E.1 Performance Reports.	14 October 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 October 2024 to 31 October 2024 as described in Item E.1 Performance Reports.	14 November 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 November 2024 to 30 November 2024 as described in Item E.1 Performance Reports.	14 December 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 December 2024 to 31 December 2024 as described in Item E.1 Performance Reports.	14 January 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2025 to 31 January 2025 as described in Item E.1 Performance Reports.	14 February 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 February 2025 to 28 February 2025 as described in Item E.1 Performance Reports.	14 March 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 March 2025 to 31 March 2025 as described in Item E.1 Performance Reports.	14 April 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 April 2025 to 30 April 2025 as described in Item E.1 Performance Reports.	14 May 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 May 2025 to 31 May 2025 as described in Item E.1 Performance Reports.	14 June 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 June 2025 to 30 June 2025 as described in Item E.1 Performance Reports.	14 July 2025

Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2024 to 30 June 2025 as described in Item E.1 Performance Reports.	31 July 2025
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	31 August 2025

E.1 Performance Reports

The Grantee must provide client level data and service delivery information for all Activities described in Item B. Grant Activity (except for Sector Support and Development - Service System Development Activities) in accordance with the Data Exchange Protocols.

The Grantee must provide the data required within the Data Exchange Protocols through an approved mechanism as outlined in the Data Exchange Protocols.

The Grantee is required to finalise the submission of data within the Data Exchange by the due date set out at Item E.

For Sector Support and Development - Service System Development Activities, the Grantee must report progress in accordance with the Activity Work Plan in the format notified, referred or made available by the Commonwealth to the Grantee (including by reference to an internet site). The Grantee is required to submit reports by the applicable due date set out at Item E.

The Commonwealth will monitor activity levels as reported in the Data Exchange and in proportion to expected service levels according to the Activity Work Plan and may adjust payments (outlined in Item D) according to achieved service delivery levels. Any variation to the payment amount or schedule will only arise if the Commonwealth notifies the Grantee.

Wellness and Reablement Reports

The Grantee must provide service level information to the Commonwealth on wellness and reablement approaches being implemented by the Grantee as part of the Activities described in Item B Grant Activity. The service level information must be provided in accordance with the report template nominated by the Commonwealth.

The Grantee is required to provide a wellness and reablement report by the applicable due date set out at Item E.

For Sector Support and Development - Service System Development Activities, the Wellness and Reablement report is not a requirement.

E.2 Activity Work Plan

The Grantee agrees that its performance will be measured against the attached Activity Work Plan.

E.3 Annual Report

Not applicable

E.4 Accounting for the Grant

The Grantee must provide a financial declaration for each financial year of this Agreement. A financial declaration is a certification from the Grantee which:

- states that all grant funds were spent for the purpose as outlined in the Agreement; and
- declares the amount of unspent Grant funds.

The financial declaration must be certified by the Grantee's board, the chief executive officer or an officer with the authority to do so verifying the funds have been spent on the Activity in accordance with the Grant Agreement. If SACS supplementation has been paid, confirmation must be provided that the funding was

spent in accordance with Clause cb21.

The Grantee is required to provide a financial declaration by the applicable due date at Item E.

E.5 Other Reports

The Grantee must provide assistance and information to the Commonwealth as reasonably required by the Commonwealth, including but not limited to data on existing clients not registered on My Aged Care in the format notified, referred or made available by the Commonwealth in the timeframe specified by the Commonwealth.

F. Party representatives and address for notices

Grantee's representative and address

Grantee's representative name	Mrs Courtney Dswonitzky
Position	Coordinator
Postal/physical address(es)	The Barossa Council, 43-51 Tanunda Road, NURIOOTPA, SA, 5355
Business hours telephone	08 8563 8411
Mobile	
Fax	
E-mail	cdswonitzky@barossa.sa.gov.au

Commonwealth representative and address

Name of representative	Khalida Saud
Position	CGH Grant User
Postal/physical address(es)	Department of Health and Aged Care GPO Box 9848 CANBERRA ACT 2601
Business hours telephone	08 8318 2741
Mobile	Not specified
Fax	Not specified
E-mail	SAperformanceHealth@communitygrants.gov.au

The Parties' representatives will be responsible for liaison and the day-to-day management of the Grant, as well as accepting and issuing any written notices in relation to the Grant.

G. Activity Material

Activity Material means any material, other than Reporting Material, created or developed by the Grantee as a result of the Activity and includes any Existing Material that is incorporated in or supplied with the Activity Material.

None specified

Home Maintenance - Community and Home Support - 4-7W49GUW

B. Grant Activity

Objective

To provide home maintenance services that assist clients to maintain their home in a safe and habitable condition. Maintenance services provided must be linked to assisting clients to maintain their independence, safety, accessibility and health and wellbeing within the home environment. Maintenance services can also assist in creating a home environment that facilitates a client's reablement goals.

Description

The Grantee agrees to carry out the Activity as described in the Program Manual to eligible clients identified for this Activity in accordance with the Activity Work Plan (Item E.2) and the CHSP Program Manual (https://www.health.gov.au/resources/publications/commonwealth-home-support-programme-chsp-manual)

The Grantee agrees to participate in program development activity as reasonably requested by the Commonwealth.

Any variation to the payment amount or schedule will only arise if the Commonwealth notifies the Grantee otherwise. The Grantee is responsible for sustainably managing its service delivery and number of clients.

Grantees are contracted to deliver a specific number of outputs and any decision to exceed the agreed outputs is taken at the Grantee's own risk and cost.

The Activity period for the grant is until 30 June 2025. Providers must not carry out any Activities, using this funding, after this date. The Activity Completion date of 31 July 2025 is to enable any payment to be made for services delivered in June 2025.

Payments are made for activities that comply with requirements outlined in the Program Manual.

Performance Indicators

The Activity will be measured against the following Performance Indicator/s:

Performance Indicator Description	Measure
As described in the Activity Work Plan	As described in the Activity Work Plan and Item E. Reporting

Location Information

The Activity will be delivered from the following site location/s:

	Location Type	Name	Address
1	Direct Funded	The Barossa Council	The Barossa Council 43-51 Tanunda Road NURIOOTPA SA 5355

Service Area Information

The Activity will service the following service area/s:

	Type	Service Area
1	Aged Care Planning Region (2015)	Yorke, Lower North & Barossa

C. Duration of the Grant

The Activity starts on 1 July 2018.

The Activity (other than the provision of any final reports) ends on 31 July 2025, which is the Activity's Completion Date.

The Agreement ends on 31 October 2025 or when the Grantee has provided all of the reports and repaid any Grant amount as required under this Agreement.

D. Payment of the Grant

The total amount of the Grant is $1,323,993.81* (GST exclusive).

A break down by Financial Year is below:

Financial Year	**Amount * (excl. GST)**
2018-2019	$151,764.67
2019-2020	$176,040.01
2020-2021	$189,572.44
2021-2022	$192,795.17
2022-2023	$195,687.10
2023-2024	$205,471.46
2024-2025	$212,662.96

*This amount may include Social, Community, Home Care and Disability Services Industry Award 2010 Supplementation (SACS).

The Grantee must ensure that the Grant is held in an account in the Grantee's name and which the Grantee controls, with an authorised deposit-taking institution authorised under the Banking Act 1959 (Cth) to carry on banking business in Australia.

The Grantee's nominated bank account into which the Grant is to be paid is:

BSB Number	085-005
Financial Institution	Adelaide Ground Level 22-28 King William St NAB
Account Number	393831998
Account Name	The Barossa Council

The Grant will be paid in instalments by the Commonwealth in accordance with the agreed Milestones, and compliance by the Grantee with its obligations under this Agreement.

Milestone	**Anticipated date**	**Amount (excl. GST)**	**GST**	**Total (incl. GST)**
Payment for the period 1 July 2018 - 30 September 2018 for the Activity described in Item B. Grant Activity	1 July 2018	$32,046.67	$0.00	$32,046.67
Payment for the period 1 October 2018 - 31 December 2018 for the Activity described in Item B. Grant Activity	1 October 2018	$32,046.67	$0.00	$32,046.67

Payment for the period 1 January 2019 - 31 March 2019 for the Activity described in Item B. Grant Activity	1 January 2019	$32,046.67	$0.00	$32,046.67
Additional Growth Round Payment for the period 1 July 2018 - 31 March 2019 for the Activity described in Item B. Grant Activity	1 January 2019	$16,001.37	$0.00	$16,001.37
Payment for the period 1 April 2019 - 30 June 2019 for the Activity described in Item B. Grant Activity	1 April 2019	$32,527.37	$0.00	$32,527.37
Additional Growth Round Payment for the period 1 April 2019 - 30 June 2019 for the Activity described in Item B. Grant Activity	1 April 2019	$5,413.79	$0.00	$5,413.79
Indexation 2018-19 back payment	1 April 2019	$1,682.13	$0.00	$1,682.13
Payment for the period 1 July 2019 - 30 September 2019 for the Activity described in Item B. Grant Activity	1 July 2019	$37,941.16	$0.00	$37,941.16
Payment for the period 1 October 2019 - 31 December 2019 for the Activity described in Item B. Grant Activity	1 October 2019	$37,941.16	$0.00	$37,941.16
Indexation 2019-20 back payment	1 October 2019	$1,138.23	$0.00	$1,138.23
Payment for the period 1 January 2020 - 31 March 2020 for the Activity described in Item B. Grant Activity	1 January 2020	$49,509.73	$0.00	$49,509.73
Payment for the period 1 April 2020 - 30 June 2020 for the Activity described in Item B. Grant Activity	1 April 2020	$49,509.73	$0.00	$49,509.73
Payment for the period 1 July 2020 - 30 September 2020 for the Activity described in Item B. Grant Activity	4 July 2020	$47,393.11	$0.00	$47,393.11
Payment for the period 1 October 2020 - 31 December 2020 for the Activity described in Item B. Grant Activity	4 October 2020	$47,393.11	$0.00	$47,393.11

Payment for the period 1 January 2021 - 31 March 2021 for the Activity described in Item B. Grant Activity	4 January 2021	$47,393.11	$0.00	$47,393.11
Payment for the period 1 April 2021 - 30 June 2021 for the Activity described in Item B. Grant Activity	4 April 2021	$47,393.11	$0.00	$47,393.11
Payment for the period 1 July 2021 - 30 September 2021 for the Activity described in Item B. Grant Activity	4 July 2021	$48,198.79	$0.00	$48,198.79
Payment for the period 1 October 2021 - 31 December 2021 for the Activity described in Item B. Grant Activity	4 October 2021	$48,198.79	$0.00	$48,198.79
Payment for the period 1 January 2022 - 31 March 2022 for the Activity described in Item B. Grant Activity	4 January 2022	$48,198.79	$0.00	$48,198.79
Payment for the period 1 April 2022 - 30 June 2022 for the Activity described in Item B. Grant Activity	4 April 2022	$48,198.80	$0.00	$48,198.80
Payment in advance for performance of Activity described in Item B for period 1 July 2022 - 31 July 2022	4 July 2022	$16,320.30	$0.00	$16,320.30
Payment in arrears for performance of Activity described in Item B for period 1 August 2022 - 31 August 2022	31 August 2022	$16,320.30	$0.00	$16,320.30
Payment in arrears for performance of Activity described in Item B for period 1 September 2022 - 30 September 2022	30 September 2022	$16,320.30	$0.00	$16,320.30
Payment in arrears for performance of Activity described in Item B for period 1 October 2022 - 31 October 2022	31 October 2022	$16,320.30	$0.00	$16,320.30

Payment in arrears for performance of Activity described in Item B for period 1 November 2022-30 November 2022	30 November 2022	$16,300.74	$0.00	$16,300.74
Payment in arrears for performance of Activity described in Item B for period 1 December 2022 - 31 December 2022	31 December 2022	$16,300.74	$0.00	$16,300.74
Payment in arrears for performance of Activity described in Item B for period 1 January 2023 - 31 January 2023	31 January 2023	$16,300.74	$0.00	$16,300.74
Payment in arrears for performance of Activity described in Item B for period 1 March 2023 - 31 March 2023	14 February 2023	$16,300.74	$0.00	$16,300.74
Payment in arrears for performance of Activity described in Item B for period 1 February 2023 - 28 February 2023	14 February 2023	$16,300.74	$0.00	$16,300.74
Payment in arrears for performance of Activity described in Item B for period 1 April 2023 - 30 April 2023	30 April 2023	$16,300.74	$0.00	$16,300.74
Payment in arrears for performance of Activity described in Item B for period 1 May 2023 - 31 May 2023	31 May 2023	$16,300.74	$0.00	$16,300.74
Payment in arrears for performance of Activity described in Item B for period 1 June 2023 - 30 June 2023	30 June 2023	$16,300.72	$0.00	$16,300.72
Payment in arrears for performance of Activity described in Item B for period 1 December 2023 - 31 December 2023	24 July 2023	$17,115.77	$0.00	$17,115.77

Payment in arrears for performance of Activity described in Item B for period 1 September 2023 - 30 September 2023	24 July 2023	$17,136.32	$0.00	$17,136.32
Payment in arrears for performance of Activity described in Item B for period 1 November 2023-30 November 2023	24 July 2023	$17,115.77	$0.00	$17,115.77
Payment in arrears for performance of Activity described in Item B for period 1 October 2023 - 31 October 2023	24 July 2023	$17,136.32	$0.00	$17,136.32
Payment in arrears for performance of Activity described in Item B for period 1 August 2023 - 31 August 2023	24 July 2023	$17,136.32	$0.00	$17,136.32
Payment in arrears for performance of Activity described in Item B for period 1 July 2023 - 31 July 2023	24 July 2023	$17,136.32	$0.00	$17,136.32
Payment in arrears for performance of Activity described in Item B for period 1 January 2024 - 31 January 2024	24 November 2023	$17,115.77	$0.00	$17,115.77
Payment in arrears for performance of Activity described in Item B for period 1 May 2024 - 31 May 2024	24 November 2023	$17,115.77	$0.00	$17,115.77
Payment in arrears for performance of Activity described in Item B for period 1 March 2024 - 31 March 2024	24 November 2023	$17,115.77	$0.00	$17,115.77
Payment in arrears for performance of Activity described in Item B for period 1 February 2024 - 29 February 2024	24 November 2023	$17,115.77	$0.00	$17,115.77

Payment in arrears for performance of Activity described in Item B for period 1 April 2024 - 30 April 2024	24 November 2023	$17,115.77	$0.00	$17,115.77
Payment in arrears for performance of Activity described in Item B for period 1 June 2024 - 30 June 2024	30 June 2024	$17,115.79	$0.00	$17,115.79
Payment in arrears for performance of Activity described in Item B for period 1 July 2024 - 31 July 2024	31 July 2024	$17,736.09	$0.00	$17,736.09
Payment in arrears for performance of Activity described in Item B for period 1 August 2024 - 31 August 2024	31 August 2024	$17,736.09	$0.00	$17,736.09
Payment in arrears for performance of Activity described in Item B for period 1 September 2024 - 30 September 2024	30 September 2024	$17,736.09	$0.00	$17,736.09
Payment in arrears for performance of Activity described in Item B for period 1 October 2024 - 31 October 2024	31 October 2024	$17,736.09	$0.00	$17,736.09
Payment in arrears for performance of Activity described in Item B for period 1 November 2024- 30 November 2024	30 November 2024	$17,714.82	$0.00	$17,714.82
Payment in arrears for performance of Activity described in Item B for period 1 December 2024 - 31 December 2024	31 December 2024	$17,714.82	$0.00	$17,714.82
Payment in arrears for performance of Activity described in Item B for period 1 January 2025 - 31 January 2025	31 January 2025	$17,714.82	$0.00	$17,714.82

Payment in arrears for performance of Activity described in Item B for period 1 February 2025 - 28 February 2025	28 February 2025	$17,714.82	$0.00	$17,714.82
Payment in arrears for performance of Activity described in Item B for period 1 March 2025 - 31 March 2025	31 March 2025	$17,714.82	$0.00	$17,714.82
Payment in arrears for performance of Activity described in Item B for period 1 April 2025 - 30 April 2025	30 April 2025	$17,714.82	$0.00	$17,714.82
Payment in arrears for performance of Activity described in Item B for period 1 May 2025 - 31 May 2025	31 May 2025	$17,714.82	$0.00	$17,714.82
Payment in arrears for performance of Activity described in Item B for period 1 June 2025 - 30 June 2025	30 June 2025	$17,714.86	$0.00	$17,714.86
Total Amount		**$1,323,993.81**	**$0.00**	**$1,323,993.81**

Invoicing

The Grantee agrees to allow the Commonwealth to issue it with a Recipient Created Tax Invoice (RCTI) for any taxable supplies it makes it relation to the Activity.

Taxes, duties and government charges

Refer to Clause 9. Taxes, duties and government charges.

E. Reporting

The Grantee agrees to create the following reports in the form specified and to provide the reports to the Commonwealth representative in accordance with the following.

Milestone	Information to be included	Due Date
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2018 to 30 September 2018 as described in item E.1 Performance Reports.	31 October 2018
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2018 to 31 December 2018 as described in Item E.1 Performance Reports.	30 January 2019

Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2019 to 30 June 2019 as described in Item E.1 Performance Reports.	30 July 2019
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 October 2018 to 30 June 2019 as described in Item E.1 Performance Reports.	31 October 2019
DOH Acquittal Other	As described in item E.4 Accounting for the Grant.	31 October 2019
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2019 to 31 December 2019 as described in Item E.1 Performance Reports.	30 January 2020
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2020 to 30 June 2020 as described in Item E.1 Performance Reports.	30 July 2020
Other Report	Unspent funds stocktake for 2019/20 financial year	7 August 2020
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2019 to 30 June 2020 as described in Item E.1 Performance Reports.	30 November 2020
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2020 to 31 December 2020 as described in Item E.1 Performance Reports.	30 January 2021
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2021 to 30 June 2021 as described in Item E.1 Performance Reports.	30 July 2021
Financial Acquittal Report	As described in item E.4 Accounting for the Grant.	30 July 2021
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2020 to 30 June 2021 as described in item E.1 Performance Reports.	31 October 2021
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2021 to 31 December 2021 as described in Item E.1 Performance Reports.	28 February 2022
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2022 to 30 June 2022 as described in Item E.1 Performance Reports.	30 July 2022
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	30 July 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2022 to 30 July 2022 as described in Item E.1 Performance Reports.	14 August 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 August 2022 to 31 August 2022 as described in Item E.1 Performance Reports.	14 September 2022

Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 September 2022 to 30 September 2022 as described in Item E.1 Performance Reports.	14 October 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 October 2022 to 31 October 2022 as described in Item E.1 Performance Reports.	14 November 2022
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2021 to 30 June 2022 as described in Item E.1 Performance Reports.	30 November 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 November 2022 to 30 November 2022 as described in Item E.1 Performance Reports.	14 December 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 December 2022 to 31 December 2022 as described in Item E.1 Performance Reports.	14 January 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2023 to 31 January 2023 as described in Item E.1 Performance Reports.	14 February 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 February 2023 to 28 February 2023 as described in Item E.1 Performance Reports.	14 March 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 March 2023 to 31 March 2023 as described in Item E.1 Performance Reports.	14 April 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 April 2023 to 30 April 2023 as described in Item E.1 Performance Reports.	14 May 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 May 2023 to 31 May 2023 as described in Item E.1 Performance Reports.	14 June 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 June 2023 to 30 June 2023 as described in Item E.1 Performance Reports.	14 July 2023

Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2022 to 30 June 2023 as described in Item E.1 Performance Reports.	31 July 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2023 to 31 July 2023 as described in Item E.1 Performance Reports.	14 August 2023
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	31 August 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 August 2023 to 31 August 2023 as described in Item E.1 Performance Reports.	14 September 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 September 2023 to 30 September 2023 as described in Item E.1 Performance Reports.	14 October 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 October 2023 to 31 October 2023 as described in Item E.1 Performance Reports.	14 November 2023
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Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 December 2023 to 31 December 2023 as described in Item E.1 Performance Reports.	14 January 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2024 to 31 January 2024 as described in Item E.1 Performance Reports.	14 February 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 February 2024 to 29 February 2024 as described in Item E.1 Performance Reports.	14 March 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 March 2024 to 31 March 2024 as described in Item E.1 Performance Reports.	14 April 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 April 2024 to 30 April 2024 as described in Item E.1 Performance Reports.	14 May 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 May 2024 to 31 May 2024 as described in Item E.1 Performance Reports.	14 June 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 June 2024 to 30 June 2024 as described in Item E.1 Performance Reports.	14 July 2024

Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2023 to 30 June 2024 as described in Item E.1 Performance Reports.	31 July 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2024 to 31 July 2024 as described in Item E.1 Performance Reports.	14 August 2024
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	31 August 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 August 2024 to 31 August 2024 as described in Item E.1 Performance Reports.	14 September 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 September 2024 to 30 September 2024 as described in Item E.1 Performance Reports.	14 October 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 October 2024 to 31 October 2024 as described in Item E.1 Performance Reports.	14 November 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 November 2024 to 30 November 2024 as described in Item E.1 Performance Reports.	14 December 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 December 2024 to 31 December 2024 as described in Item E.1 Performance Reports.	14 January 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2025 to 31 January 2025 as described in Item E.1 Performance Reports.	14 February 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 February 2025 to 28 February 2025 as described in Item E.1 Performance Reports.	14 March 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 March 2025 to 31 March 2025 as described in Item E.1 Performance Reports.	14 April 2025

Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 April 2025 to 30 April 2025 as described in Item E.1 Performance Reports.	14 May 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 May 2025 to 31 May 2025 as described in Item E.1 Performance Reports.	14 June 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 June 2025 to 30 June 2025 as described in Item E.1 Performance Reports.	14 July 2025
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2024 to 30 June 2025 as described in Item E.1 Performance Reports.	31 July 2025
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	31 August 2025

E.1 Performance Reports

The Grantee must provide client level data and service delivery information for all Activities described in Item B. Grant Activity (except for Sector Support and Development - Service System Development Activities) in accordance with the Data Exchange Protocols.

The Grantee must provide the data required within the Data Exchange Protocols through an approved mechanism as outlined in the Data Exchange Protocols.

The Grantee is required to finalise the submission of data within the Data Exchange by the due date set out at Item E.

For Sector Support and Development - Service System Development Activities, the Grantee must report progress in accordance with the Activity Work Plan in the format notified, referred or made available by the Commonwealth to the Grantee (including by reference to an internet site). The Grantee is required to submit reports by the applicable due date set out at Item E.

The Commonwealth will monitor activity levels as reported in the Data Exchange and in proportion to expected service levels according to the Activity Work Plan and may adjust payments (outlined in Item D) according to achieved service delivery levels. Any variation to the payment amount or schedule will only arise if the Commonwealth notifies the Grantee.

Wellness and Reablement Reports

The Grantee must provide service level information to the Commonwealth on wellness and reablement approaches being implemented by the Grantee as part of the Activities described in Item B Grant Activity. The service level information must be provided in accordance with the report template nominated by the Commonwealth.

The Grantee is required to provide a wellness and reablement report by the applicable due date set out at Item E.

For Sector Support and Development - Service System Development Activities, the Wellness and Reablement report is not a requirement.

E.2 Activity Work Plan

The Grantee agrees that its performance will be measured against the attached Activity Work Plan.

E.3 Annual Report

Not applicable

E.4 Accounting for the Grant

The Grantee must provide a financial declaration for each financial year of this Agreement. A financial declaration is a certification from the Grantee which:

- states that all grant funds were spent for the purpose as outlined in the Agreement; and
- declares the amount of unspent Grant funds.

The financial declaration must be certified by the Grantee's board, the chief executive officer or an officer with the authority to do so verifying the funds have been spent on the Activity in accordance with the Grant Agreement. If SACS supplementation has been paid, confirmation must be provided that the funding was spent in accordance with Clause cb21.

The Grantee is required to provide a financial declaration by the applicable due date at Item E.

E.5 Other Reports

The Grantee must provide assistance and information to the Commonwealth as reasonably required by the Commonwealth, including but not limited to data on existing clients not registered on My Aged Care in the format notified, referred or made available by the Commonwealth in the timeframe specified by the Commonwealth.

F. Party representatives and address for notices

Grantee's representative and address

Grantee's representative name	Mrs Courtney Dswonitzky
Position	Coordinator
Postal/physical address(es)	The Barossa Council, 43-51 Tanunda Road, NURIOOTPA, SA, 5355
Business hours telephone	08 8563 8411
Mobile	
Fax	
E-mail	cdswonitzky@barossa.sa.gov.au

Commonwealth representative and address

Name of representative	Khalida Saud
Position	CGH Grant User
Postal/physical address(es)	Department of Health and Aged Care GPO Box 9848 CANBERRA ACT 2601
Business hours telephone	08 8318 2741
Mobile	Not specified
Fax	Not specified
E-mail	SAperformanceHealth@communitygrants.gov.au

The Parties' representatives will be responsible for liaison and the day-to-day management of the Grant, as well as accepting and issuing any written notices in relation to the Grant.

G. Activity Material

Activity Material means any material, other than Reporting Material, created or developed by the Grantee as a result of the Activity and includes any Existing Material that is incorporated in or supplied with the Activity Material.

None specified

Home Modifications - Community and Home Support - 4-7W49GXL

B. Grant Activity

Objective

To provide home modifications that increase or maintain levels of independence, safety, accessibility and wellbeing. Modification services can also assist in creating a home environment that supports reablement and restorative practices.

Description

The Grantee agrees to carry out the Activity as described in the Program Manual to eligible clients identified for this Activity in accordance with the Activity Work Plan (Item E.2) and the CHSP Program Manual (https://www.health.gov.au/resources/publications/commonwealth-home-support-programme-chsp-manual)

The Grantee agrees to participate in program development activity as reasonably requested by the Commonwealth.

Any variation to the payment amount or schedule will only arise if the Commonwealth notifies the Grantee otherwise. The Grantee is responsible for sustainably managing its service delivery and number of clients.

The Activity period for the grant is until 30 June 2025. Providers must not carry out any Activities, using this funding, after this date. The Activity Completion date of 31 July 2025 is to enable any payment to be made for services delivered in June 2025.

Payments are made for activities that comply with requirements outlined in the Program Manual.

Performance Indicators

The Activity will be measured against the following Performance Indicator/s:

Performance Indicator Description	Measure
As described in the Activity Work Plan	As described in the Activity Work Plan and Item E. Reporting

Location Information

The Activity will be delivered from the following site location/s:

	Location Type	Name	Address
1	Direct Funded	The Barossa Council	The Barossa Council 43-51 Tanunda Road NURIOOTPA SA 5355

Service Area Information

The Activity will service the following service area/s:

	Type	Service Area
1	Aged Care Planning Region (2015)	Yorke, Lower North & Barossa

C. Duration of the Grant

The Activity starts on 1 July 2018.

The Activity (other than the provision of any final reports) ends on 31 July 2024, which is the Activity's Completion Date.

The Agreement ends on 31 October 2025 or when the Grantee has provided all of the reports and repaid any Grant amount as required under this Agreement.

D. Payment of the Grant

The total amount of the Grant is $30,416.16* (GST exclusive).

A break down by Financial Year is below:

Financial Year	Amount * (excl. GST)
2018-2019	$6,350.66
2019-2020	$4,632.33
2020-2021	$4,701.81
2021-2022	$4,781.74
2022-2023	$4,853.47
2023-2024	$5,096.15
2024-2025	$0.00

*This amount may include Social, Community, Home Care and Disability Services Industry Award 2010 Supplementation (SACS).

The Grantee must ensure that the Grant is held in an account in the Grantee's name and which the Grantee controls, with an authorised deposit-taking institution authorised under the Banking Act 1959 (Cth) to carry on banking business in Australia.

The Grantee's nominated bank account into which the Grant is to be paid is:

BSB Number	085-005
Financial Institution	Adelaide Ground Level 22-28 King William St NAB
Account Number	393831998
Account Name	The Barossa Council

The Grant will be paid in instalments by the Commonwealth in accordance with the agreed Milestones, and compliance by the Grantee with its obligations under this Agreement.

Milestone	Anticipated date	Amount (excl. GST)	GST	Total (incl. GST)
Payment for the period 1 July 2018 - 30 September 2018 for the Activity described in Item B. Grant Activity	1 July 2018	$1,124.11	$0.00	$1,124.11
Payment for the period 1 October 2018 - 31 December 2018 for the Activity described in Item B. Grant Activity	1 October 2018	$1,124.11	$0.00	$1,124.11
Payment for the period 1 January 2019 - 31 March 2019 for the Activity described in Item B. Grant Activity	1 January 2019	$1,124.11	$0.00	$1,124.11

Payment for the period 1 April 2019 - 30 June 2019 for the Activity described in Item B. Grant Activity	1 April 2019	$1,140.95	$0.00	$1,140.95
Indexation 2018-19 back payment	1 April 2019	$50.59	$0.00	$50.59
Home Modifications Supplementary Funding	1 May 2019	$1,786.79	$0.00	$1,786.79
Payment for the period 1 July 2019 - 30 September 2019 for the Activity described in Item B. Grant Activity	1 July 2019	$1,140.97	$0.00	$1,140.97
Payment for the period 1 October 2019 - 31 December 2019 for the Activity described in Item B. Grant Activity	1 October 2019	$1,140.97	$0.00	$1,140.97
Indexation 2019-20 back payment	1 October 2019	$34.24	$0.00	$34.24
Payment for the period 1 January 2020 - 31 March 2020 for the Activity described in Item B. Grant Activity	1 January 2020	$1,158.08	$0.00	$1,158.08
Payment for the period 1 April 2020 - 30 June 2020 for the Activity described in Item B. Grant Activity	1 April 2020	$1,158.07	$0.00	$1,158.07
Payment for the period 1 July 2020 - 30 September 2020 for the Activity described in Item B. Grant Activity	4 July 2020	$1,175.45	$0.00	$1,175.45
Payment for the period 1 October 2020 - 31 December 2020 for the Activity described in Item B. Grant Activity	4 October 2020	$1,175.45	$0.00	$1,175.45
Payment for the period 1 January 2021 - 31 March 2021 for the Activity described in Item B. Grant Activity	4 January 2021	$1,175.45	$0.00	$1,175.45
Payment for the period 1 April 2021 - 30 June 2021 for the Activity described in Item B. Grant Activity	4 April 2021	$1,175.46	$0.00	$1,175.46
Payment for the period 1 July 2021 - 30 September 2021 for the Activity described in Item B. Grant Activity	4 July 2021	$1,195.44	$0.00	$1,195.44

Payment for the period 1 October 2021 - 31 December 2021 for the Activity described in Item B. Grant Activity	4 October 2021	$1,195.44	$0.00	$1,195.44
Payment for the period 1 January 2022 - 31 March 2022 for the Activity described in Item B. Grant Activity	4 January 2022	$1,195.44	$0.00	$1,195.44
Payment for the period 1 April 2022 - 30 June 2022 for the Activity described in Item B. Grant Activity	4 April 2022	$1,195.42	$0.00	$1,195.42
Payment in advance for performance of Activity described in Item B for period 1 July 2022 - 31 July 2022	4 July 2022	$404.78	$0.00	$404.78
Payment in arrears for performance of Activity described in Item B for period 1 August 2022 - 31 August 2022	31 August 2022	$404.78	$0.00	$404.78
Payment in arrears for performance of Activity described in Item B for period 1 September 2022 - 30 September 2022	30 September 2022	$404.78	$0.00	$404.78
Payment in arrears for performance of Activity described in Item B for period 1 October 2022 - 31 October 2022	31 October 2022	$404.78	$0.00	$404.78
Payment in arrears for performance of Activity described in Item B for period 1 November 2022- 30 November 2022	30 November 2022	$404.29	$0.00	$404.29
Payment in arrears for performance of Activity described in Item B for period 1 December 2022 - 31 December 2022	31 December 2022	$404.29	$0.00	$404.29
Payment in arrears for performance of Activity described in Item B for period 1 January 2023 - 31 January 2023	31 January 2023	$404.29	$0.00	$404.29

Payment in arrears for performance of Activity described in Item B for period 1 February 2023 - 28 February 2023	14 February 2023	$404.29	$0.00	$404.29
Payment in arrears for performance of Activity described in Item B for period 1 March 2023 - 31 March 2023	14 February 2023	$404.29	$0.00	$404.29
Payment in arrears for performance of Activity described in Item B for period 1 April 2023 - 30 April 2023	30 April 2023	$404.29	$0.00	$404.29
Payment in arrears for performance of Activity described in Item B for period 1 May 2023 - 31 May 2023	31 May 2023	$404.29	$0.00	$404.29
Payment in arrears for performance of Activity described in Item B for period 1 June 2023 - 30 June 2023	30 June 2023	$404.32	$0.00	$404.32
Payment in arrears for performance of Activity described in Item B for period 1 July 2023 - 31 July 2023	24 July 2023	$425.02	$0.00	$425.02
Payment in arrears for performance of Activity described in Item B for period 1 December 2023 - 31 December 2023	24 July 2023	$424.51	$0.00	$424.51
Payment in arrears for performance of Activity described in Item B for period 1 November 2023- 30 November 2023	24 July 2023	$424.51	$0.00	$424.51
Payment in arrears for performance of Activity described in Item B for period 1 October 2023 - 31 October 2023	24 July 2023	$425.02	$0.00	$425.02

Payment in arrears for performance of Activity described in Item B for period 1 September 2023 - 30 September 2023	24 July 2023	$425.02	$0.00	$425.02
Payment in arrears for performance of Activity described in Item B for period 1 August 2023 - 31 August 2023	24 July 2023	$425.02	$0.00	$425.02
Payment in arrears for performance of Activity described in Item B for period 1 March 2024 - 31 March 2024	24 November 2023	$424.51	$0.00	$424.51
Payment in arrears for performance of Activity described in Item B for period 1 May 2024 - 31 May 2024	24 November 2023	$424.51	$0.00	$424.51
Payment in arrears for performance of Activity described in Item B for period 1 April 2024 - 30 April 2024	24 November 2023	$424.51	$0.00	$424.51
Payment in arrears for performance of Activity described in Item B for period 1 January 2024 - 31 January 2024	24 November 2023	$424.51	$0.00	$424.51
Payment in arrears for performance of Activity described in Item B for period 1 February 2024 - 29 February 2024	24 November 2023	$424.51	$0.00	$424.51
Payment in arrears for performance of Activity described in Item B for period 1 June 2024 - 30 June 2024	30 June 2024	$424.50	$0.00	$424.50
Total Amount		**$30,416.16**	**$0.00**	**$30,416.16**

Invoicing

The Grantee agrees to allow the Commonwealth to issue it with a Recipient Created Tax Invoice (RCTI) for any taxable supplies it makes it relation to the Activity.

Taxes, duties and government charges

Refer to Clause 9. Taxes, duties and government charges.

E. Reporting

The Grantee agrees to create the following reports in the form specified and to provide the reports to the Commonwealth representative in accordance with the following.

Milestone	Information to be included	Due Date
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2018 to 30 September 2018 as described in item E.1 Performance Reports.	31 October 2018
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Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2019 to 30 June 2019 as described in Item E.1 Performance Reports.	30 July 2019
DOH Acquittal Other	As described in item E.4 Accounting for the Grant.	31 October 2019
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 October 2018 to 30 June 2019 as described in Item E.1 Performance Reports.	31 October 2019
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2019 to 31 December 2019 as described in Item E.1 Performance Reports.	30 January 2020
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2020 to 30 June 2020 as described in Item E.1 Performance Reports.	30 July 2020
Other Report	Unspent funds stocktake for 2019/20 financial year	7 August 2020
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2019 to 30 June 2020 as described in Item E.1 Performance Reports.	30 November 2020
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2020 to 31 December 2020 as described in Item E.1 Performance Reports.	30 January 2021
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2021 to 30 June 2021 as described in Item E.1 Performance Reports.	30 July 2021
Financial Acquittal Report	As described in item E.4 Accounting for the Grant.	30 July 2021
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2020 to 30 June 2021 as described in item E.1 Performance Reports.	31 October 2021

Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2021 to 31 December 2021 as described in Item E.1 Performance Reports.	28 February 2022
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2022 to 30 June 2022 as described in Item E.1 Performance Reports.	30 July 2022
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	30 July 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2022 to 30 July 2022 as described in Item E.1 Performance Reports.	14 August 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 August 2022 to 31 August 2022 as described in Item E.1 Performance Reports.	14 September 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 September 2022 to 30 September 2022 as described in Item E.1 Performance Reports.	14 October 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 October 2022 to 31 October 2022 as described in Item E.1 Performance Reports.	14 November 2022
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2021 to 30 June 2022 as described in Item E.1 Performance Reports.	30 November 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 November 2022 to 30 November 2022 as described in Item E.1 Performance Reports.	14 December 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 December 2022 to 31 December 2022 as described in Item E.1 Performance Reports.	14 January 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2023 to 31 January 2023 as described in Item E.1 Performance Reports.	14 February 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 February 2023 to 28 February 2023 as described in Item E.1 Performance Reports.	14 March 2023

Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 March 2023 to 31 March 2023 as described in Item E.1 Performance Reports.	14 April 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 April 2023 to 30 April 2023 as described in Item E.1 Performance Reports.	14 May 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 May 2023 to 31 May 2023 as described in Item E.1 Performance Reports.	14 June 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 June 2023 to 30 June 2023 as described in Item E.1 Performance Reports.	14 July 2023
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2022 to 30 June 2023 as described in Item E.1 Performance Reports.	31 July 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2023 to 31 July 2023 as described in Item E.1 Performance Reports.	14 August 2023
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	31 August 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 August 2023 to 31 August 2023 as described in Item E.1 Performance Reports.	14 September 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 September 2023 to 30 September 2023 as described in Item E.1 Performance Reports.	14 October 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 October 2023 to 31 October 2023 as described in Item E.1 Performance Reports.	14 November 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 November 2023 to 30 November 2023 as described in Item E.1 Performance Reports.	14 December 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 December 2023 to 31 December 2023 as described in Item E.1 Performance Reports.	14 January 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2024 to 31 January 2024 as described in Item E.1 Performance Reports.	14 February 2024

Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 February 2024 to 29 February 2024 as described in Item E.1 Performance Reports.	14 March 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 March 2024 to 31 March 2024 as described in Item E.1 Performance Reports.	14 April 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 April 2024 to 30 April 2024 as described in Item E.1 Performance Reports.	14 May 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 May 2024 to 31 May 2024 as described in Item E.1 Performance Reports.	14 June 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 June 2024 to 30 June 2024 as described in Item E.1 Performance Reports.	14 July 2024
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2023 to 30 June 2024 as described in Item E.1 Performance Reports.	31 July 2024
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	31 August 2024

E.1 Performance Reports

The Grantee must provide client level data and service delivery information for all Activities described in Item B. Grant Activity (except for Sector Support and Development - Service System Development Activities) in accordance with the Data Exchange Protocols.

The Grantee must provide the data required within the Data Exchange Protocols through an approved mechanism as outlined in the Data Exchange Protocols.

The Grantee is required to finalise the submission of data within the Data Exchange by the due date set out at Item E.

For Sector Support and Development - Service System Development Activities, the Grantee must report progress in accordance with the Activity Work Plan in the format notified, referred or made available by the Commonwealth to the Grantee (including by reference to an internet site). The Grantee is required to submit reports by the applicable due date set out at Item E.

The Commonwealth will monitor activity levels as reported in the Data Exchange and in proportion to expected service levels according to the Activity Work Plan and may adjust payments (outlined in Item D) according to achieved service delivery levels. Any variation to the payment amount or schedule will only arise if the Commonwealth notifies the Grantee.

Wellness and Reablement Reports

The Grantee must provide service level information to the Commonwealth on wellness and reablement approaches being implemented by the Grantee as part of the Activities described in Item B Grant Activity. The service level information must be provided in accordance with the report template nominated by the Commonwealth.

The Grantee is required to provide a wellness and reablement report by the applicable due date set out at Item E.

For Sector Support and Development - Service System Development Activities, the Wellness and

Reablement report is not a requirement.

E.2 Activity Work Plan

The Grantee agrees that its performance will be measured against the attached Activity Work Plan.

E.3 Annual Report

Not applicable

E.4 Accounting for the Grant

The Grantee must provide a financial declaration for each financial year of this Agreement. A financial declaration is a certification from the Grantee which:

- states that all grant funds were spent for the purpose as outlined in the Agreement; and
- declares the amount of unspent Grant funds.

The financial declaration must be certified by the Grantee's board, the chief executive officer or an officer with the authority to do so verifying the funds have been spent on the Activity in accordance with the Grant Agreement. If SACS supplementation has been paid, confirmation must be provided that the funding was spent in accordance with Clause cb21.

The Grantee is required to provide a financial declaration by the applicable due date at Item E.

E.5 Other Reports

The Grantee must provide assistance and information to the Commonwealth as reasonably required by the Commonwealth, including but not limited to data on existing clients not registered on My Aged Care in the format notified, referred or made available by the Commonwealth in the timeframe specified by the Commonwealth.

F. Party representatives and address for notices

Grantee's representative and address

Grantee's representative name	Mrs Courtney Dswonitzky
Position	Coordinator
Postal/physical address(es)	The Barossa Council, 43-51 Tanunda Road, NURIOOTPA, SA, 5355
Business hours telephone	08 8563 8411
Mobile	
Fax	
E-mail	cdswonitzky@barossa.sa.gov.au

Commonwealth representative and address

Name of representative	Khalida Saud
Position	CGH Grant User
Postal/physical address(es)	Department of Health and Aged Care GPO Box 9848 CANBERRA ACT 2601
Business hours telephone	08 8318 2741
Mobile	Not specified
Fax	Not specified
E-mail	SAperformanceHealth@communitygrants.gov.au

The Parties' representatives will be responsible for liaison and the day-to-day management of the Grant, as well as accepting and issuing any written notices in relation to the Grant.

G. Activity Material

Activity Material means any material, other than Reporting Material, created or developed by the Grantee as a result of the Activity and includes any Existing Material that is incorporated in or supplied with the Activity Material.

None specified

Social Support - Group - Community and Home Support - 4-7W4D6HT

B. Grant Activity

Objective

To assist frail, older people to participate in community life and feel socially included through structured, group-based activities that develop, maintain or support independent living and social interaction.

Description

The Grantee agrees to carry out the Activity as described in the Program Manual to eligible clients identified for this Activity in accordance with the Activity Work Plan (Item E.2) and the CHSP Program Manual (https://www.health.gov.au/resources/publications/commonwealth-home-support-programme-chsp-manual)

The Grantee agrees to participate in program development activity as reasonably requested by the Commonwealth.

Any variation to the payment amount or schedule will only arise if the Commonwealth notifies the Grantee otherwise. The Grantee is responsible for sustainably managing its service delivery and number of clients.

Grantees are contracted to deliver a specific number of outputs and any decision to exceed the agreed outputs is taken at the Grantee's own risk and cost.

The Activity period for the grant is until 30 June 2025. Providers must not carry out any Activities, using this funding, after this date. The Activity Completion date of 31 July 2025 is to enable any payment to be made for services delivered in June 2025.

Payments are made for activities that comply with requirements outlined in the Program Manual.

Performance Indicators

The Activity will be measured against the following Performance Indicator/s:

Performance Indicator Description	Measure
As described in the Activity Work Plan	As described in the Activity Work Plan and Item E. Reporting

Location Information

The Activity will be delivered from the following site location/s:

	Location Type	Name	Address
1	Direct Funded	The Barossa Council	The Barossa Council 43-51 Tanunda Road NURIOOTPA SA 5355

Service Area Information

The Activity will service the following service area/s:

	Type	Service Area
1	Aged Care Planning Region (2015)	Yorke, Lower North & Barossa

C. Duration of the Grant

The Activity starts on 1 July 2018.

The Activity (other than the provision of any final reports) ends on 31 July 2025, which is the Activity's Completion Date.

The Agreement ends on 31 October 2025 or when the Grantee has provided all of the reports and repaid any Grant amount as required under this Agreement.

D. Payment of the Grant

The total amount of the Grant is $537,297.86* (GST exclusive).

A break down by Financial Year is below:

Financial Year	Amount * (excl. GST)
2018-2019	$68,488.30
2019-2020	$69,515.62
2020-2021	$70,558.35
2021-2022	$71,757.84
2022-2023	$72,834.21
2023-2024	$76,475.93
2024-2025	$107,667.61

*This amount may include Social, Community, Home Care and Disability Services Industry Award 2010 Supplementation (SACS).

The Grantee must ensure that the Grant is held in an account in the Grantee's name and which the Grantee controls, with an authorised deposit-taking institution authorised under the Banking Act 1959 (Cth) to carry on banking business in Australia.

The Grantee's nominated bank account into which the Grant is to be paid is:

BSB Number	085-005
Financial Institution	Adelaide Ground Level 22-28 King William St NAB
Account Number	393831998
Account Name	The Barossa Council

The Grant will be paid in instalments by the Commonwealth in accordance with the agreed Milestones, and compliance by the Grantee with its obligations under this Agreement.

Milestone	Anticipated date	Amount (excl. GST)	GST	Total (incl. GST)
Payment for the period 1 July 2018 - 30 September 2018 for the Activity described in Item B. Grant Activity	1 July 2018	$16,869.04	$0.00	$16,869.04
Payment for the period 1 October 2018 - 31 December 2018 for the Activity described in Item B. Grant Activity	1 October 2018	$16,869.04	$0.00	$16,869.04

Payment for the period 1 January 2019 - 31 March 2019 for the Activity described in Item B. Grant Activity	1 January 2019	$16,869.04	$0.00	$16,869.04
Indexation 2018-19 back payment	1 April 2019	$759.11	$0.00	$759.11
Payment for the period 1 April 2019 - 30 June 2019 for the Activity described in Item B. Grant Activity	1 April 2019	$17,122.07	$0.00	$17,122.07
Payment for the period 1 July 2019 - 30 September 2019 for the Activity described in Item B. Grant Activity	1 July 2019	$17,122.07	$0.00	$17,122.07
Payment for the period 1 October 2019 - 31 December 2019 for the Activity described in Item B. Grant Activity	1 October 2019	$17,122.07	$0.00	$17,122.07
Indexation 2019-20 back payment	1 October 2019	$513.66	$0.00	$513.66
Payment for the period 1 January 2020 - 31 March 2020 for the Activity described in Item B. Grant Activity	1 January 2020	$17,378.90	$0.00	$17,378.90
Payment for the period 1 April 2020 - 30 June 2020 for the Activity described in Item B. Grant Activity	1 April 2020	$17,378.92	$0.00	$17,378.92
Payment for the period 1 July 2020 - 30 September 2020 for the Activity described in Item B. Grant Activity	4 July 2020	$17,639.59	$0.00	$17,639.59
Payment for the period 1 October 2020 - 31 December 2020 for the Activity described in Item B. Grant Activity	4 October 2020	$17,639.59	$0.00	$17,639.59
Payment for the period 1 January 2021 - 31 March 2021 for the Activity described in Item B. Grant Activity	4 January 2021	$17,639.59	$0.00	$17,639.59
Payment for the period 1 April 2021 - 30 June 2021 for the Activity described in Item B. Grant Activity	4 April 2021	$17,639.58	$0.00	$17,639.58
Payment for the period 1 July 2021 - 30 September 2021 for the Activity described in Item B. Grant Activity	4 July 2021	$17,939.46	$0.00	$17,939.46

Payment for the period 1 October 2021 - 31 December 2021 for the Activity described in Item B. Grant Activity	4 October 2021	$17,939.46	$0.00	$17,939.46
Payment for the period 1 January 2022 - 31 March 2022 for the Activity described in Item B. Grant Activity	4 January 2022	$17,939.46	$0.00	$17,939.46
Payment for the period 1 April 2022 - 30 June 2022 for the Activity described in Item B. Grant Activity	4 April 2022	$17,939.46	$0.00	$17,939.46
Payment in advance for performance of Activity described in Item B for period 1 July 2022 - 31 July 2022	4 July 2022	$6,074.37	$0.00	$6,074.37
Payment in arrears for performance of Activity described in Item B for period 1 August 2022 - 31 August 2022	31 August 2022	$6,074.37	$0.00	$6,074.37
Payment in arrears for performance of Activity described in Item B for period 1 September 2022 - 30 September 2022	30 September 2022	$6,074.37	$0.00	$6,074.37
Payment in arrears for performance of Activity described in Item B for period 1 October 2022 - 31 October 2022	31 October 2022	$6,074.37	$0.00	$6,074.37
Payment in arrears for performance of Activity described in Item B for period 1 November 2022- 30 November 2022	30 November 2022	$6,067.09	$0.00	$6,067.09
Payment in arrears for performance of Activity described in Item B for period 1 December 2022 - 31 December 2022	31 December 2022	$6,067.09	$0.00	$6,067.09
Payment in arrears for performance of Activity described in Item B for period 1 January 2023 - 31 January 2023	31 January 2023	$6,067.09	$0.00	$6,067.09

Payment in arrears for performance of Activity described in Item B for period 1 February 2023 - 28 February 2023	14 February 2023	$6,067.09	$0.00	$6,067.09
Payment in arrears for performance of Activity described in Item B for period 1 March 2023 - 31 March 2023	14 February 2023	$6,067.09	$0.00	$6,067.09
Payment in arrears for performance of Activity described in Item B for period 1 April 2023 - 30 April 2023	30 April 2023	$6,067.09	$0.00	$6,067.09
Payment in arrears for performance of Activity described in Item B for period 1 May 2023 - 31 May 2023	31 May 2023	$6,067.09	$0.00	$6,067.09
Payment in arrears for performance of Activity described in Item B for period 1 June 2023 - 30 June 2023	30 June 2023	$6,067.10	$0.00	$6,067.10
Payment in arrears for performance of Activity described in Item B for period 1 August 2023 - 31 August 2023	24 July 2023	$6,378.09	$0.00	$6,378.09
Payment in arrears for performance of Activity described in Item B for period 1 September 2023 - 30 September 2023	24 July 2023	$6,378.09	$0.00	$6,378.09
Payment in arrears for performance of Activity described in Item B for period 1 October 2023 - 31 October 2023	24 July 2023	$6,378.09	$0.00	$6,378.09
Payment in arrears for performance of Activity described in Item B for period 1 November 2023- 30 November 2023	24 July 2023	$6,370.44	$0.00	$6,370.44

Payment in arrears for performance of Activity described in Item B for period 1 July 2023 - 31 July 2023	24 July 2023	$6,378.09	$0.00	$6,378.09
Payment in arrears for performance of Activity described in Item B for period 1 December 2023 - 31 December 2023	24 July 2023	$6,370.44	$0.00	$6,370.44
Payment in arrears for performance of Activity described in Item B for period 1 March 2024 - 31 March 2024	24 November 2023	$6,370.44	$0.00	$6,370.44
Payment in arrears for performance of Activity described in Item B for period 1 February 2024 - 29 February 2024	24 November 2023	$6,370.44	$0.00	$6,370.44
Payment in arrears for performance of Activity described in Item B for period 1 May 2024 - 31 May 2024	24 November 2023	$6,370.44	$0.00	$6,370.44
Payment in arrears for performance of Activity described in Item B for period 1 January 2024 - 31 January 2024	24 November 2023	$6,370.44	$0.00	$6,370.44
Payment in arrears for performance of Activity described in Item B for period 1 April 2024 - 30 April 2024	24 November 2023	$6,370.44	$0.00	$6,370.44
Payment in arrears for performance of Activity described in Item B for period 1 June 2024 - 30 June 2024	30 June 2024	$6,370.49	$0.00	$6,370.49
Payment in arrears for performance of Activity described in Item B for period 1 July 2024 - 31 July 2024	31 July 2024	$6,601.33	$0.00	$6,601.33

Payment in arrears for performance of Activity described in Item B for period 1 August 2024 - 31 August 2024	31 August 2024	$6,601.33	$0.00	$6,601.33
Payment in arrears for performance of Activity described in Item B for period 1 September 2024 - 30 September 2024	30 September 2024	$6,601.33	$0.00	$6,601.33
Payment in arrears for performance of Activity described in Item B for period 1 October 2024 - 31 October 2024	31 October 2024	$6,601.33	$0.00	$6,601.33
Payment in arrears for performance of Activity described in Item B for period 1 November 2024- 30 November 2024	30 November 2024	$6,593.41	$0.00	$6,593.41
Payment in arrears for performance of Activity described in Item B for period 1 December 2024 - 31 December 2024	31 December 2024	$6,593.41	$0.00	$6,593.41
Payment in arrears for performance of Activity described in Item B for period 1 January 2025 - 31 January 2025	31 January 2025	$11,345.91	$0.00	$11,345.91
Payment in arrears for performance of Activity described in Item B for period 1 February 2025 - 28 February 2025	28 February 2025	$11,345.91	$0.00	$11,345.91
Payment in arrears for performance of Activity described in Item B for period 1 March 2025 - 31 March 2025	31 March 2025	$11,345.91	$0.00	$11,345.91
Payment in arrears for performance of Activity described in Item B for period 1 April 2025 - 30 April 2025	30 April 2025	$11,345.91	$0.00	$11,345.91

Payment in arrears for performance of Activity described in Item B for period 1 May 2025 - 31 May 2025	31 May 2025	$11,345.91	$0.00	$11,345.91
Payment in arrears for performance of Activity described in Item B for period 1 June 2025 - 30 June 2025	30 June 2025	$11,345.92	$0.00	$11,345.92
Total Amount		**$537,297.86**	**$0.00**	**$537,297.86**

Invoicing

The Grantee agrees to allow the Commonwealth to issue it with a Recipient Created Tax Invoice (RCTI) for any taxable supplies it makes it relation to the Activity.

Taxes, duties and government charges

Refer to Clause 9. Taxes, duties and government charges.

E. Reporting

The Grantee agrees to create the following reports in the form specified and to provide the reports to the Commonwealth representative in accordance with the following.

Milestone	Information to be included	Due Date
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2018 to 30 September 2018 as described in item E.1 Performance Reports.	31 October 2018
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2018 to 31 December 2018 as described in Item E.1 Performance Reports.	30 January 2019
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2019 to 30 June 2019 as described in Item E.1 Performance Reports.	30 July 2019
DOH Acquittal Other	As described in item E.4 Accounting for the Grant.	31 October 2019
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 October 2018 to 30 June 2019 as described in Item E.1 Performance Reports.	31 October 2019
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2019 to 31 December 2019 as described in Item E.1 Performance Reports.	30 January 2020
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2020 to 30 June 2020 as described in Item E.1 Performance Reports.	30 July 2020

Other Report	Unspent funds stocktake for 2019/20 financial year	7 August 2020
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2019 to 30 June 2020 as described in Item E.1 Performance Reports.	30 November 2020
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2020 to 31 December 2020 as described in Item E.1 Performance Reports.	30 January 2021
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2021 to 30 June 2021 as described in Item E.1 Performance Reports.	30 July 2021
Financial Acquittal Report	As described in item E.4 Accounting for the Grant.	30 July 2021
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2020 to 30 June 2021 as described in item E.1 Performance Reports.	31 October 2021
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2021 to 31 December 2021 as described in Item E.1 Performance Reports.	28 February 2022
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2022 to 30 June 2022 as described in Item E.1 Performance Reports.	30 July 2022
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	30 July 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2022 to 30 July 2022 as described in Item E.1 Performance Reports.	14 August 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 August 2022 to 31 August 2022 as described in Item E.1 Performance Reports.	14 September 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 September 2022 to 30 September 2022 as described in Item E.1 Performance Reports.	14 October 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 October 2022 to 31 October 2022 as described in Item E.1 Performance Reports.	14 November 2022
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2021 to 30 June 2022 as described in Item E.1 Performance Reports.	30 November 2022

Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 November 2022 to 30 November 2022 as described in Item E.1 Performance Reports.	14 December 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 December 2022 to 31 December 2022 as described in Item E.1 Performance Reports.	14 January 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2023 to 31 January 2023 as described in Item E.1 Performance Reports.	14 February 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 February 2023 to 28 February 2023 as described in Item E.1 Performance Reports.	14 March 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 March 2023 to 31 March 2023 as described in Item E.1 Performance Reports.	14 April 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 April 2023 to 30 April 2023 as described in Item E.1 Performance Reports.	14 May 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 May 2023 to 31 May 2023 as described in Item E.1 Performance Reports.	14 June 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 June 2023 to 30 June 2023 as described in Item E.1 Performance Reports.	14 July 2023
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2022 to 30 June 2023 as described in Item E.1 Performance Reports.	31 July 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2023 to 31 July 2023 as described in Item E.1 Performance Reports.	14 August 2023
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	31 August 2023

Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 August 2023 to 31 August 2023 as described in Item E.1 Performance Reports.	14 September 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 September 2023 to 30 September 2023 as described in Item E.1 Performance Reports.	14 October 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 October 2023 to 31 October 2023 as described in Item E.1 Performance Reports.	14 November 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 November 2023 to 30 November 2023 as described in Item E.1 Performance Reports.	14 December 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 December 2023 to 31 December 2023 as described in Item E.1 Performance Reports.	14 January 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2024 to 31 January 2024 as described in Item E.1 Performance Reports.	14 February 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 February 2024 to 29 February 2024 as described in Item E.1 Performance Reports.	14 March 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 March 2024 to 31 March 2024 as described in Item E.1 Performance Reports.	14 April 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 April 2024 to 30 April 2024 as described in Item E.1 Performance Reports.	14 May 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 May 2024 to 31 May 2024 as described in Item E.1 Performance Reports.	14 June 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 June 2024 to 30 June 2024 as described in Item E.1 Performance Reports.	14 July 2024
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2023 to 30 June 2024 as described in Item E.1 Performance Reports.	31 July 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2024 to 31 July 2024 as described in Item E.1 Performance Reports.	14 August 2024
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	31 August 2024

Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 August 2024 to 31 August 2024 as described in Item E.1 Performance Reports.	14 September 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 September 2024 to 30 September 2024 as described in Item E.1 Performance Reports.	14 October 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 October 2024 to 31 October 2024 as described in Item E.1 Performance Reports.	14 November 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 November 2024 to 30 November 2024 as described in Item E.1 Performance Reports.	14 December 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 December 2024 to 31 December 2024 as described in Item E.1 Performance Reports.	14 January 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2025 to 31 January 2025 as described in Item E.1 Performance Reports.	14 February 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 February 2025 to 28 February 2025 as described in Item E.1 Performance Reports.	14 March 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 March 2025 to 31 March 2025 as described in Item E.1 Performance Reports.	14 April 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 April 2025 to 30 April 2025 as described in Item E.1 Performance Reports.	14 May 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 May 2025 to 31 May 2025 as described in Item E.1 Performance Reports.	14 June 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 June 2025 to 30 June 2025 as described in Item E.1 Performance Reports.	14 July 2025

Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2024 to 30 June 2025 as described in Item E.1 Performance Reports.	31 July 2025
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	31 August 2025

E.1 Performance Reports

The Grantee must provide client level data and service delivery information for all Activities described in Item B. Grant Activity (except for Sector Support and Development - Service System Development Activities) in accordance with the Data Exchange Protocols.

The Grantee must provide the data required within the Data Exchange Protocols through an approved mechanism as outlined in the Data Exchange Protocols.

The Grantee is required to finalise the submission of data within the Data Exchange by the due date set out at Item E.

For Sector Support and Development - Service System Development Activities, the Grantee must report progress in accordance with the Activity Work Plan in the format notified, referred or made available by the Commonwealth to the Grantee (including by reference to an internet site). The Grantee is required to submit reports by the applicable due date set out at Item E.

The Commonwealth will monitor activity levels as reported in the Data Exchange and in proportion to expected service levels according to the Activity Work Plan and may adjust payments (outlined in Item D) according to achieved service delivery levels. Any variation to the payment amount or schedule will only arise if the Commonwealth notifies the Grantee.

Wellness and Reablement Reports

The Grantee must provide service level information to the Commonwealth on wellness and reablement approaches being implemented by the Grantee as part of the Activities described in Item B Grant Activity. The service level information must be provided in accordance with the report template nominated by the Commonwealth.

The Grantee is required to provide a wellness and reablement report by the applicable due date set out at Item E.

For Sector Support and Development - Service System Development Activities, the Wellness and Reablement report is not a requirement.

E.2 Activity Work Plan

The Grantee agrees that its performance will be measured against the attached Activity Work Plan.

E.3 Annual Report

Not applicable

E.4 Accounting for the Grant

The Grantee must provide a financial declaration for each financial year of this Agreement. A financial declaration is a certification from the Grantee which:

- states that all grant funds were spent for the purpose as outlined in the Agreement; and
- declares the amount of unspent Grant funds.

The financial declaration must be certified by the Grantee's board, the chief executive officer or an officer with the authority to do so verifying the funds have been spent on the Activity in accordance with the Grant Agreement. If SACS supplementation has been paid, confirmation must be provided that the funding was

spent in accordance with Clause cb21.

The Grantee is required to provide a financial declaration by the applicable due date at Item E.

E.5 Other Reports

The Grantee must provide assistance and information to the Commonwealth as reasonably required by the Commonwealth, including but not limited to data on existing clients not registered on My Aged Care in the format notified, referred or made available by the Commonwealth in the timeframe specified by the Commonwealth.

F. Party representatives and address for notices

Grantee's representative and address

Grantee's representative name	Mrs Courtney Dswonitzky
Position	Coordinator
Postal/physical address(es)	The Barossa Council, 43-51 Tanunda Road, NURIOOTPA, SA, 5355
Business hours telephone	08 8563 8411
Mobile	
Fax	
E-mail	cdswonitzky@barossa.sa.gov.au

Commonwealth representative and address

Name of representative	Khalida Saud
Position	CGH Grant User
Postal/physical address(es)	Department of Health and Aged Care GPO Box 9848 CANBERRA ACT 2601
Business hours telephone	08 8318 2741
Mobile	Not specified
Fax	Not specified
E-mail	SAperformanceHealth@communitygrants.gov.au

The Parties' representatives will be responsible for liaison and the day-to-day management of the Grant, as well as accepting and issuing any written notices in relation to the Grant.

G. Activity Material

Activity Material means any material, other than Reporting Material, created or developed by the Grantee as a result of the Activity and includes any Existing Material that is incorporated in or supplied with the Activity Material.

None specified

Social Support - Individual - Community and Home Support - 4-7W4D6LV

B. Grant Activity

Objective

To assist frail, older people to participate in community life and feel socially included through meeting their need for social contact and company.

Description

The Grantee agrees to carry out the Activity as described in the Program Manual to eligible clients identified for this Activity in accordance with the Activity Work Plan (Item E.2) and the CHSP Program Manual (https://www.health.gov.au/resources/publications/commonwealth-home-support-programme-chsp-manual).

The Grantee agrees to participate in program development activity as reasonably requested by the Commonwealth.

Any variation to the payment amount or schedule will only arise if the Commonwealth notifies the Grantee otherwise. The Grantee is responsible for sustainably managing its service delivery and number of clients.

Grantees are contracted to deliver a specific number of outputs and any decision to exceed the agreed outputs is taken at the Grantee's own risk and cost.

The Activity period for the grant is until 30 June 2025. Providers must not carry out any Activities, using this funding, after this date. The Activity Completion date of 31 July 2025 is to enable any payment to be made for services delivered in June 2025.

Payments are made for activities that comply with requirements outlined in the Program Manual.

Performance Indicators

The Activity will be measured against the following Performance Indicator/s:

Performance Indicator Description	Measure
As described in the Activity Work Plan	As described in the Activity Work Plan and Item E. Reporting

Location Information

The Activity will be delivered from the following site location/s:

	Location Type	Name	Address
1	Direct Funded	The Barossa Council	The Barossa Council 43-51 Tanunda Road NURIOOTPA SA 5355

Service Area Information

The Activity will service the following service area/s:

	Type	Service Area
1	Aged Care Planning Region (2015)	Yorke, Lower North & Barossa

C. Duration of the Grant

The Activity starts on 1 July 2018.

The Activity (other than the provision of any final reports) ends on 31 July 2025, which is the Activity's Completion Date.

The Agreement ends on 31 October 2025 or when the Grantee has provided all of the reports and repaid any Grant amount as required under this Agreement.

D. Payment of the Grant

The total amount of the Grant is $89,367.04* (GST exclusive).

A break down by Financial Year is below:

Financial Year	Amount * (excl. GST)
2018-2019	$12,029.88
2019-2020	$12,210.33
2020-2021	$12,393.48
2021-2022	$12,604.17
2022-2023	$12,793.23
2023-2024	$13,432.90
2024-2025	$13,903.05

*This amount may include Social, Community, Home Care and Disability Services Industry Award 2010 Supplementation (SACS).

The Grantee must ensure that the Grant is held in an account in the Grantee's name and which the Grantee controls, with an authorised deposit-taking institution authorised under the Banking Act 1959 (Cth) to carry on banking business in Australia.

The Grantee's nominated bank account into which the Grant is to be paid is:

BSB Number	085-005
Financial Institution	Adelaide Ground Level 22-28 King William St NAB
Account Number	393831998
Account Name	The Barossa Council

The Grant will be paid in instalments by the Commonwealth in accordance with the agreed Milestones, and compliance by the Grantee with its obligations under this Agreement.

Milestone	Anticipated date	Amount (excl. GST)	GST	Total (incl. GST)
Payment for the period 1 July 2018 - 30 September 2018 for the Activity described in Item B. Grant Activity	1 July 2018	$2,963.03	$0.00	$2,963.03
Payment for the period 1 October 2018 - 31 December 2018 for the Activity described in Item B. Grant Activity	1 October 2018	$2,963.03	$0.00	$2,963.03

Payment for the period 1 January 2019 - 31 March 2019 for the Activity described in Item B. Grant Activity	1 January 2019	$2,963.03	$0.00	$2,963.03
Indexation 2018-19 back payment	1 April 2019	$133.34	$0.00	$133.34
Payment for the period 1 April 2019 - 30 June 2019 for the Activity described in Item B. Grant Activity	1 April 2019	$3,007.45	$0.00	$3,007.45
Payment for the period 1 July 2019 - 30 September 2019 for the Activity described in Item B. Grant Activity	1 July 2019	$3,007.47	$0.00	$3,007.47
Payment for the period 1 October 2019 - 31 December 2019 for the Activity described in Item B. Grant Activity	1 October 2019	$3,007.47	$0.00	$3,007.47
Indexation 2019-20 back payment	1 October 2019	$90.23	$0.00	$90.23
Payment for the period 1 January 2020 - 31 March 2020 for the Activity described in Item B. Grant Activity	1 January 2020	$3,052.58	$0.00	$3,052.58
Payment for the period 1 April 2020 - 30 June 2020 for the Activity described in Item B. Grant Activity	1 April 2020	$3,052.58	$0.00	$3,052.58
Payment for the period 1 July 2020 - 30 September 2020 for the Activity described in Item B. Grant Activity	4 July 2020	$3,098.37	$0.00	$3,098.37
Payment for the period 1 October 2020 - 31 December 2020 for the Activity described in Item B. Grant Activity	4 October 2020	$3,098.37	$0.00	$3,098.37
Payment for the period 1 January 2021 - 31 March 2021 for the Activity described in Item B. Grant Activity	4 January 2021	$3,098.37	$0.00	$3,098.37
Payment for the period 1 April 2021 - 30 June 2021 for the Activity described in Item B. Grant Activity	4 April 2021	$3,098.37	$0.00	$3,098.37
Payment for the period 1 July 2021 - 30 September 2021 for the Activity described in Item B. Grant Activity	4 July 2021	$3,151.04	$0.00	$3,151.04

Payment for the period 1 October 2021 - 31 December 2021 for the Activity described in Item B. Grant Activity	4 October 2021	$3,151.04	$0.00	$3,151.04
Payment for the period 1 January 2022 - 31 March 2022 for the Activity described in Item B. Grant Activity	4 January 2022	$3,151.04	$0.00	$3,151.04
Payment for the period 1 April 2022 - 30 June 2022 for the Activity described in Item B. Grant Activity	4 April 2022	$3,151.05	$0.00	$3,151.05
Payment in advance for performance of Activity described in Item B for period 1 July 2022 - 31 July 2022	4 July 2022	$1,066.96	$0.00	$1,066.96
Payment in arrears for performance of Activity described in Item B for period 1 August 2022 - 31 August 2022	31 August 2022	$1,066.96	$0.00	$1,066.96
Payment in arrears for performance of Activity described in Item B for period 1 September 2022 - 30 September 2022	30 September 2022	$1,066.96	$0.00	$1,066.96
Payment in arrears for performance of Activity described in Item B for period 1 October 2022 - 31 October 2022	31 October 2022	$1,066.96	$0.00	$1,066.96
Payment in arrears for performance of Activity described in Item B for period 1 November 2022- 30 November 2022	30 November 2022	$1,065.68	$0.00	$1,065.68
Payment in arrears for performance of Activity described in Item B for period 1 December 2022 - 31 December 2022	31 December 2022	$1,065.68	$0.00	$1,065.68
Payment in arrears for performance of Activity described in Item B for period 1 January 2023 - 31 January 2023	31 January 2023	$1,065.68	$0.00	$1,065.68

Payment in arrears for performance of Activity described in Item B for period 1 March 2023 - 31 March 2023	14 February 2023	$1,065.68	$0.00	$1,065.68
Payment in arrears for performance of Activity described in Item B for period 1 February 2023 - 28 February 2023	14 February 2023	$1,065.68	$0.00	$1,065.68
Payment in arrears for performance of Activity described in Item B for period 1 April 2023 - 30 April 2023	30 April 2023	$1,065.68	$0.00	$1,065.68
Payment in arrears for performance of Activity described in Item B for period 1 May 2023 - 31 May 2023	31 May 2023	$1,065.68	$0.00	$1,065.68
Payment in arrears for performance of Activity described in Item B for period 1 June 2023 - 30 June 2023	30 June 2023	$1,065.63	$0.00	$1,065.63
Payment in arrears for performance of Activity described in Item B for period 1 July 2023 - 31 July 2023	24 July 2023	$1,120.30	$0.00	$1,120.30
Payment in arrears for performance of Activity described in Item B for period 1 December 2023 - 31 December 2023	24 July 2023	$1,118.96	$0.00	$1,118.96
Payment in arrears for performance of Activity described in Item B for period 1 August 2023 - 31 August 2023	24 July 2023	$1,120.30	$0.00	$1,120.30
Payment in arrears for performance of Activity described in Item B for period 1 November 2023- 30 November 2023	24 July 2023	$1,118.96	$0.00	$1,118.96

Payment in arrears for performance of Activity described in Item B for period 1 September 2023 - 30 September 2023	24 July 2023	$1,120.30	$0.00	$1,120.30
Payment in arrears for performance of Activity described in Item B for period 1 October 2023 - 31 October 2023	24 July 2023	$1,120.30	$0.00	$1,120.30
Payment in arrears for performance of Activity described in Item B for period 1 April 2024 - 30 April 2024	24 November 2023	$1,118.96	$0.00	$1,118.96
Payment in arrears for performance of Activity described in Item B for period 1 May 2024 - 31 May 2024	24 November 2023	$1,118.96	$0.00	$1,118.96
Payment in arrears for performance of Activity described in Item B for period 1 January 2024 - 31 January 2024	24 November 2023	$1,118.96	$0.00	$1,118.96
Payment in arrears for performance of Activity described in Item B for period 1 February 2024 - 29 February 2024	24 November 2023	$1,118.96	$0.00	$1,118.96
Payment in arrears for performance of Activity described in Item B for period 1 March 2024 - 31 March 2024	24 November 2023	$1,118.96	$0.00	$1,118.96
Payment in arrears for performance of Activity described in Item B for period 1 June 2024 - 30 June 2024	30 June 2024	$1,118.98	$0.00	$1,118.98
Payment in arrears for performance of Activity described in Item B for period 1 July 2024 - 31 July 2024	31 July 2024	$1,159.51	$0.00	$1,159.51

Payment in arrears for performance of Activity described in Item B for period 1 August 2024 - 31 August 2024	31 August 2024	$1,159.51	$0.00	$1,159.51
Payment in arrears for performance of Activity described in Item B for period 1 September 2024 - 30 September 2024	30 September 2024	$1,159.51	$0.00	$1,159.51
Payment in arrears for performance of Activity described in Item B for period 1 October 2024 - 31 October 2024	31 October 2024	$1,159.51	$0.00	$1,159.51
Payment in arrears for performance of Activity described in Item B for period 1 November 2024- 30 November 2024	30 November 2024	$1,158.12	$0.00	$1,158.12
Payment in arrears for performance of Activity described in Item B for period 1 December 2024 - 31 December 2024	31 December 2024	$1,158.12	$0.00	$1,158.12
Payment in arrears for performance of Activity described in Item B for period 1 January 2025 - 31 January 2025	31 January 2025	$1,158.12	$0.00	$1,158.12
Payment in arrears for performance of Activity described in Item B for period 1 February 2025 - 28 February 2025	28 February 2025	$1,158.12	$0.00	$1,158.12
Payment in arrears for performance of Activity described in Item B for period 1 March 2025 - 31 March 2025	31 March 2025	$1,158.12	$0.00	$1,158.12
Payment in arrears for performance of Activity described in Item B for period 1 April 2025 - 30 April 2025	30 April 2025	$1,158.12	$0.00	$1,158.12

Payment in arrears for performance of Activity described in Item B for period 1 May 2025 - 31 May 2025	31 May 2025	$1,158.12	$0.00	$1,158.12
Payment in arrears for performance of Activity described in Item B for period 1 June 2025 - 30 June 2025	30 June 2025	$1,158.17	$0.00	$1,158.17
Total Amount		**$89,367.04**	**$0.00**	**$89,367.04**

Invoicing

The Grantee agrees to allow the Commonwealth to issue it with a Recipient Created Tax Invoice (RCTI) for any taxable supplies it makes it relation to the Activity.

Taxes, duties and government charges

Refer to Clause 9. Taxes, duties and government charges.

E. Reporting

The Grantee agrees to create the following reports in the form specified and to provide the reports to the Commonwealth representative in accordance with the following.

Milestone	Information to be included	Due Date
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2018 to 30 September 2018 as described in item E.1 Performance Reports.	31 October 2018
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2018 to 31 December 2018 as described in Item E.1 Performance Reports.	30 January 2019
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2019 to 30 June 2019 as described in Item E.1 Performance Reports.	30 July 2019
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 October 2018 to 30 June 2019 as described in Item E.1 Performance Reports.	31 October 2019
DOH Acquittal Other	As described in item E.4 Accounting for the Grant.	31 October 2019
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2019 to 31 December 2019 as described in Item E.1 Performance Reports.	30 January 2020
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2020 to 30 June 2020 as described in Item E.1 Performance Reports.	30 July 2020

Other Report	Unspent funds stocktake for 2019/20 financial year	7 August 2020
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2019 to 30 June 2020 as described in Item E.1 Performance Reports.	30 November 2020
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2020 to 31 December 2020 as described in Item E.1 Performance Reports.	30 January 2021
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2021 to 30 June 2021 as described in Item E.1 Performance Reports.	30 July 2021
Financial Acquittal Report	As described in item E.4 Accounting for the Grant.	30 July 2021
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2020 to 30 June 2021 as described in item E.1 Performance Reports.	31 October 2021
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2021 to 31 December 2021 as described in Item E.1 Performance Reports.	28 February 2022
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2022 to 30 June 2022 as described in Item E.1 Performance Reports.	30 July 2022
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	30 July 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2022 to 30 July 2022 as described in Item E.1 Performance Reports.	14 August 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 August 2022 to 31 August 2022 as described in Item E.1 Performance Reports.	14 September 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 September 2022 to 30 September 2022 as described in Item E.1 Performance Reports.	14 October 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 October 2022 to 31 October 2022 as described in Item E.1 Performance Reports.	14 November 2022
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2021 to 30 June 2022 as described in Item E.1 Performance Reports.	30 November 2022

Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 November 2022 to 30 November 2022 as described in Item E.1 Performance Reports.	14 December 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 December 2022 to 31 December 2022 as described in Item E.1 Performance Reports.	14 January 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2023 to 31 January 2023 as described in Item E.1 Performance Reports.	14 February 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 February 2023 to 28 February 2023 as described in Item E.1 Performance Reports.	14 March 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 March 2023 to 31 March 2023 as described in Item E.1 Performance Reports.	14 April 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 April 2023 to 30 April 2023 as described in Item E.1 Performance Reports.	14 May 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 May 2023 to 31 May 2023 as described in Item E.1 Performance Reports.	14 June 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 June 2023 to 30 June 2023 as described in Item E.1 Performance Reports.	14 July 2023
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2022 to 30 June 2023 as described in Item E.1 Performance Reports.	31 July 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2023 to 31 July 2023 as described in Item E.1 Performance Reports.	14 August 2023
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	31 August 2023

Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 August 2023 to 31 August 2023 as described in Item E.1 Performance Reports.	14 September 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 September 2023 to 30 September 2023 as described in Item E.1 Performance Reports.	14 October 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 October 2023 to 31 October 2023 as described in Item E.1 Performance Reports.	14 November 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 November 2023 to 30 November 2023 as described in Item E.1 Performance Reports.	14 December 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 December 2023 to 31 December 2023 as described in Item E.1 Performance Reports.	14 January 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2024 to 31 January 2024 as described in Item E.1 Performance Reports.	14 February 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 February 2024 to 29 February 2024 as described in Item E.1 Performance Reports.	14 March 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 March 2024 to 31 March 2024 as described in Item E.1 Performance Reports.	14 April 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 April 2024 to 30 April 2024 as described in Item E.1 Performance Reports.	14 May 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 May 2024 to 31 May 2024 as described in Item E.1 Performance Reports.	14 June 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 June 2024 to 30 June 2024 as described in Item E.1 Performance Reports.	14 July 2024
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2023 to 30 June 2024 as described in Item E.1 Performance Reports.	31 July 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2024 to 31 July 2024 as described in Item E.1 Performance Reports.	14 August 2024
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	31 August 2024

Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 August 2024 to 31 August 2024 as described in Item E.1 Performance Reports.	14 September 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 September 2024 to 30 September 2024 as described in Item E.1 Performance Reports.	14 October 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 October 2024 to 31 October 2024 as described in Item E.1 Performance Reports.	14 November 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 November 2024 to 30 November 2024 as described in Item E.1 Performance Reports.	14 December 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 December 2024 to 31 December 2024 as described in Item E.1 Performance Reports.	14 January 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2025 to 31 January 2025 as described in Item E.1 Performance Reports.	14 February 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 February 2025 to 28 February 2025 as described in Item E.1 Performance Reports.	14 March 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 March 2025 to 31 March 2025 as described in Item E.1 Performance Reports.	14 April 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 April 2025 to 30 April 2025 as described in Item E.1 Performance Reports.	14 May 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 May 2025 to 31 May 2025 as described in Item E.1 Performance Reports.	14 June 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 June 2025 to 30 June 2025 as described in Item E.1 Performance Reports.	14 July 2025

Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2024 to 30 June 2025 as described in Item E.1 Performance Reports.	31 July 2025
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	31 August 2025

E.1 Performance Reports

The Grantee must provide client level data and service delivery information for all Activities described in Item B. Grant Activity (except for Sector Support and Development - Service System Development Activities) in accordance with the Data Exchange Protocols.

The Grantee must provide the data required within the Data Exchange Protocols through an approved mechanism as outlined in the Data Exchange Protocols.

The Grantee is required to finalise the submission of data within the Data Exchange by the due date set out at Item E.

For Sector Support and Development - Service System Development Activities, the Grantee must report progress in accordance with the Activity Work Plan in the format notified, referred or made available by the Commonwealth to the Grantee (including by reference to an internet site). The Grantee is required to submit reports by the applicable due date set out at Item E.

The Commonwealth will monitor activity levels as reported in the Data Exchange and in proportion to expected service levels according to the Activity Work Plan and may adjust payments (outlined in Item D) according to achieved service delivery levels. Any variation to the payment amount or schedule will only arise if the Commonwealth notifies the Grantee.

Wellness and Reablement Reports

The Grantee must provide service level information to the Commonwealth on wellness and reablement approaches being implemented by the Grantee as part of the Activities described in Item B Grant Activity. The service level information must be provided in accordance with the report template nominated by the Commonwealth.

The Grantee is required to provide a wellness and reablement report by the applicable due date set out at Item E.

For Sector Support and Development - Service System Development Activities, the Wellness and Reablement report is not a requirement.

E.2 Activity Work Plan

The Grantee agrees that its performance will be measured against the attached Activity Work Plan.

E.3 Annual Report

Not applicable

E.4 Accounting for the Grant

The Grantee must provide a financial declaration for each financial year of this Agreement. A financial declaration is a certification from the Grantee which:

- states that all grant funds were spent for the purpose as outlined in the Agreement; and
- declares the amount of unspent Grant funds.

The financial declaration must be certified by the Grantee's board, the chief executive officer or an officer with the authority to do so verifying the funds have been spent on the Activity in accordance with the Grant Agreement. If SACS supplementation has been paid, confirmation must be provided that the funding was

spent in accordance with Clause cb21.

The Grantee is required to provide a financial declaration by the applicable due date at Item E.

E.5 Other Reports

The Grantee must provide assistance and information to the Commonwealth as reasonably required by the Commonwealth, including but not limited to data on existing clients not registered on My Aged Care in the format notified, referred or made available by the Commonwealth in the timeframe specified by the Commonwealth.

F. Party representatives and address for notices

Grantee's representative and address

Grantee's representative name	Mrs Courtney Dswonitzky
Position	Coordinator
Postal/physical address(es)	The Barossa Council, 43-51 Tanunda Road, NURIOOTPA, SA, 5355
Business hours telephone	08 8563 8411
Mobile	
Fax	
E-mail	cdswonitzky@barossa.sa.gov.au

Commonwealth representative and address

Name of representative	Khalida Saud
Position	CGH Grant User
Postal/physical address(es)	Department of Health and Aged Care GPO Box 9848 CANBERRA ACT 2601
Business hours telephone	08 8318 2741
Mobile	Not specified
Fax	Not specified
E-mail	SAperformanceHealth@communitygrants.gov.au

The Parties' representatives will be responsible for liaison and the day-to-day management of the Grant, as well as accepting and issuing any written notices in relation to the Grant.

G. Activity Material

Activity Material means any material, other than Reporting Material, created or developed by the Grantee as a result of the Activity and includes any Existing Material that is incorporated in or supplied with the Activity Material.

None specified

Transport - Community and Home Support - 4-7W4D6OU

B. Grant Activity

Objective

To provide frail, older people with access to transport services that supports their access to the community.

Description

The Grantee agrees to carry out the Activity as described in the Program Manual to eligible clients identified for this Activity in accordance with the Activity Work Plan (Item E.2) and the CHSP Program Manual (https://www.health.gov.au/resources/publications/commonwealth-home-support-programme-chsp-manual)

The Grantee agrees to participate in program development activity as reasonably requested by the Commonwealth.

Any variation to the payment amount or schedule will only arise if the Commonwealth notifies the Grantee otherwise. The Grantee is responsible for sustainably managing its service delivery and number of clients.

Grantees are contracted to deliver a specific number of outputs and any decision to exceed the agreed outputs is taken at the Grantee's own risk and cost.

The Activity period for the grant is until 30 June 2025. Providers must not carry out any Activities, using this funding, after this date. The Activity Completion date of 31 July 2025 is to enable any payment to be made for services delivered in June 2025.

Payments are made for activities that comply with requirements outlined in the Program Manual.

Performance Indicators

The Activity will be measured against the following Performance Indicator/s:

Performance Indicator Description	Measure
As described in the Activity Work Plan	As described in the Activity Work Plan and Item E. Reporting

Location Information

The Activity will be delivered from the following site location/s:

	Location Type	Name	Address
1	Direct Funded	The Barossa Council	The Barossa Council 43-51 Tanunda Road NURIOOTPA SA 5355

Service Area Information

The Activity will service the following service area/s:

	Type	Service Area
1	Aged Care Planning Region (2015)	Yorke, Lower North & Barossa

C. Duration of the Grant

The Activity starts on 1 July 2018.

The Activity (other than the provision of any final reports) ends on 31 July 2025, which is the Activity's Completion Date.

The Agreement ends on 31 October 2025 or when the Grantee has provided all of the reports and repaid any Grant amount as required under this Agreement.

D. Payment of the Grant

The total amount of the Grant is $509,668.16* (GST exclusive).

A break down by Financial Year is below:

Financial Year	Amount * (excl. GST)
2018-2019	$43,347.53
2019-2020	$21,998.87
2020-2021	$51,084.39
2021-2022	$92,274.20
2022-2023	$93,658.31
2023-2024	$99,277.81
2024-2025	$108,027.05

*This amount may include Social, Community, Home Care and Disability Services Industry Award 2010 Supplementation (SACS).

The Grantee must ensure that the Grant is held in an account in the Grantee's name and which the Grantee controls, with an authorised deposit-taking institution authorised under the Banking Act 1959 (Cth) to carry on banking business in Australia.

The Grantee's nominated bank account into which the Grant is to be paid is:

BSB Number	085-005
Financial Institution	Adelaide Ground Level 22-28 King William St NAB
Account Number	393831998
Account Name	The Barossa Council

The Grant will be paid in instalments by the Commonwealth in accordance with the agreed Milestones, and compliance by the Grantee with its obligations under this Agreement.

Milestone	Anticipated date	Amount (excl. GST)	GST	Total (incl. GST)
Payment for the period 1 July 2018 - 30 September 2018 for the Activity described in Item B. Grant Activity	1 July 2018	$10,676.73	$0.00	$10,676.73
Payment for the period 1 October 2018 - 31 December 2018 for the Activity described in Item B. Grant Activity	1 October 2018	$10,676.73	$0.00	$10,676.73

Payment for the period 1 January 2019 - 31 March 2019 for the Activity described in Item B. Grant Activity	1 January 2019	$10,676.73	$0.00	$10,676.73
Payment for the period 1 April 2019 - 30 June 2019 for the Activity described in Item B. Grant Activity	1 April 2019	$10,836.89	$0.00	$10,836.89
Indexation 2018-19 back payment	1 April 2019	$480.45	$0.00	$480.45
Payment for the period 1 July 2019 - 30 September 2019 for the Activity described in Item B. Grant Activity	1 July 2019	$10,836.88	$0.00	$10,836.88
Payment for the period 1 October 2019 - 31 December 2019 for the Activity described in Item B. Grant Activity	1 October 2019	$10,836.88	$0.00	$10,836.88
Indexation 2019-20 back payment	1 October 2019	$325.11	$0.00	$325.11
Payment for the period 1 July 2020 - 30 September 2020 for the Activity described in Item B. Grant Activity	4 July 2020	$2,859.26	$0.00	$2,859.26
Payment for the period 1 October 2020 - 31 December 2020 for the Activity described in Item B. Grant Activity	4 October 2020	$2,859.26	$0.00	$2,859.26
Payment for the period 1 January 2021 - 31 March 2021 for the Activity described in Item B. Grant Activity	4 January 2021	$22,682.94	$0.00	$22,682.94
Payment for the period 1 April 2021 - 30 June 2021 for the Activity described in Item B. Grant Activity	4 April 2021	$22,682.93	$0.00	$22,682.93
Payment for the period 1 July 2021 - 30 September 2021 for the Activity described in Item B. Grant Activity	4 July 2021	$23,068.55	$0.00	$23,068.55
Payment for the period 1 October 2021 - 31 December 2021 for the Activity described in Item B. Grant Activity	4 October 2021	$23,068.55	$0.00	$23,068.55

Payment for the period 1 January 2022 - 31 March 2022 for the Activity described in Item B. Grant Activity	4 January 2022	$23,068.55	$0.00	$23,068.55
Payment for the period 1 April 2022 - 30 June 2022 for the Activity described in Item B. Grant Activity	4 April 2022	$23,068.55	$0.00	$23,068.55
Payment in advance for performance of Activity described in Item B for period 1 July 2022 - 31 July 2022	4 July 2022	$7,811.10	$0.00	$7,811.10
Payment in arrears for performance of Activity described in Item B for period 1 August 2022 - 31 August 2022	31 August 2022	$7,811.10	$0.00	$7,811.10
Payment in arrears for performance of Activity described in Item B for period 1 September 2022 - 30 September 2022	30 September 2022	$7,811.10	$0.00	$7,811.10
Payment in arrears for performance of Activity described in Item B for period 1 October 2022 - 31 October 2022	31 October 2022	$7,811.10	$0.00	$7,811.10
Payment in arrears for performance of Activity described in Item B for period 1 November 2022- 30 November 2022	30 November 2022	$7,801.74	$0.00	$7,801.74
Payment in arrears for performance of Activity described in Item B for period 1 December 2022 - 31 December 2022	31 December 2022	$7,801.74	$0.00	$7,801.74
Payment in arrears for performance of Activity described in Item B for period 1 January 2023 - 31 January 2023	31 January 2023	$7,801.74	$0.00	$7,801.74

Payment in arrears for performance of Activity described in Item B for period 1 February 2023 - 28 February 2023	14 February 2023	$7,801.74	$0.00	$7,801.74
Payment in arrears for performance of Activity described in Item B for period 1 March 2023 - 31 March 2023	14 February 2023	$7,801.74	$0.00	$7,801.74
Payment in arrears for performance of Activity described in Item B for period 1 April 2023 - 30 April 2023	30 April 2023	$7,801.74	$0.00	$7,801.74
Payment in arrears for performance of Activity described in Item B for period 1 May 2023 - 31 May 2023	31 May 2023	$7,801.74	$0.00	$7,801.74
Payment in arrears for performance of Activity described in Item B for period 1 June 2023 - 30 June 2023	30 June 2023	$7,801.73	$0.00	$7,801.73
Payment in arrears for performance of Activity described in Item B for period 1 December 2023 - 31 December 2023	24 July 2023	$8,269.84	$0.00	$8,269.84
Payment in arrears for performance of Activity described in Item B for period 1 October 2023 - 31 October 2023	24 July 2023	$8,279.77	$0.00	$8,279.77
Payment in arrears for performance of Activity described in Item B for period 1 August 2023 - 31 August 2023	24 July 2023	$8,279.77	$0.00	$8,279.77
Payment in arrears for performance of Activity described in Item B for period 1 July 2023 - 31 July 2023	24 July 2023	$8,279.77	$0.00	$8,279.77

Payment in arrears for performance of Activity described in Item B for period 1 November 2023-30 November 2023	24 July 2023	$8,269.84	$0.00	$8,269.84
Payment in arrears for performance of Activity described in Item B for period 1 September 2023 - 30 September 2023	24 July 2023	$8,279.77	$0.00	$8,279.77
Payment in arrears for performance of Activity described in Item B for period 1 May 2024 - 31 May 2024	24 November 2023	$8,269.84	$0.00	$8,269.84
Payment in arrears for performance of Activity described in Item B for period 1 February 2024 - 29 February 2024	24 November 2023	$8,269.84	$0.00	$8,269.84
Payment in arrears for performance of Activity described in Item B for period 1 April 2024 - 30 April 2024	24 November 2023	$8,269.84	$0.00	$8,269.84
Payment in arrears for performance of Activity described in Item B for period 1 January 2024 - 31 January 2024	24 November 2023	$8,269.84	$0.00	$8,269.84
Payment in arrears for performance of Activity described in Item B for period 1 March 2024 - 31 March 2024	24 November 2023	$8,269.84	$0.00	$8,269.84
Payment in arrears for performance of Activity described in Item B for period 1 June 2024 - 30 June 2024	30 June 2024	$8,269.85	$0.00	$8,269.85
Payment in arrears for performance of Activity described in Item B for period 1 July 2024 - 31 July 2024	31 July 2024	$9,009.46	$0.00	$9,009.46

Payment in arrears for performance of Activity described in Item B for period 1 August 2024 - 31 August 2024	31 August 2024	$9,009.46	$0.00	$9,009.46
Payment in arrears for performance of Activity described in Item B for period 1 September 2024 - 30 September 2024	30 September 2024	$9,009.46	$0.00	$9,009.46
Payment in arrears for performance of Activity described in Item B for period 1 October 2024 - 31 October 2024	31 October 2024	$9,009.46	$0.00	$9,009.46
Payment in arrears for performance of Activity described in Item B for period 1 November 2024- 30 November 2024	30 November 2024	$8,998.65	$0.00	$8,998.65
Payment in arrears for performance of Activity described in Item B for period 1 December 2024 - 31 December 2024	31 December 2024	$8,998.65	$0.00	$8,998.65
Payment in arrears for performance of Activity described in Item B for period 1 January 2025 - 31 January 2025	31 January 2025	$8,998.65	$0.00	$8,998.65
Payment in arrears for performance of Activity described in Item B for period 1 February 2025 - 28 February 2025	28 February 2025	$8,998.65	$0.00	$8,998.65
Payment in arrears for performance of Activity described in Item B for period 1 March 2025 - 31 March 2025	31 March 2025	$8,998.65	$0.00	$8,998.65
Payment in arrears for performance of Activity described in Item B for period 1 April 2025 - 30 April 2025	30 April 2025	$8,998.65	$0.00	$8,998.65

Payment in arrears for performance of Activity described in Item B for period 1 May 2025 - 31 May 2025	31 May 2025	$8,998.65	$0.00	$8,998.65
Payment in arrears for performance of Activity described in Item B for period 1 June 2025 - 30 June 2025	30 June 2025	$8,998.66	$0.00	$8,998.66
Total Amount		**$509,668.16**	**$0.00**	**$509,668.16**

Invoicing

The Grantee agrees to allow the Commonwealth to issue it with a Recipient Created Tax Invoice (RCTI) for any taxable supplies it makes it relation to the Activity.

Taxes, duties and government charges

Refer to Clause 9. Taxes, duties and government charges.

E. Reporting

The Grantee agrees to create the following reports in the form specified and to provide the reports to the Commonwealth representative in accordance with the following.

Milestone	Information to be included	Due Date
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2018 to 30 September 2018 as described in item E.1 Performance Reports.	31 October 2018
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2018 to 31 December 2018 as described in Item E.1 Performance Reports.	30 January 2019
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2019 to 30 June 2019 as described in Item E.1 Performance Reports.	30 July 2019
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 October 2018 to 30 June 2019 as described in Item E.1 Performance Reports.	31 October 2019
DOH Acquittal Other	As described in item E.4 Accounting for the Grant.	31 October 2019
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2019 to 31 December 2019 as described in Item E.1 Performance Reports.	30 January 2020
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2020 to 30 June 2020 as described in Item E.1 Performance Reports.	30 July 2020

Other Report	Unspent funds stocktake for 2019/20 financial year	7 August 2020
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2019 to 30 June 2020 as described in Item E.1 Performance Reports.	30 November 2020
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2020 to 31 December 2020 as described in Item E.1 Performance Reports.	30 January 2021
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2021 to 30 June 2021 as described in Item E.1 Performance Reports.	30 July 2021
Financial Acquittal Report	As described in item E.4 Accounting for the Grant.	30 July 2021
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2020 to 30 June 2021 as described in item E.1 Performance Reports.	31 October 2021
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2021 to 31 December 2021 as described in Item E.1 Performance Reports.	28 February 2022
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	30 July 2022
Performance Report	Finalisation of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2022 to 30 June 2022 as described in Item E.1 Performance Reports.	30 July 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2022 to 30 July 2022 as described in Item E.1 Performance Reports.	14 August 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 August 2022 to 31 August 2022 as described in Item E.1 Performance Reports.	14 September 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 September 2022 to 30 September 2022 as described in Item E.1 Performance Reports.	14 October 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 October 2022 to 31 October 2022 as described in Item E.1 Performance Reports.	14 November 2022
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2021 to 30 June 2022 as described in Item E.1 Performance Reports.	30 November 2022

Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 November 2022 to 30 November 2022 as described in Item E.1 Performance Reports.	14 December 2022
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 December 2022 to 31 December 2022 as described in Item E.1 Performance Reports.	14 January 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2023 to 31 January 2023 as described in Item E.1 Performance Reports.	14 February 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 February 2023 to 28 February 2023 as described in Item E.1 Performance Reports.	14 March 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 March 2023 to 31 March 2023 as described in Item E.1 Performance Reports.	14 April 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 April 2023 to 30 April 2023 as described in Item E.1 Performance Reports.	14 May 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 May 2023 to 31 May 2023 as described in Item E.1 Performance Reports.	14 June 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 June 2023 to 30 June 2023 as described in Item E.1 Performance Reports.	14 July 2023
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2022 to 30 June 2023 as described in Item E.1 Performance Reports.	31 July 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2023 to 31 July 2023 as described in Item E.1 Performance Reports.	14 August 2023
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	31 August 2023

Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 August 2023 to 31 August 2023 as described in Item E.1 Performance Reports.	14 September 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 September 2023 to 30 September 2023 as described in Item E.1 Performance Reports.	14 October 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 October 2023 to 31 October 2023 as described in Item E.1 Performance Reports.	14 November 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 November 2023 to 30 November 2023 as described in Item E.1 Performance Reports.	14 December 2023
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 December 2023 to 31 December 2023 as described in Item E.1 Performance Reports.	14 January 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2024 to 31 January 2024 as described in Item E.1 Performance Reports.	14 February 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 February 2024 to 29 February 2024 as described in Item E.1 Performance Reports.	14 March 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 March 2024 to 31 March 2024 as described in Item E.1 Performance Reports.	14 April 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 April 2024 to 30 April 2024 as described in Item E.1 Performance Reports.	14 May 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 May 2024 to 31 May 2024 as described in Item E.1 Performance Reports.	14 June 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 June 2024 to 30 June 2024 as described in Item E.1 Performance Reports.	14 July 2024
Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2023 to 30 June 2024 as described in Item E.1 Performance Reports.	31 July 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 July 2024 to 31 July 2024 as described in Item E.1 Performance Reports.	14 August 2024
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	31 August 2024

Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 August 2024 to 31 August 2024 as described in Item E.1 Performance Reports.	14 September 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 September 2024 to 30 September 2024 as described in Item E.1 Performance Reports.	14 October 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 October 2024 to 31 October 2024 as described in Item E.1 Performance Reports.	14 November 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 November 2024 to 30 November 2024 as described in Item E.1 Performance Reports.	14 December 2024
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 December 2024 to 31 December 2024 as described in Item E.1 Performance Reports.	14 January 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 January 2025 to 31 January 2025 as described in Item E.1 Performance Reports.	14 February 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 February 2025 to 28 February 2025 as described in Item E.1 Performance Reports.	14 March 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 March 2025 to 31 March 2025 as described in Item E.1 Performance Reports.	14 April 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 April 2025 to 30 April 2025 as described in Item E.1 Performance Reports.	14 May 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 May 2025 to 31 May 2025 as described in Item E.1 Performance Reports.	14 June 2025
Performance Report	Entry of period data within the Data Exchange, as per the Data Exchange Protocols for the period 1 June 2025 to 30 June 2025 as described in Item E.1 Performance Reports.	14 July 2025

Performance Report	A report on wellness and reablement approaches to service delivery for the period 1 July 2024 to 30 June 2025 as described in Item E.1 Performance Reports.	31 July 2025
Financial Acquittal Report	As described in Item E.4 Accounting for the Grant.	31 August 2025

E.1 Performance Reports

The Grantee must provide client level data and service delivery information for all Activities described in Item B. Grant Activity (except for Sector Support and Development - Service System Development Activities) in accordance with the Data Exchange Protocols.

The Grantee must provide the data required within the Data Exchange Protocols through an approved mechanism as outlined in the Data Exchange Protocols.

The Grantee is required to finalise the submission of data within the Data Exchange by the due date set out at Item E.

For Sector Support and Development - Service System Development Activities, the Grantee must report progress in accordance with the Activity Work Plan in the format notified, referred or made available by the Commonwealth to the Grantee (including by reference to an internet site). The Grantee is required to submit reports by the applicable due date set out at Item E.

The Commonwealth will monitor activity levels as reported in the Data Exchange and in proportion to expected service levels according to the Activity Work Plan and may adjust payments (outlined in Item D) according to achieved service delivery levels. Any variation to the payment amount or schedule will only arise if the Commonwealth notifies the Grantee.

Wellness and Reablement Reports

The Grantee must provide service level information to the Commonwealth on wellness and reablement approaches being implemented by the Grantee as part of the Activities described in Item B Grant Activity. The service level information must be provided in accordance with the report template nominated by the Commonwealth.

The Grantee is required to provide a wellness and reablement report by the applicable due date set out at Item E.

For Sector Support and Development - Service System Development Activities, the Wellness and Reablement report is not a requirement.

E.2 Activity Work Plan

The Grantee agrees that its performance will be measured against the attached Activity Work Plan.

E.3 Annual Report

Not applicable

E.4 Accounting for the Grant

The Grantee must provide a financial declaration for each financial year of this Agreement. A financial declaration is a certification from the Grantee which:

- states that all grant funds were spent for the purpose as outlined in the Agreement; and
- declares the amount of unspent Grant funds.

The financial declaration must be certified by the Grantee's board, the chief executive officer or an officer with the authority to do so verifying the funds have been spent on the Activity in accordance with the Grant Agreement. If SACS supplementation has been paid, confirmation must be provided that the funding was

spent in accordance with Clause cb21.

The Grantee is required to provide a financial declaration by the applicable due date at Item E.

E.5 Other Reports

The Grantee must provide assistance and information to the Commonwealth as reasonably required by the Commonwealth, including but not limited to data on existing clients not registered on My Aged Care in the format notified, referred or made available by the Commonwealth in the timeframe specified by the Commonwealth.

F. Party representatives and address for notices

Grantee's representative and address

Grantee's representative name	Mrs Courtney Dswonitzky
Position	Coordinator
Postal/physical address(es)	The Barossa Council, 43-51 Tanunda Road, NURIOOTPA, SA, 5355
Business hours telephone	08 8563 8411
Mobile	
Fax	
E-mail	cdswonitzky@barossa.sa.gov.au

Commonwealth representative and address

Name of representative	Khalida Saud
Position	CGH Grant User
Postal/physical address(es)	Department of Health and Aged Care GPO Box 9848 CANBERRA ACT 2601
Business hours telephone	08 8318 2741
Mobile	Not specified
Fax	Not specified
E-mail	SAperformanceHealth@communitygrants.gov.au

The Parties' representatives will be responsible for liaison and the day-to-day management of the Grant, as well as accepting and issuing any written notices in relation to the Grant.

G. Activity Material

Activity Material means any material, other than Reporting Material, created or developed by the Grantee as a result of the Activity and includes any Existing Material that is incorporated in or supplied with the Activity Material.

None specified

ACTIVITY WORK PLAN

ORGANISATION ID: 1-AWMWY2
AGREEMENT ID: 4-7RK0SLP

Organisation name	The Barossa Council		**Grant Activity Name**	Sector Support and Development - Service System Development	
ACTIVITY DETAILS					
Grant Activity ID	4-813VEJA	**Activity Start Date**	01/07/2018	**Activity End Date**	30/06/2025
Financials	The total amount of the Grant is $528,628.76* (GST exclusive). A break down by Financial Year is below				

Financial Year	Amount * (excl. GST)
2018-2019	$71,159.79
2019-2020	$72,227.19
2020-2021	$73,310.60
2021-2022	$74,556.88
2022-2023	$75,675.23
2023-2024	$79,459.00
2024-2025	$82,240.07

Activity Requirement:	**Objective** To support CHSP service providers through reforms to the CHSP, in preparation for a new in-home aged care system, and to operate effectively in line with the objectives of the CHSP and within the context of the broader aged care system. **Description** The Grantee agrees to carry out the Activity as described in the Program Manual to eligible clients identified for this Activity in accordance with the Activity Work Plan (Item E.2) and the CHSP Program Manual (https://www.health.gov.au/resources/publications/commonwealth-home-support-programme-chsp-manual) The Grantee agrees to participate in program development activity as reasonably requested by the Commonwealth.
Area Funding and Performance Matrix	

The following table shows funding and performance expectations for this Activity by service area (Aged Care Planning Region) and by financial year (excluding SACS supplementation funding).

Service Area (Aged Care Planning Region)	FY	Type of Units	No. Units	Amount (excl. GST)
Australia	2024-2025	Not Specified	0	$82,240.07
Totals			0	$82,240.07

Organisation name	The Barossa Council		**Grant Activity Name**	Domestic Assistance - Community and Home Support	
ACTIVITY DETAILS					
Grant Activity ID	4-7W49GRO	**Activity Start Date**	01/07/2018	**Activity End Date**	31/07/2025

Financials

The total amount of the Grant is $1,058,131.31* (GST exclusive).

A break down by Financial Year is below

Financial Year	Amount * (excl. GST)
2018-2019	$141,484.89
2019-2020	$143,607.16
2020-2021	$145,761.27
2021-2022	$148,239.21
2022-2023	$150,462.80
2023-2024	$161,462.40
2024-2025	$167,113.58

Activity Requirement:

Objective

To provide frail, older people with assistance with domestic chores to maintain their capacity to manage everyday activities in a safe, secure and healthy home environment.

Description

The Grantee agrees to carry out the Activity as described in the Program Manual to eligible clients identified for this Activity in accordance with the Activity Work Plan (Item E.2) and the CHSP Program Manual (https://www.health.gov.au/resources/publications/commonwealth-home-support-programme-chsp-manual)

The Grantee agrees to participate in program development activity as reasonably requested by the Commonwealth.

Any variation to the payment amount or schedule will only arise if the Commonwealth notifies the Grantee otherwise. The Grantee is responsible for sustainably managing its service delivery and number of clients.

Grantees are contracted to deliver a specific number of outputs and any decision to exceed the agreed outputs is taken at the Grantee's own risk and cost.

	The Activity period for the grant is until 30 June 2025. Providers must not carry out any Activities, using this funding, after this date. The Activity Completion date of 31 July 2025 is to enable any payment to be made for services delivered in June 2025. Payments are made for activities that comply with requirements outlined in the Program Manual.

Area Funding and Performance Matrix

The following table shows funding and performance expectations for this Activity by service area (Aged Care Planning Region) and by financial year (excluding SACS supplementation funding).

Service Area (Aged Care Planning Region)	FY	Type of Units	No. Units	Amount (excl. GST)
Yorke, Lower North & Barossa	2018-2019	Hours	3058	$141,484.89
Yorke, Lower North & Barossa	2019-2020	Hours	3058	$143,607.16
Yorke, Lower North & Barossa	2020-2021	Hours	3058	$145,761.27
Yorke, Lower North & Barossa	2021-2022	Hours	3058	$148,239.21
Yorke, Lower North & Barossa	2022-2023	Hours	3058	$150,462.80
Yorke, Lower North & Barossa	2023-2024	Hours	3058	$161,462.40
Yorke, Lower North & Barossa	2024-2025	Hours	3058	$167,113.58
Totals			21406	$1,058,131.31

Organisation name	The Barossa Council		**Grant Activity Name**	Home Maintenance - Community and Home Support	
ACTIVITY DETAILS					
Grant Activity ID	4-7W49GUW	**Activity Start Date**	01/07/2018	**Activity End Date**	31/07/2025

Financials

The total amount of the Grant is $1,323,993.81* (GST exclusive).

A break down by Financial Year is below

Financial Year	Amount * (excl. GST)
2018-2019	$151,764.67
2019-2020	$176,040.01
2020-2021	$189,572.44
2021-2022	$192,795.17
2022-2023	$195,687.10
2023-2024	$205,471.46
2024-2025	$212,662.96

Activity Requirement:

Objective

To provide home maintenance services that assist clients to maintain their home in a safe and habitable condition. Maintenance services provided must be linked to assisting clients to maintain their independence, safety, accessibility and health and wellbeing within the home environment. Maintenance services can also assist in creating a home environment that facilitates a client's reablement goals.

Description

The Grantee agrees to carry out the Activity as described in the Program Manual to eligible clients identified for this Activity in accordance with the Activity Work Plan (Item E.2) and the CHSP Program Manual (https://www.health.gov.au/resources/publications/commonwealth-home-support-programme-chsp-manual)

The Grantee agrees to participate in program development activity as reasonably requested by the Commonwealth.

Any variation to the payment amount or schedule will only arise if the Commonwealth notifies the Grantee otherwise. The Grantee is responsible for sustainably managing its service delivery and number of clients.

Grantees are contracted to deliver a specific number of outputs and any decision to exceed the agreed outputs is taken at the

	Grantee's own risk and cost. The Activity period for the grant is until 30 June 2025. Providers must not carry out any Activities, using this funding, after this date. The Activity Completion date of 31 July 2025 is to enable any payment to be made for services delivered in June 2025. Payments are made for activities that comply with requirements outlined in the Program Manual.

Area Funding and Performance Matrix

The following table shows funding and performance expectations for this Activity by service area (Aged Care Planning Region) and by financial year (excluding SACS supplementation funding).

Service Area (Aged Care Planning Region)	FY	Type of Units	No. Units	Amount (excl. GST)
Yorke, Lower North & Barossa	2018-2019	Hours	2894	$151,764.67
Yorke, Lower North & Barossa	2019-2020	Hours	3357	$176,040.01
Yorke, Lower North & Barossa	2020-2021	Hours	3509	$189,572.44
Yorke, Lower North & Barossa	2021-2022	Hours	3509	$192,795.17
Yorke, Lower North & Barossa	2022-2023	Hours	3509	$195,687.10
Yorke, Lower North & Barossa	2023-2024	Hours	3509	$205,471.46
Yorke, Lower North & Barossa	2024-2025	Hours	3509	$212,662.96
Totals			23796	$1,323,993.81

Organisation name	The Barossa Council		**Grant Activity Name**	Home Modifications - Community and Home Support	
ACTIVITY DETAILS					
Grant Activity ID	4-7W49GXL	**Activity Start Date**	01/07/2018	**Activity End Date**	31/07/2024

Financials

The total amount of the Grant is $30,416.16* (GST exclusive).

A break down by Financial Year is below

Financial Year	Amount * (excl. GST)
2018-2019	$6,350.66
2019-2020	$4,632.33
2020-2021	$4,701.81
2021-2022	$4,781.74
2022-2023	$4,853.47
2023-2024	$5,096.15
2024-2025	$0.00

Activity Requirement:

Objective

To provide home modifications that increase or maintain levels of independence, safety, accessibility and wellbeing. Modification services can also assist in creating a home environment that supports reablement and restorative practices.

Description

The Grantee agrees to carry out the Activity as described in the Program Manual to eligible clients identified for this Activity in accordance with the Activity Work Plan (Item E.2) and the CHSP Program Manual (https://www.health.gov.au/resources/publications/commonwealth-home-support-programme-chsp-manual)

The Grantee agrees to participate in program development activity as reasonably requested by the Commonwealth.

Any variation to the payment amount or schedule will only arise if the Commonwealth notifies the Grantee otherwise. The Grantee is responsible for sustainably managing its service delivery and number of clients.

The Activity period for the grant is until 30 June 2025. Providers must not carry out any Activities, using this funding, after this date. The Activity Completion date of 31 July 2025 is to enable any payment to be made for services delivered in June 2025.

	Payments are made for activities that comply with requirements outlined in the Program Manual.

Area Funding and Performance Matrix

The following table shows funding and performance expectations for this Activity by service area (Aged Care Planning Region) and by financial year (excluding SACS supplementation funding).

Service Area (Aged Care Planning Region)	FY	Type of Units	No. Units	Amount (excl. GST)
Yorke, Lower North & Barossa	2018-2019	Dollars	6350.66	$6,350.66
Yorke, Lower North & Barossa	2019-2020	Dollars	4632.33	$4,632.33
Yorke, Lower North & Barossa	2020-2021	Dollars	4701.81	$4,701.81
Yorke, Lower North & Barossa	2021-2022	Dollars	4781.74	$4,781.74
Yorke, Lower North & Barossa	2022-2023	Dollars	4853.47	$4,853.47
Yorke, Lower North & Barossa	2023-2024	Dollars	5096.15	$5,096.15
Totals			30416.16	$30,416.16

Organisation name	The Barossa Council		**Grant Activity Name**	Social Support - Group - Community and Home Support	
ACTIVITY DETAILS					
Grant Activity ID	4-7W4D6HT	**Activity Start Date**	01/07/2018	**Activity End Date**	31/07/2025

Financials

The total amount of the Grant is $537,297.86* (GST exclusive).

A break down by Financial Year is below

Financial Year	Amount * (excl. GST)
2018-2019	$68,488.30
2019-2020	$69,515.62
2020-2021	$70,558.35
2021-2022	$71,757.84
2022-2023	$72,834.21
2023-2024	$76,475.93
2024-2025	$107,667.61

Activity Requirement:

Objective

To assist frail, older people to participate in community life and feel socially included through structured, group-based activities that develop, maintain or support independent living and social interaction.

Description

The Grantee agrees to carry out the Activity as described in the Program Manual to eligible clients identified for this Activity in accordance with the Activity Work Plan (Item E.2) and the CHSP Program Manual (https://www.health.gov.au/resources/publications/commonwealth-home-support-programme-chsp-manual)

The Grantee agrees to participate in program development activity as reasonably requested by the Commonwealth.

Any variation to the payment amount or schedule will only arise if the Commonwealth notifies the Grantee otherwise. The Grantee is responsible for sustainably managing its service delivery and number of clients.

Grantees are contracted to deliver a specific number of outputs and any decision to exceed the agreed outputs is taken at the Grantee's own risk and cost.

	The Activity period for the grant is until 30 June 2025. Providers must not carry out any Activities, using this funding, after this date. The Activity Completion date of 31 July 2025 is to enable any payment to be made for services delivered in June 2025. Payments are made for activities that comply with requirements outlined in the Program Manual.

Area Funding and Performance Matrix

The following table shows funding and performance expectations for this Activity by service area (Aged Care Planning Region) and by financial year (excluding SACS supplementation funding).

Service Area (Aged Care Planning Region)	FY	Type of Units	No. Units	Amount (excl. GST)
Yorke, Lower North & Barossa	2018-2019	Hours	3282	$68,488.30
Yorke, Lower North & Barossa	2019-2020	Hours	3282	$69,515.62
Yorke, Lower North & Barossa	2020-2021	Hours	3282	$70,558.35
Yorke, Lower North & Barossa	2021-2022	Hours	3282	$71,757.84
Yorke, Lower North & Barossa	2022-2023	Hours	3282	$72,834.21
Yorke, Lower North & Barossa	2023-2024	Hours	3282	$76,475.93
Yorke, Lower North & Barossa	2024-2025	Hours	4464	$107,667.61
Totals			24156	$537,297.86

Organisation name	The Barossa Council		**Grant Activity Name**	Social Support - Individual - Community and Home Support	
ACTIVITY DETAILS					
Grant Activity ID	4-7W4D6LV	**Activity Start Date**	01/07/2018	**Activity End Date**	31/07/2025

Financials

The total amount of the Grant is $89,367.04* (GST exclusive).

A break down by Financial Year is below

Financial Year	Amount * (excl. GST)
2018-2019	$12,029.88
2019-2020	$12,210.33
2020-2021	$12,393.48
2021-2022	$12,604.17
2022-2023	$12,793.23
2023-2024	$13,432.90
2024-2025	$13,903.05

Activity Requirement:

Objective

To assist frail, older people to participate in community life and feel socially included through meeting their need for social contact and company.

Description

The Grantee agrees to carry out the Activity as described in the Program Manual to eligible clients identified for this Activity in accordance with the Activity Work Plan (Item E.2) and the CHSP Program Manual (https://www.health.gov.au/resources/publications/commonwealth-home-support-programme-chsp-manual).

The Grantee agrees to participate in program development activity as reasonably requested by the Commonwealth.

Any variation to the payment amount or schedule will only arise if the Commonwealth notifies the Grantee otherwise. The Grantee is responsible for sustainably managing its service delivery and number of clients.

Grantees are contracted to deliver a specific number of outputs and any decision to exceed the agreed outputs is taken at the Grantee's own risk and cost.

The Activity period for the grant is until 30 June 2025. Providers must not carry out any Activities, using this funding, after this date.

	The Activity Completion date of 31 July 2025 is to enable any payment to be made for services delivered in June 2025. Payments are made for activities that comply with requirements outlined in the Program Manual.

Area Funding and Performance Matrix

The following table shows funding and performance expectations for this Activity by service area (Aged Care Planning Region) and by financial year (excluding SACS supplementation funding).

Service Area (Aged Care Planning Region)	FY	Type of Units	No. Units	Amount (excl. GST)
Yorke, Lower North & Barossa	2018-2019	Hours	260	$12,029.88
Yorke, Lower North & Barossa	2019-2020	Hours	260	$12,210.33
Yorke, Lower North & Barossa	2020-2021	Hours	260	$12,393.48
Yorke, Lower North & Barossa	2021-2022	Hours	260	$12,604.17
Yorke, Lower North & Barossa	2022-2023	Hours	260	$12,793.23
Yorke, Lower North & Barossa	2023-2024	Hours	260	$13,432.90
Yorke, Lower North & Barossa	2024-2025	Hours	260	$13,903.05
Totals			1820	$89,367.04

Organisation name	The Barossa Council		**Grant Activity Name**	Transport - Community and Home Support	
ACTIVITY DETAILS					
Grant Activity ID	4-7W4D6OU	**Activity Start Date**	01/07/2018	**Activity End Date**	31/07/2025

Financials

The total amount of the Grant is $509,668.16* (GST exclusive).

A break down by Financial Year is below

Financial Year	Amount * (excl. GST)
2018-2019	$43,347.53
2019-2020	$21,998.87
2020-2021	$51,084.39
2021-2022	$92,274.20
2022-2023	$93,658.31
2023-2024	$99,277.81
2024-2025	$108,027.05

Activity Requirement:

Objective

To provide frail, older people with access to transport services that supports their access to the community.

Description

The Grantee agrees to carry out the Activity as described in the Program Manual to eligible clients identified for this Activity in accordance with the Activity Work Plan (Item E.2) and the CHSP Program Manual (https://www.health.gov.au/resources/publications/commonwealth-home-support-programme-chsp-manual)

The Grantee agrees to participate in program development activity as reasonably requested by the Commonwealth.

Any variation to the payment amount or schedule will only arise if the Commonwealth notifies the Grantee otherwise. The Grantee is responsible for sustainably managing its service delivery and number of clients.

Grantees are contracted to deliver a specific number of outputs and any decision to exceed the agreed outputs is taken at the Grantee's own risk and cost.

	The Activity period for the grant is until 30 June 2025. Providers must not carry out any Activities, using this funding, after this date. The Activity Completion date of 31 July 2025 is to enable any payment to be made for services delivered in June 2025. Payments are made for activities that comply with requirements outlined in the Program Manual.

Area Funding and Performance Matrix

The following table shows funding and performance expectations for this Activity by service area (Aged Care Planning Region) and by financial year (excluding SACS supplementation funding).

Service Area (Aged Care Planning Region)	FY	Type of Units	No. Units	Amount (excl. GST)
Yorke, Lower North & Barossa	2018-2019	Trips	7030	$43,347.53
Yorke, Lower North & Barossa	2019-2020	Trips	3565	$21,998.87
Yorke, Lower North & Barossa	2020-2021	Trips	3029	$51,084.39
Yorke, Lower North & Barossa	2021-2022	Trips	4258	$92,274.20
Yorke, Lower North & Barossa	2022-2023	Trips	4258	$93,658.31
Yorke, Lower North & Barossa	2023-2024	Trips	4258	$99,277.81
Yorke, Lower North & Barossa	2024-2025	Trips	4477	$108,027.05
Totals			30875	$509,668.16

DEBATE REPORT

7.4 Development and Community Services

7.4.5 DRAFT SUBMISSION TO MINISTER FOR PLANNING - DEVELOPMENT APPLICATION 25001089 FOR DEMOLITION OF FORMER CARETAKERS RESIDENCE AT WHISPERING WALL RESERVOIR AND CONSTRUCTION OF A 1.2M HIGH FENCE

Author: Manager Development Services
25/16677

PURPOSE

To seek endorsement of a submission to the Minister for Planning in relation to Development Application 25001089 for demolition of former caretakers residence at the Whispering Wall Reservoir and construction of a 1.2m high fence.

RECOMMENDATION

That Council:

(1) Authorise the draft submission to the Minister for Planning in relation to Development Application 25001089 for demolition of former caretakers residence at the Whispering Wall Reservoir and construction of a 1.2m high fence, contained in *Attachment 1*.

(2) Authorises the Chief Executive Officer, or delegate, to make minor technical or typographical amendments to the submission.

REPORT

Background
SA Water lodged Development Application 25001089 to the Minister for Planning on 22nd January 2025 seeking demolition of the former caretakers residence at the Whispering Wall Reservoir. The Whispering Wall is listed on the State Heritage Register pursuant to the *Heritage Places Act 1993* (State Heritage ID 16929). The listing is described in the notes as follows:

> *The wall is listed as it is recognised as a significant structure in the history of engineering in South Australia. Completed in 1902, the concrete arch dam was the first of its type in the state and among the first of the true thin wall arch dams to be built in the world. The reservoir wall was the highest dam in Australia at the time of its completion. An unusual phenomenon is created by the location and curve of the downstream wall of the dam which has resulted in it being called the "Whispering Wall". Due to the curvature of the dam wall a person speaking quietly on one abutment can be clearly heard by a person on the opposite abutment.*

While the caretakers residence is not mentioned within the extent of the State Heritage listing, demolition of the building requires development approval, noting that demolition of a building on the site of a State Heritage Place is not exempt from development pursuant to the *Planning, Development & Infrastructure Act 2016* (the Act).

Development by an agency or instrumentality of the Crown is assigned to the Commission for assessment as the Relevant Authority. The Commission must give notice of an application containing particulars of the development to the Council. Council is provided four weeks in which to report to the Commission on the application.

Introduction
Council is requested to provide comments in respect of a development application for demolition of the former caretakers residence at the Whispering Wall Reservoir. The development application is contained within Attachment 2 and includes a planning report, photos of the building and proposal plans.

Whilst staff have delegation to provide comments to the Minister for Planning it is considered appropriate for Council to endorse the submission in this instance given the application has attracted some media attention due to the heritage listing of the site.

Discussion
The former caretakers residence is located adjacent the eastern end of the Whispering wall car park, approximately 90m from the eastern side of the Whispering Wall. The caretakers residence is presently fenced around the perimeter with chain mesh wire to preclude public access. Photos of the building are contained in Attachment 2.

The caretakers residence forms an important part of the history of the Whispering Wall. Records of the site suggest there was a large construction camp near the work site during construction of the dam. It is believed that the residence was the office of the Chief Engineer during construction. Following completion, the cottage was used as a Caretaker's / Manager's residence for a number of years. It was common practice at reservoirs in South Australia to build a residence for the caretaker to manage and maintain the infrastructure associated with the reservoir.

SA Water have requested demolition of the building and construction of a 1.2m tall 'pool fence' to the east of the demolished building to prevent access to SA Water infrastructure. The proposed development consists of the following works:

- Removal and disposal of asbestos and hazardous materials;
- Removal of all plant, equipment, utilities, furniture etc. that is not part of the building structure and dispose of;
- Recycle all scrap metals and materials worthy of local recycling;
- Demolish above ground and underground steel, concrete, electrical, plumbing infrastructure and level to ground;
- Grade land and ensure site is clear and tidy;
- Install 1.2m tall 'pool fencing' to the east.

SA Water have requested demolition of the building on basis that the building is in a dilapidated state and is not economic to repair. SA Water have advised they will

investigate options to retain materials for incorporation into future elements of infrastructure in the public spaces.

As part of the assessment, the application has been referred to Heritage SA for comment pursuant to Schedule 9(3)(17) of the *Planning, Development and Infrastructure (General) Regulations*. Heritage SA will provide commentary on the impact of the demolition upon the State Heritage Place.

A draft submission outlining Council's submission in respect to the proposal is contained in Attachment 1. The draft submission acknowledges the dilapidated state of the building and the need for action to be taken to address the condition of the building. In its current form, the building clearly detracts from the site and its ongoing retention in this condition is clearly not desired by the community.

While the preferred option of SA Water is to seek demolition, the cottage has been assessed by Council's Heritage Advisor as run-down but not unsound and could be rehabilitated. The lack of explicit heritage listing of the caretaker's residence under the listing of the Whispering Wall is acknowledged, however, the building is considered to have a tangible link and relationship to the Whispering Wall and the demolition of the residence would be a loss to the understanding and context of the construction and management of the reservoir wall and site.

The submission therefore encourages the retention of the former caretaker's residence. In event that Heritage SA and the Minister for Planning do not agree, the proposal to incorporate some of the materials of the demolished building into future elements of the infrastructure in the public spaces is supported. Further telling of the story of the building at the location is also encouraged as well as further ongoing investment and upgrade of the public spaces of the Reservoir to support tourism attraction and recreation space for the community.

Summary and Conclusion
Council is requested to endorse the draft submission to the Minister for Planning in relation to Development Application 25001089 and authorise the Chief Executive Officer, or delegate, to make minor technical or typographical amendments to the submission.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Draft Submission to Minister for Planning - Development Application 25001089 ⇩

Attachment 2 Crown - Development application - 25001089: 176 South Para Rd Williamstown SA 5351 - Consolidated Documents ⇩

Supporting references
Nil

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
Planning, Development & Infrastructure Act 2016

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

Public notification is not required for the development proposal as the total development cost is less than $10 million, pursuant to Section 131(13) of the Act.

Reference:

18 February 2024

Minister for Planning
Hon Nick Champion MP
GPO Box 11032
ADELAIDE SA 5001

By email: plansa@sa.gov.au

Dear Hon Nick Champion MP,

Development Application 25001089 – 176 South Para Road, Williamstown – Demolition of former caretakers residence at Whispering Wall Reservoir

Thank you for opportunity to make comment in respect to the above-mentioned Development Application, pursuant to Section 131(6) of the *Planning, Development and Infrastructure Act 2016.*

The development application seeks demolition of the former caretakers residence at Whispering Wall. Whispering Wall is the site of the State Heritage listed Whispering Wall. The caretakers residence is located on the same site as the Wall but is not contained within the extent of heritage listing.

The dilapidated condition of the building is acknowledged and there is a clear need for action to be taken to address the poor condition of the building. In its current form, the building clearly detracts from the site and its ongoing retention in this condition at the site is not desired by the community.

While the preferred option of SA Water is to seek demolition, the cottage has been assessed by Council's Heritage Advisor as run-down, but not unsound. The building is also considered to have a tangible link and relationship to the Whispering Wall reservoir and the demolition of the residence would be a loss to the understanding and context of the construction and management of the reservoir wall and site.

Council therefore encourages the retention of the former caretaker's residence. In event that you do not agree with this position, the proposal to incorporate some of the materials from the demolished building into future elements of the infrastructure in the public spaces is supported. Further telling of the story of the building and the location is also encouraged as well as further ongoing investment and upgrade of the public spaces of the Reservoir to support tourism attraction and recreation space for the community.

Thank you again for the opportunity to participate in the development application process.

Should you wish to discuss this matter further, please contact Aaron Curtis, Manager – Development Services, acurtis@barossa.sa.gov.au or 8563 8492.

Yours faithfully

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

DRAFT

SA Water

Environment and Heritage

Development Application Report – Barossa Reservoir – demolition works

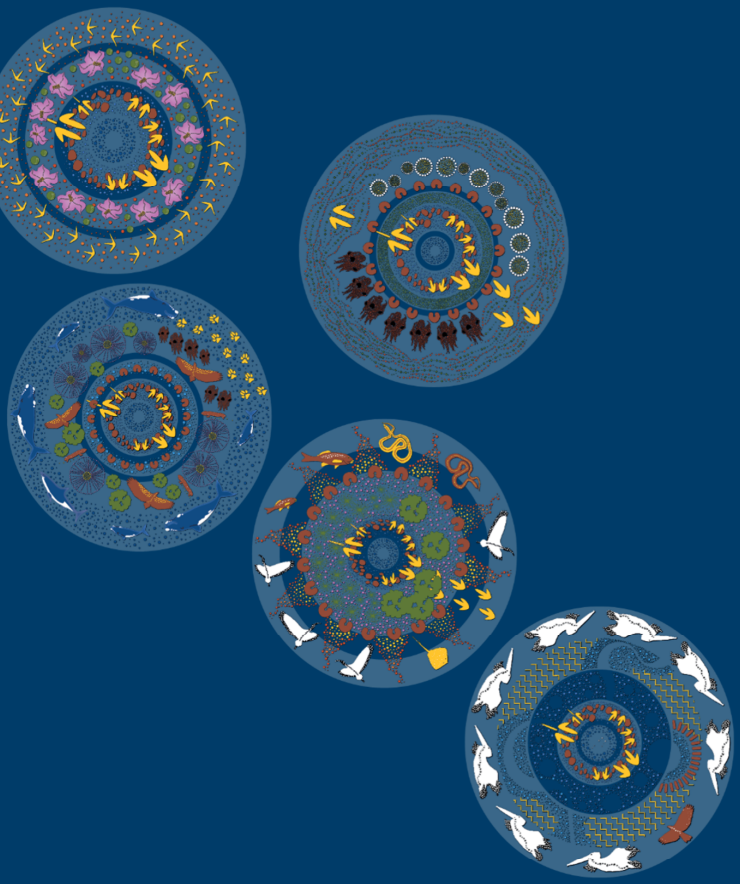
Version: 1
Date: 22/1/2025
Status: FINAL
Document ID: n/a
Confidentiality: OFFICIAL

Government of South Australia

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Acknowledgment of country

SA Water acknowledges the Traditional Owners of Country throughout South Australia. We recognise their unique and continuing connection to lands and waters. We pay respect to Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples visiting or living in South Australia.



Document Controls

Version History

Version	Date	Author	Comments
0.1	03/10/2023	SA Water	First draft
1	21/1/2025	SA Water	Final

Template: Report Version 4.2 22/11/19

Contents

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1 Introduction

This development application report proposes to demolish an empty building, previously used by a caretaker within the Barossa Reservoir in Williamstown on Kaurna land.

The existing chainmesh fence will be replaced by 1.2m tall 'pool fencing' to the eastern aspect of the demolished building, for delineation of public access areas.

The proposed development will not result in a change of land use.

The expected development cost $150,000.

To note – the invoice contact for this development application is Ms Holly Aldenhoven (holly.aldenhoven@sawater.com.au).

1.1 Proponent

The proponent for the project is SA Water, which is a government enterprise, wholly owned by the Government of South Australia, and established by the proclamation of the *South Australian Water Corporation Act 1994* on 1 July 1995.

This application is a Crown Development proposal pursuant to section 131 of the *Planning, Development and Infrastructure Act 2016*.

2 Subject site and locality description

Allotment/Deposited Plan Number	Certificate of Title	Street Address	Suburb	Postcode
SE 1 H105200	CT/ 5822/378	176 South Para Road,	Williamstown	5351



Figure 1 – aerial view of proposed development with vacant structure shown in yellow

The subject site is on Kaurna Land known as Williamstown in South Australia.

The locality is generally rural in nature and a large water body known as the Barossa Reservoir within the subject site.

The proposed development is to the east of the parcel and is not part of the Whispering Wall infrastructure that is State Heritage listed. The public realm within the site has been recently updated with car parking and facilities.

The yellow box outlines the subject structure to be demolished.

The Whispering Wall is State Heritage listed within the Planning and Design Code as:

The Barossa Reservoir wall is a significant structure in the history of engineering in South Australia. Completed in 1902, the concrete arch dam was the first of its type in the State and among the first of the true thin wall arch dams to be built in the world. The reservoir wall was built using innovative construction techniques and was the highest dam in Australia at the time of its completion. An unusual acoustic phenomenon is created by the location and curve of the downstream wall of the dam which has resulted in it being called the 'Whispering Wall'. Due to the curvature of the dam wall a person speaking quietly on one abutment can be clearly heard by a person on the opposite abutment.



Figure 2 - the green line delineates the new fencing proposed

The proposed fencing repeats the 1.2m tall 'pool fencing' as shown currently on site.



Figure 3 - example of 'pool fencing' on site

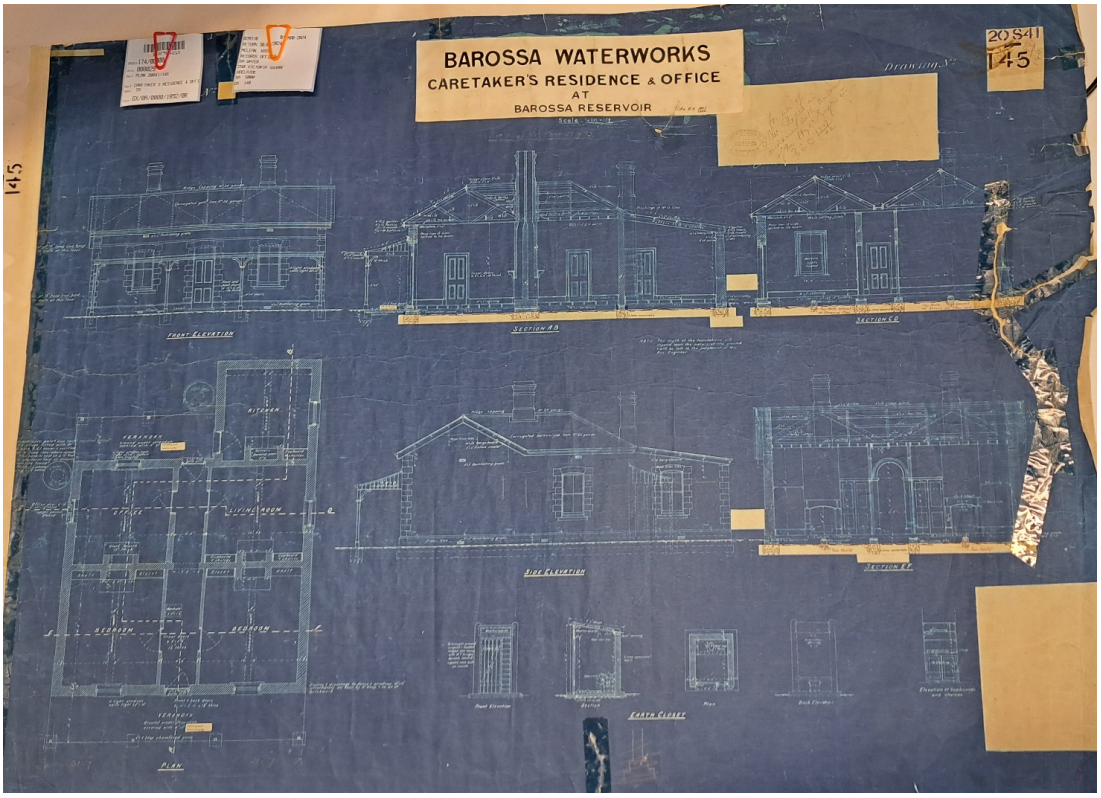


Figure 4 - layout of the vacant building (without addition)



Figure 5 - the proposed structure for demolition



Figure 6 – the proposed structure for demolition

3 Proposed development

The proposed works are to demolish the building (internals shown below) to appropriately maintain the subject site. A new 1.2m tall 'pool fence' will be erected to the east of the demolished building to prevent access to SA Water infrastructure.



Figure 7 - photo of inside the structure for demo

The proposed development consists of the following works:

- Removal and disposal of asbestos and hazardous materials,
- Removal of all plant, equipment, utilities, furniture, etc that is not part of the building structure, and dispose of,
- Recycle all scrap metals and materials worthy of local recycling, and
- Demolish above ground and underground steel, concrete, electrical, plumbing infrastructure, and level to ground, and,
- Grade land and ensure site is clear and tidy.
- Install 1.2m tall 'pool fencing' to the East.

SA Water will investigate options to retain materials for incorporation into future elements of infrastructure in our public spaces.

4 Procedural Matters

Category of development

Schedule 13 of the *Planning, Development Infrastructure (General) Regulations 2017* does not apply as the State Heritage Overlay applies to the subject site and the proposal is expected to be performance assessed under the Planning and Design code as a Section 131 development (*Planning, Development and Infrastructure Act 2016*).

Statutory Referrals

Pursuant to Section 131 (6) of the *Planning, Development and Infrastructure Act 2016*, a referral must be made to the Barossa Council containing the prescribed particulars. The Barossa Council may report to the Commission on any matters contained in a notice under the *Planning, Development and Infrastructure (General) Regulations 2017*

A referral to Heritage SA is required as the development is subject to the State Heritage Place Overlay.

Public Notification

No public notification is required for this Crown development proposal as the total development cost is less than $10 million.

5 Assessment

	Policy Overview	Response by Development Application
Productive Rural Landscape Zone	The Desired Outcomes of the Productive Rural Landscape Zone relate to conservation of the natural and rural character with promotion of primary production land uses.	The Productive Rural Landscape Zone does not anticipate the minor works that are proposed through this development application. The proposed demolition is not expected to unduly impact visually on the surrounding area.
State Heritage Place Overlay	The State Heritage Place Overlay expects the maintenance of the heritage and cultural values through conservation consistent with Statements of Significance in accordance with the *Heritage Places Act 1993*.	The proposed works are not expected to unduly impact the State Heritage listed Whispering Wall, as they are some distance from the structure. The proposal is part of SA Water's larger program of works for the Barossa Reservoir, including improvements to public realm. The expected improvements would be complementary to the State Heritage Place.
Heritage Adjacency Overlay	Development adjacent State and Local Heritage places maintains the heritage and cultural values of those Places (DO 1).	The proposed works are not expected to unduly impact the Whispering Wall, as they are some distance from the structure. The proposal is part of a larger program of works for the Barossa Reservoir, including improvements to public realm. The expected improvements would be complementary to the State Heritage Place.
Water Resources Overlay	The Water Resources Overlay expects the protection of surface water quality and the conveyance of natural flow paths of water courses (DO 1, 2).	The proposed demolition works are not expected to impact surface waters or natural flow paths on the site.

Mount Lofty Ranges Water Supply Catchment (Area 1) Overlay	Mount Lofty Ranges Water Supply Catchment (Area 1) Overlay provides a safeguard for Adelaide's public water supply by ensuring a neutral or beneficial effect on the water quality harvested from primary reservoirs (DO 1).	The proposed demolition works are not expected to detrimentally impact the water quality of the reservoir adjacent the proposed works.
General Development Policy – **Infrastructure and Renewable Energy Facilities**	The Infrastructure and Renewable Energy Facilities seeks the efficient provision of infrastructure to minimise hazards (DO 1) in a visually appropriate manner.	The proposed works are expected to reduce physical hazards and inappropriate access to the abandoned building. In addition, future public realm works are expected to soften the hard surfaces of the essential water infrastructure that is to the East of the building to be demolished.
General Development Policy – Open Space and Recreation	Open Space and Recreation policy seeks pleasant, functional and accessible open space and recreational facilities are provided at State, regional, district, neighbourhood and local levels for active and passive recreation, biodiversity, community health, urban cooling, tree canopy cover, visual amenity, gathering spaces, wildlife and waterway corridors, and a range of other functions and at a range of sizes that reflect the purpose of that open space (DO 1). PO 4.1 – Usability seeks to have land allocated for open space is suitable for its intended active and passive recreational use.	The proposed demolition of the caretaker's cottage is expected to fulfill the intention of the Open Space and Recreation policy at the regional level for the Barossa. Future works are enabled for passive and active recreation, visual amenity and gathering spaces with the demolition of the structure occurring.
Planning and Design Code version 2024.22 – 19 December 2024 Planning Overlays that apply to the locality but are not relevant to the assessment include: • Native Vegetation Overlay • Traffic Generating Development Overlay • Hazards (Bushfire – High Risk) Overlay		

- Hazards (Bushfire – Medium Risk) Overlay
- Character Preservation District – Not in Township Overlay
- Hazards (Flooding – Evidence Required) Overlay
- Mount Lofty Ranges Water Supply Catchment (Area 2) Overlay
- State Significant Native Vegetation Overlay
- Prescribed Water Resources Area Overlay
- Urban Transport Routes Overlay
- Local Heritage Place Overlay
- Limited Land Division Overlay

6 Conclusion

The proposal to demolish the aging and dilapidated structure is required to support an operating SA Water site and represents an orderly approach to site management. A program of works is anticipated at the Barossa Reservoir site to improve the public realm and visitor experience.

SA Water will investigate options to retain materials for incorporation into future elements of infrastructure in public spaces.

While the Productive Rural Landscape Zone does not anticipate the demolition of the former caretaker's cottage, the proposal is not in conflict with the referenced Overlays and general policy relating to Infrastructure and Renewable Energy Facilities within the Planning and Design Code.

The proposed development is NOT seriously at variance with the Planning and Design Code Policy and should be granted Development Approval by the Minister for Planning or their delegate.





Room 1

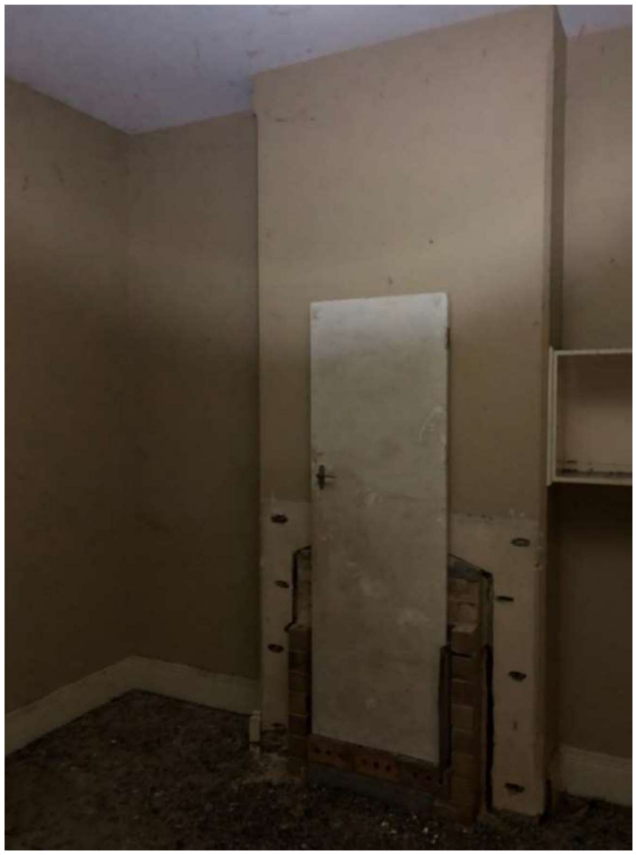
Salt damp damage to rendering of southern and eastern walls.







Room 1



Room 2



Room 3



Room 4



Room 5



Room 6 (Kitchen)



Room 7 – Bathroom



Room 8 – External toilet





Hallway

External timber facia beams throughout structure show signs of rotting and weather damage.



Front verandah has collapsed



West side verandah gutter sagging.



West side verandah timber posts show signs of rotting at base with one post in particular detached from steel plate connection.









East side verandah timber post shows signs of rotting at base.



East side verandah gutter corroding and sagging.





East side verandah sheeting showing signs of rust.

Rear vernadah gutter sagging. (P68)

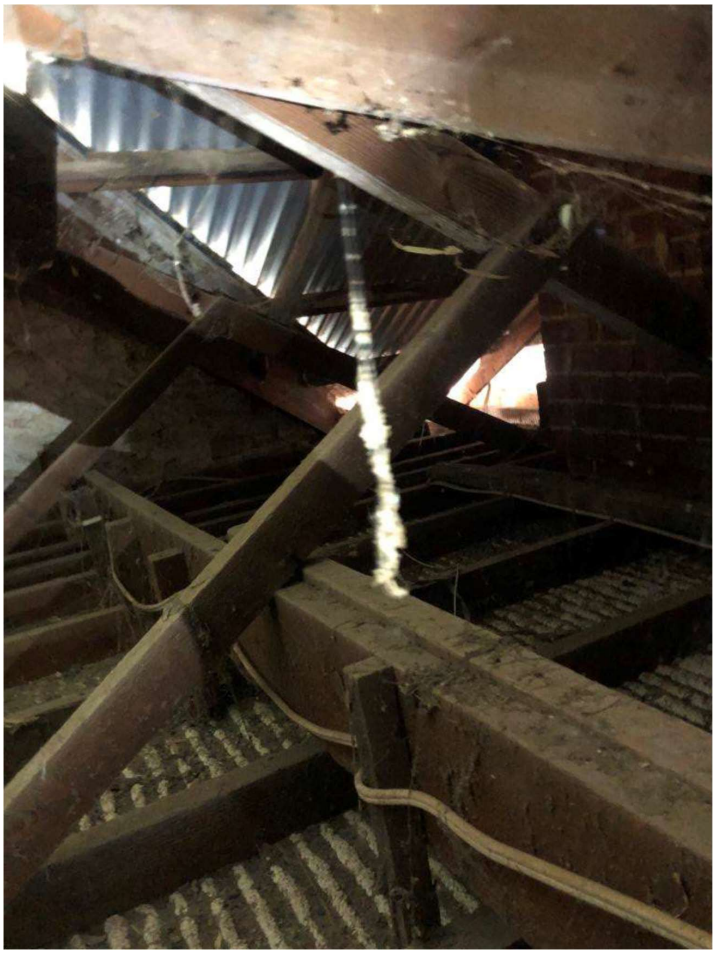


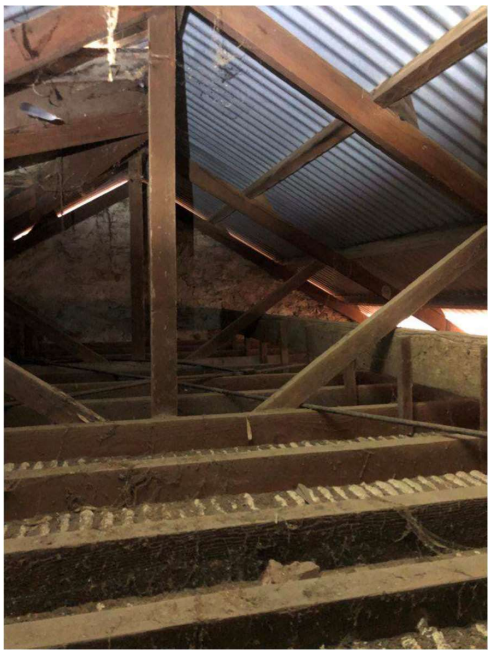


Guttering around main roof showing signs of rust and potential corrosion.









Roof structural members

Attachment 2



SA Water

SOUTH AUSTRALIAN
WATER CORPORATION

GPO Box 1751

Adelaide SA 5001

Telephone: 1300 650 950

Facsimile: + 61 8 7003 3329

AquaMap Print

AquaMap Comment

Scale 1: 5,000 (@A3)

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SA Water

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AquaMap Print

AquaMap Comment

Scale 1: 500 (@A3)

- CP Test Points
- CP Transformer Rectifiers
- CP Insulated Joints
- CP Anodes
- CP Anode Beds
- CP Anode Bed Outlines
- CP Anode Cables
- CP Cathode Cables
- CP Electricity Supply Cables
- CP Test Points (Decom.)
- CP Transformer Rectifiers (De
- CP Insulated Joints (Decom.)
- CP Anodes (Decom.)
- CP Anode Beds (Decom.)
- CP Anode Bed Outlines (Deco
- CP Anode Cables (Decom.)
- CP Cathode Cables (Decom.)
- CP Electricity Supply Cables (I
- System Interface Points
- SA Water Cables

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COVER SHEET

CONFIDENTIAL REPORT

18 February 2025

Council Meeting

8.1 Office of the Mayor and CEO

8.1.1 TOWN OF GAWLER BOUNDARY PROPOSAL - EXTRACT OF CONSULTANTS REPORT FOR COUNCIL COMMENT

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 the information has been provided by the State on condition of confidentiality to allow the information provided to be validated.

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

information the disclosure of which-

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

(ii) would, on balance, be contrary to the public interest;

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

COVER SHEET

CONFIDENTIAL REPORT

18 February 2025

Council Meeting

8.1 Office of the Mayor and CEO

8.1.2 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 contains 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 it contains informatioin that is related to the Supreme Court Case between Councils and TTEG

COVER SHEET

CONFIDENTIAL REPORT

18 February 2025

Council Meeting

8.1 Office of the Mayor and CEO

8.1.3 CONCORDIA GROWTH AREA 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 contains confidential information shared under deed agreement with State Government.

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

information the disclosure of which-

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

(ii) would, on balance, be contrary to the public interest;

(2) Accordingly, on this basis, Council is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential in order that contains confidential information shared under deed agreement with State Government.