



CONFIDENTIAL MINUTES OF THE MEETING OF THE BAROSSA COUNCIL
held pursuant to the provisions of Section 90(2) of the Local Government Act
1999 on Tuesday 18 February 2025 commencing at 6.03pm.

C O N F I D E N T I A L M I N U T E S

1. ATTENDANCE RECORD

1.1 Members Present

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

1.2 Officers Present

Martin McCarthy, Chief Executive Officer, Ben Clark, Director Infrastructure and Environmental Services, Jo Moen, Director Corporate Services, Strategy and Innovation, Jake McVicar, Director Development and Community Services, Senior Strategy Advisor (For Item 8.1.3 -Concordia Growth Area Quarterly Update) and the Minute Secretary.

8. CONFIDENTIAL REPORTS

8.1 Office of the Mayor and CEO

8.1.1 TOWN OF GAWLER BOUNDARY PROPOSAL - EXTRACT OF CONSULTANTS REPORT FOR COUNCIL COMMENT **25/17078**

MOVED Cr de Vries

That Council having reviewed the report:

- (1) Authorise the Chief Executive Officer to make a submission encompassing the points made in the body of the report including the additional paragraph tabled at the Council meeting in the draft submission letter, record number 25/17381.

- (2) Instruct the Mayor to write to the Boundaries Commission Chair and Minister tabling our endorsed submission.
- (3) Having considered this matter in confidence under Sections 90(2) and 90(3)(j) of the *Local Government Act 1999*, makes an order pursuant to Section 91(7), that the minutes, agenda report and attachments other than the minutes relating to this confidentiality order of the Confidential Council Meeting held on 18 February 2025 in relation to item 8.1.1 Town of Gawler Boundary Proposal - Extract of Consultants Report for Council Comment be kept confidential and not available for public inspection and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr Preece**CARRIED CO 2022-26/636****PURPOSE**

The Boundary's Commission has written to Mayor Lange and the Council providing an extract of a component of the recent consultants' report tabled with them. This report provides an analysis of the report and proposed areas for response for Council's consideration.

REPORTBackground

As Council is acutely aware, the Town of Gawler has lodged a boundary reform proposal which impacts the current Council area, namely Concordia, Kalbeeba and part of Springwood.

Introduction

During 2024, significant work was undertaken by consultants selected by the Commission to review the Town of Gawler's proposal and Council has supported requests for information.

The Consultant's extract report and correspondence from The Boundary Reform Commission is provided at Attachment 1.

Discussion

In assessing the report, the following areas of note are made and would form the basis for a submission should Council wish to do so. A submission is required to be sent to the consultant. Officer's propose that any submission at this time be politically neutral and respond only to the report information and response generally, noting it is the consultants that will receive the submission.

- The information contained within the financial and services estimates is sound.
- The conclusions that ratepayers of The Barossa Council will pay significantly more rates (as it is in other Council areas) if part of the Town of Gawler accords with our own internal analysis.
- The report presents a number of statements and observations about Council that have not been followed up with us and therefore no context has been provided. For instance, Council refused to sign the agreements for Springwood for a raft of reasons, the most notable is that they were not

drafted well, and as outlined below, incorporated planning conditions which were not legally enforceable. There was also a much easier mechanism suggested and ultimately put in place to support Springwood which remains in place for our only other remaining intervention, Kalbeeba Road, for which we have allowed for in our long term financial plan, when triggers are reached.

The statement also ignores the fact that in good faith the Council has invested (or will invest within the current business plan) over \$1M in stormwater infrastructure and has provisioned for necessary road interventions with no revenue streams coming to Council from the development to date. The primary beneficiaries being the residents of our region residing in the Springwood development currently all development is located within the Town of Gawler. This includes negotiating access to land with downstream residents to obtain drainage easements, in The Barossa Council who were disadvantaged by the original planning decision where no infrastructure arrangements had been put in place by the prior ToG administration, due to reliance on a planning condition of the planning approval for off sight drainage which was never enforceable. Council, some 15 years later, continues to try and negotiate with one final landowner (a Mr Lee-Gunkel and his family) to complete the stormwater outfall for the Springwood development. Presently all downstream infrastructure is in place, the one final underground connection remains. Council has and will continue to try to collaboratively resolve such matters and had demonstrated this with the prior ToG administration.

Notwithstanding this, Council's position will continue to be that the Springwood development area that resides in The Barossa Council area should be transferred to Town of Gawler, so one governance structure is in place for the development and subsequent management of services. In addition, Council will always find ways to collaborate and has done so as a regional leader for decades.

- The statement that the accounting impacts on The Barossa Council are minor are predicated on the current Long Term Financial Plan and understood. However, as the impact assessment, as understood by the assessment, is to consider the long-term financial impact, this statement and the minor comments related to the Concordia development, does not give sufficient credence to the financial impact from the proposed boundary realignment proposal. The proposal impact is massive as follows:
 - The forward 10-year model a net profit of \$5.071M which has been previous factored into significant investment decisions made by Council in supporting the shared vision with the State for the Barossa Park development of \$45.8M to assist in partly servicing the Concordia development in early stages.
 - The forward 40-year model a net profit of \$147.736M.
 - The forward 10-year model a positive net cashflow of \$4.595M
 - The forward 40-year model a net positive cashflow of \$48.442M fully funding Council investment needs for Concordia estimated at this time at \$384.253M including new and replacement of assets.
 - Revenue stream over the 40- year model of \$1.401B.

- These estimates are modelled on a commencement in 2029 as per the States Housing Roadmap, this has recently been updated to a potential 2027 commencement of onsite works.
- The report notes that a lack of access to the extent of the planning work and investigations being undertaken with GICU and PLUS to inform the code amendment has led to several assumptions about the reliance and/or pressure on Gawler. This is understood and acknowledged by Officers. However, there is also a tendency to rely on Gawler's policies and Boundary Change Proposal which provide a biased view of the Concordia development. The current vision and structure plan for Concordia will reduce the development's impact on Gawler through long term transport, stormwater, community, business and residential self-contained development and advocating for broader regional development in areas like health and education.
- The report relies on physical proximity to Gawler as the basis for support of the proposal, with little to no regard for the inherent constraints experienced by the Town of Gawler currently – the change in boundary would not alleviate situation not does it acknowledge the land is located within the Barossa geographical area and part of the Barossa brand separated from the Town of Gawler through nature just as the boundary with Light Regional Council follows the contours of the river system and significant buffers to the river are proposed for Concordia from Gawler to achieve the township separation.
- There is no regard to the financial viability of the Town of Gawler in comparison to other Councils, and thereby their ability to deliver a growth area of Concordia's size (and considering growth in South Gawler) and/or regard to ability of The Barossa Council to deliver regional scale infrastructure (e.g. Barossa Park).
- The report does not have regard to the views of other agencies, industry, or community feedback about the Boundary Reform/Local Government Area proposal. It is therefore difficult to provide fully informed comment.
- Page 9 - Under Land Use and Planning Matters
 - Paragraph 1: *"This is at a pre-public engagement stage where it is determined what investigations and community engagement are to be undertaken"*. Worth noting that investigations are concluded and will inform the public engagement on the code amendment.
 - Paragraph 3: *'There is also potential for the Concordia master planned development to take time, thus delaying critical community infrastructure. It is claimed that due to unforeseen market / health / financial circumstances a risk to the Town of Gawler is it may need to support Concordia residents for decades—or permanently.'* As footnoted to the Town of Gawler 2020, Boundary Change Proposal – Stage 2 General Proposal, December, dit.sa.gov.au/local-government/boundaries-commission/current-proposals, pp 11-12, 74. This statement and position is not supported by the current planning direction and vision, indeed the impetus for Concordia is to support broader regional investment to support the whole region whilst being

self-sufficient for its residents for the vast array of necessary services. This has all been modelled into Council's forward plan and advocacy for long term investment in health, housing and social infrastructure, alleviating Gawler planning challenges.

- Paragraph 4: Suggests that funding will be split across numerous local government agencies – in other words, the Town of Gawler anticipates being an equitable party to this. This is simply incorrect at this stage with the construct of the legislative and governance framework for Concordia driven by an Infrastructure Scheme (including State and developer funding needs), Deeds with The Barossa Council for community infrastructure, and an aligned Structure Plan enshrined in the planning system through an infrastructure overlay in the Planning and Design Code. As such, any third-party contribution that benefits the wider region would be a future discussion point and part of a key collaboration model. This is further enhanced presently as we, The Barossa Council, is advocating for regional infrastructure support, be it in our Council area or not, and having discussions about investing funds in other Council projects where the regional approach is the best approach to future infrastructure needs, which is factually the complete opposite to the ToG concerns.
- Paragraph 5: Any comments about the investment in Gawler East Link Road? Further, the pressure on Gawler roads highlights the fact that residents may not rely on Gawler given the well-known access and congestion issues.
- Page 10 – negligible employee impact at 0.1 FTE and at page 17 noted as 0.4 FTE this maybe a typographical error. The estimate also does not take into account the predicted employment growth and thus impact on The Barossa Council over the next 10-year period considering the Concordia growth needs.
- Page 16 – second to last paragraph *"Further it is claimed that the proximity to the amenities of the Town of Gawler means The Barossa Council has not invested heavily in services and infrastructure for current residents."* Investment in supporting infrastructure is relevant to the current needs, and significant investment is undertaken over time. This does not factor in the long-term financial plan impacts of the Concordia development The Barossa Council has identified to date, and funding in this long term plan over the course of the development of at least \$384.253M and operating services at a cost of \$1.253B over the forty year period.
- The report mentions on numerous occasions that the Town of Gawler considers surrounding areas in land use decision making and planning as an exceptional activity unique to the Council. Officers would argue that all Council's do this, as recently evidenced by The Barossa Council's growth strategy engagement and vice versa with Town of Gawler's strategic planning and transport strategy work.

Summary and Conclusion

Officers have reviewed the report, and it is now presented for Council comment and endorsement for making a submission.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Boundary Commission Correspondence and Extract of Report 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

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

Part 2 of the Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

This work has been undertaken through internal resources.

The overall risk and resourcing impacts are extensive depending on the decision of the Commission and range from business as usual to wholesale and significant impact on the future funding flows, work required and planned, and growth related to Concordia.

Further there are significant downsides for current ratepayers, of our, and all Council areas with the impost of much higher rate burden, and not forming part of the "Barossa" in future.

COMMUNITY ENGAGEMENT

Has been undertaken by the Commission and the consultant.

Resumption of open council meeting at 6.11pm

The meeting moved into confidence at 6.12pm