



MINUTES OF THE MEETING OF THE BAROSSA COUNCIL

held on Tuesday 15 July 2025 commencing at 5.30pm
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa.

MINUTES

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

1. ATTENDANCE RECORD

1.1 Members Present

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

Apologies

Nil

Not Present

Cr Jess Greatwich

Leave of Absence

Nil

2. CONFIRMATION OF MINUTES

2.1 Minutes of previous meetings – for confirmation:

MOVED Cr de Vries

That the Minutes of the Council meeting held on Tuesday 17 June 2025 at 5.30pm and the Special Council meeting held on Wednesday 2 July 2025 at 5.00pm, as circulated, be confirmed as true and correct records of the proceedings of those meetings.

SECONDED Cr Hurn

CARRIED 2022-26/764

2.2 Matters arising from previous minutes

Nil

3. PROCEDURAL ITEMS

3.1 Petitions

Nil

3.2 Deputations/Visitors to the meeting

Nil

3.3 Notice of Motion

Nil

3.4 Questions with Notice

Nil

4. MAYOR

4.1 Mayor's Report

MOVED Cr Barrett

That the Mayor's report be received.

SECONDED Cr Preece

CARRIED 2022-26/765

5. COUNCILLORS' REPORTS

Nil

6. MATTERS FOR INFORMATION

6.1 Public Transport Strategy Submission

6.2 Gawler River Floodplain Management Authority - Minutes of Meeting

6.3 South Australia's Waste Strategy 2025 - 2030

6.4 2024 Australian Early Development Census - Barossa Community findings

6.5 Williamstown and Lyndoch Landcare Group - Minutes of Meeting

6.6 Joint Regional Mental Health and Suicide Prevention Plan

6.7 Release of draft amended Barossa Water Allocation Plan (WAP) for Public Consultation

7. DEBATE REPORTS

7.1 Office of the Mayor and CEO

Nil

7.2 Corporate Services, Strategy and Innovation

7.2.1 FUTURE USE OF TALUNGA PARK OVAL

25/49156

MOVED Cr de Vries

That Council, noting risk advice and that safety cannot be guaranteed on an oval used to provide ongoing service for both equestrian and football activities:

- (1) Notes that the current license held by Torrens Valley Football Club permits up to four games per season, one finals game per season, and one end-of-season presentation night; that existing service levels cannot be maintained in a safe manner; and that our insurance status is in jeopardy should dual use continue to be maintained.
- (2) Notes the increased demand and current reliance on Talunga Park Oval by regional equestrian groups, alongside the recent incidence of surface damage following horse events, which were approved in accordance with agreed core service levels.
- (3) Acknowledges complaints raised by football users regarding surface safety, and the fact that no matter what investments are made, the oval cannot provide a service level that appropriately meets the requirements of both competing interests.
- (4) Endorse the prior master planning outcomes whereby the facility is primarily an equestrian and agricultural and tourism facility incompatible with ongoing football use.
- (5) Endorses an update to the Talunga Park Master Plan to confirm the oval's primary purpose as an equestrian facility and commits to exploring other options to support honouring of the Torrens Valley Football Club's current lease commitments that do not put the community at risk or contribute to unacceptable insurance and liability risks.

SECONDED Cr Preece

CARRIED 2022-26/766

Cr de Vries sought and was granted leave of the meeting to move the following motion without notice.

MOVED Cr de Vries

That the matter of Talunga Park Oval and shared utilisation be brought back to a future Elected Member Workshop for discussion.

SECONDED Cr Evans

CARRIED 2022-26/767

PURPOSE

To consider a request from the Torrens Valley Football Club to expand its use of Talunga Park Oval beyond current license terms, and to assess the associated risks relating to long term shared use of the site for both football and equestrian activities. This report seeks a Council decision regarding the preferred future purpose of Talunga Park Oval to inform licensing, asset planning, and community consultation.

REPORT

Background

Talunga Park Oval has long supported equestrian activity, with the 2018 Master Plan ([Attachment 1](#)) identifying the site as a significant equestrian venue due to limited alternatives in the district. Although the plan has not been fully realised to date, as funding sources are still to be identified, the site remains actively used and strongly supported by the equestrian community.

The Pleasant Valley Football Club amalgamated with Mount Torrens in 1997 to form the Torrens Valley Football Club and is currently based at Mount Torrens Oval in the adjoining Adelaide Hills Council area. The Club has indicated interest in expanding operations at Talunga Park to support junior, Auskick, and women's football.

Discussion

The Torrens Valley Football Club currently holds a license for Talunga Park Oval. The license permits up to four home games per season, one finals game per season, and one end-of-season presentation night. The license acknowledges the oval's primary equestrian use and identifies surface integrity and event incompatibility as key risks. The football club currently reports having 100 registered players from across the region, comprising of 70 juniors and 30 adults. The club has also reported increased interest in Auskick and see themselves as a growing club with a community focus who are currently in the process of developing a strategic plan for the club's growth over the next 5 years.

Playing the majority of their games from Mt Torrens Oval, which is a 15-minute drive from Talunga Park, the football club are seeking to hold training sessions twice a week and facilitate a 10-week Auskick program with a view to increasing the number of games played at Talunga Park in addition to current license arrangements.

The site is also actively used by multiple equestrian organisations, including the Show Horse Council of SA, Mount Pleasant Pony Club, local showjumping and dressage groups, and regional eventing associations. Over the last two years, Talunga Park has seen a 57% increase in horse-related events, including clinics, pony club competitions, and regional qualifiers. The continued growth in activity affirms the facility's role as the district's only dedicated equestrian venue. Local markets have also reported increased patronage during horse events, indicating a positive flow on effect for the local community.

Although the 2018 Master Plan did acknowledge the potential for some football use, its central recommendation was to prioritise the site as an equestrian precinct. Recent events have highlighted the physical incompatibility between football and equestrian activity. Specifically, the playing surface has sustained damage from horse events, including uneven ground and turf disturbance, resulting in complaints from football

players who raised safety concerns about tripping hazards and soft patches. These concerns have been formally communicated to Council Officers.

While some minor surface repairs can be managed under current maintenance budgets, the level of impact caused by increased events from both sports has exceeded what can be sustainably maintained. The site was not designed to support both sports expanding use and no reasonable increase in maintenance funding would resolve the underlying incompatibility or eliminate the risk. The ability to provide the service level, regardless of cost, is simply not achievable especially as we continue to invest in the park in equestrian and other supporting upgrades in the future.

The LGRS has advised that dual use of Talunga Park Oval presents a high operational and liability risk due to the conflicting surface requirements of the two sports. These risks are exacerbated by increased event scheduling, insufficient rest periods, and limited capacity for intensive turf maintenance.

The installation of new lighting infrastructure in 2024 was completed as approved by Council which was fundamentally driven to achieve safe use by emergency services and core use of the facility, not expanded use for football. Some public comment has contributed to a community misperception of this investment as being targeted to increase football levels of service. While this investment has improved functionality, it does not mitigate the underlying risks of dual sporting use.

Given the sustained growth in both equestrian events and football demand, Council must now reaffirm a clear long term primary purpose for Talunga Park Oval, which based on current approved master planning is equestrian activities. Of note, investment to date has been aligned to this strategy, and forward plans also align to this commitment. Continuing to operate the site for dual use has proven to be unsustainable and inherently high-risk due to conflicting requirements between the sports.

While it may be assumed that increased turf maintenance could address the issue, advice and recent experience suggest that the surface cannot reliably meet the safety and performance requirements of both sports, regardless of investment. The challenge is not financial, it is a structural and scheduling limitation that affects event quality, user safety, and the long-term condition of the oval.

An alternative football venue, such as Springton Oval presents a more viable solution. The site already includes basic infrastructure (toilets and a small pavilion) and, with some capital investment, could be developed into a suitable venue for junior and community football. Reaffirming Talunga Park's status as a regional equestrian precinct will also enable targeted investment and reduce ongoing conflict between user groups.

Summary and Conclusion

Torrens Valley Football Club has expressed an interest to expand operations at Talunga Park Oval to support junior and women's football, citing strong local interest. However, the site is already utilised by multiple equestrian groups, and recent damage to the playing surface has led to safety complaints from football users and highlighted the incompatibility of dual sporting use.

While the 2018 Master Plan made limited reference to potential football activity, its central intent was to position Talunga Park as an equestrian precinct, a need that has only grown in the absence of alternative venues.

The dual use of the site has proven increasingly unsustainable in terms of cost, surface condition, and risk exposure. Council must now make a clear decision on the long term primary purpose of the site, whether to retain Talunga Park Oval as a dedicated equestrian venue, or to pivot toward expanded football use so that future planning, community engagement, and infrastructure investment can proceed with clarity and transparency.

While some elements of the 2018 Master Plan for Talunga Park Oval have been achieved, others have not been fully realised to date. A clear decision on the site's future use will support the development of a revised Master Plan, incorporating community consultation and updated costings to guide future budgets and potential external funding applications.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Talunga Park Master Plan Posters - Jensen Plus - 31 January 2018 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Creating a safe and connected community where people have access to sustainable services and service levels and infrastructure they need and feel a sense of belonging.

Strategic Outcomes

We support and advocate for sound planning and community outcomes in the implementation of the Concordia development in alignment with Councils vision, mission and principles for this development.



Supporting a sustainable Barossa.

Strategic Outcomes

We sustainably manage our resources and encourage sustainable practices.



Our places and spaces enhance the liveability, retain rural and regional character and diversity of our communities.

Strategic Outcomes

Our places are planned, managed, and sustainable.

Legislative Requirements

Local Government Act 1999 (SA)

Work Health and Safety Act 2012 (SA)

RISK MANAGEMENT CONSIDERATIONS

These statements are qualitative in nature and designed to provide an indication of Council's general position when deciding to take or retain risk in pursuit of its objectives.

1. SERVICE DELIVERY

Refers to the delivery of services to the community, which includes the systems and physical assets that enable provision of these services, including structures (such as roads, buildings and facilities) as well as IT infrastructure, plant, vehicles & other equipment.

There is a risk that dual or expanded use of existing infrastructure may compromise the safety, quality and sustainability of service delivery. Increased frequency or intensity of use without appropriate investment in infrastructure could lead to accelerated asset degradation, increased maintenance requirements, or service disruptions.

2. SUSTAINABILITY & ENVIRONMENT

Relates to measures to preserve, protect and minimise impact on the natural environment, including sacred and indigenous lands, flora, fauna, heritage, water, waste, hazardous materials and pollution.

There is a moderate risk of environmental impact due to increased wear on grounds and surrounding facilities, particularly in high-traffic zones. Shared use by multiple sporting codes may also increase pressure on waste management and noise. Mitigation strategies include proactive turf management and environmental monitoring. Cultural values should be considered in any physical upgrades.

3. FINANCIAL

Refers to planning and control of Council's budget to align with the sustainable achievement of the desired outcomes articulated in its Community Plan.

There's a risk that increased or expanded use of the facility could lead to higher maintenance costs or the need for capital upgrades that aren't currently budgeted for. Costs could arise from insurance excesses, legal action, or the need for urgent remedial works. Ensuring appropriate risk controls, insurance coverage, and user responsibilities are clearly defined is important in protecting Council's financial position.

4. PEOPLE

Relates to recruitment, retention, wellbeing and safety of employees and volunteers and engagement and management of contractors as well as the wellbeing and safety of the community.

There are potential WHS and liability risks to staff, contractors, volunteers, and community members if facilities are used beyond their intended design or safe capacity.

5. REPUTATION

Relates to policy, decisions, actions and circumstances that may cause Council to lose credibility with the community, ratepayers, key stakeholders, other levels of government and its own employees and contractors.

There is a risk to Council's reputation if increased or concurrent use of the facility results in avoidable conflict between user groups or injury to participants, volunteers, or the public. Perceptions of poor planning, inadequate risk management, or insufficient oversight may damage community confidence.

COMMUNITY ENGAGEMENT

A number of community stakeholders have an interest in the future use of Talunga Park Oval, including local equestrian clubs, football associations, event organisers, and residents. Given the competing demands, any future planning process will include a community engagement approach to ensure the perspectives of all key users are considered.

Council retains the authority to determine a strategic direction for the long term use of the site, consistent with its responsibilities under the Local Government Act. A decision to identify a preferred use does not preclude community engagement but will provide a foundation for meaningful consultation, which will inform the review of the Master Plan, any proposed capital works, and future licensing arrangements.

7.2.2 BAROSSA PARK ADVISORY GROUP TERMS OF REFERENCE
25/49260

MOVED Cr Schilling

That Council:

- (1) Endorses the draft Barossa Park Advisory Group Terms of Reference as presented at Attachment 1; and
- (2) Nominates Mayor Lange to represent Council on the Barossa Park Advisory Group along with Council Officers undertaking roles in support of precinct operations.

SECONDED Cr Preece

CARRIED 2022-26/768

PURPOSE

To seek Council endorsement of draft Terms of Reference for the newly created Barossa Park Advisory Group.

REPORT

Background

Since the inception of planning for the Lyndoch Recreation Park Redevelopment Project a core group of directly impacted site stakeholders has been actively engaged in ongoing consultation and communication. During the construction project, this group formed the Lyndoch Recreation Park Redevelopment Project Stakeholder Group, meeting regularly to coordinate site access, provide input into infrastructure design requirements and ensure the needs and views of their clubs and members are heard.

Introduction

Following the recent completion and handover of the Lyndoch Recreation Park Redevelopment and official naming of the precinct Barossa Park, Officers have initiated the transition of the existing Project Stakeholder Group to an ongoing volunteer advisory group to provide feedback and make recommendations on the management and operations of Barossa Park in accordance with principles of good governance.

Discussion

Draft Terms of Reference have been prepared in consultation with existing members of the group and are presented at Attachment 1.

It is proposed that Membership of the Barossa Park Advisory Group includes the following stakeholders:

- The Barossa Council
- Barossa District Football and Netball Club Inc
- Lyndoch Cricket Club Inc
- Lyndoch and Districts Little Athletics Centre Inc
- Lyndoch Tennis Club Inc
- Lyndoch and Districts Bowling Club Inc
- Barossa Pigeon Racing Club
- Southern Barossa Alliance
- Other stakeholders as agreed by the BP Advisory Group.

The proposed Objectives of the group are:

- To work and communicate collaboratively, in the best interests of Barossa Park for the overall success of Barossa Park, for the local community, broader Barossa and visitors to our region;
- To advise and make recommendations to the Head Lessee of the Clubroom and the Council on the management and operations of Barossa Park;
- To promote a positive community spirit in the region towards Barossa Park;
- To collaborate with all Barossa Park Stakeholders with regard to events and major bookings at Barossa Park;

- To collaborate and report on precinct level risks to inform security measures as required;
- To collaborate and report on usage trends to inform promotion as required; and
- To contribute to recommendations for any future development of the Park for the benefit of the community.

The Barossa Park Advisory Group, as advisory only, will not have any delegated powers nor approval for expenditure at the Barossa Park. Each individual stakeholder Club will manage their own sporting code operating budgets (as does Southern Barossa Alliance), including income and expenditure obligations as documented within individual lease and licence agreements.

Pending Council endorsement of the draft Terms of Reference, the group has nominated Katrin Lohner, Southern Barossa Alliance to Chair the group upon transition to the new governance model. Officers support this appointment.

Summary and Conclusion

Council is asked to review and endorse the Draft Terms of Reference for the Barossa Park Advisory Committee and nominated an elected member to represent Council on the Group along with Council Officers undertaking roles in support of precinct operations.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Barossa Park Advisory Group - Draft Terms of Reference - June 2025



Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Creating a safe and connected community where people have access to sustainable services and service levels and infrastructure they need and feel a sense of belonging.

Strategic Outcomes

Our services and facilities are accessible.



Our places and spaces enhance the liveability, retain rural and regional character and diversity of our communities.

Strategic Outcomes

We plan for and deliver infrastructure to enhance our places.

Corporate Plan

- CS12 Facility and Community Land - Management of buildings, maintenance and occupancy, including inspections and advice to enable safe, accessible, fit for purpose and well managed community facilities, office spaces and community land

Legislative Requirements

Nil

RISK MANAGEMENT CONSIDERATIONS

These statements are qualitative in nature and designed to provide an indication of Council's general position when deciding to take or retain risk in pursuit of its objectives.

1. SERVICE DELIVERY

Refers to the delivery of services to the community, which includes the systems and physical assets that enable provision of these services, including structures (such as roads, buildings and facilities) as well as IT infrastructure, plant, vehicles & other equipment.

The proposed governance model supports ongoing community and stakeholder engagement in the maintenance, optimisation and promotion of Council facilities and assets. It is also a valuable mechanism to support the delivery of agreed Council levels of service, leveraging off the valuable contribution of volunteer effort in supplementing Council resourcing and enhancing community outcomes.

2. SUSTAINABILITY & ENVIRONMENT

Relates to measures to preserve, protect and minimise impact on the natural environment, including sacred and indigenous lands, flora, fauna, heritage, water, waste, hazardous materials and pollution.

Nil

3. FINANCIAL

Refers to planning and control of Council's budget to align with the sustainable achievement of the desired outcomes articulated in its Community Plan.

The proposed introduction of the Barossa Park Advisory Group does not present any financial risks. The group will have no delegation to spend funds and whilst Officer's will continue to provide administrative support to the group as requested and required, it will be administered by the Chair and volunteers within the membership group outside of Council.

4. PEOPLE

Relates to recruitment, retention, wellbeing and safety of employees and volunteers and engagement and management of contractors as well as the wellbeing and safety of the community.

The proposed governance model supports the active engagement of volunteer groups operating within the Barossa Park Precinct and promotes

sound planning and communication to ensure the wellbeing and safety of the community.

5. REPUTATION

Relates to policy, decisions, actions and circumstances that may cause Council to lose credibility with the community, ratepayers, key stakeholders, other levels of government and its own employees and contractors.

The Barossa Park Advisory Group provides an ongoing, regulated forum for identifying and managing reputational risks associated with the ongoing management and maintenance of the precinct, ensuring that stakeholder groups have a mechanism for the provision of feedback and to contribute to shared solutions and opportunities for improvement.

COMMUNITY ENGAGEMENT

The Terms of Reference have been developed in consultation with key site stakeholders (as identified in the proposed membership listed in the draft document) and do not require further formal consultation under legislative requirements.

7.2.3 MONTHLY FINANCE REPORT AS AT 30 JUNE 2025 25/49266

With approval from the Mayor, Acting CEO, Jo Moen advised the Chamber that a transcribing error has resulted in incorrect operating expense figures being published in the Agenda attachment for the Monthly Finance Report.

The Q3 Revised Budget for the Operating Expenses was reported as (\$49,611,000) and should in fact be (\$51,837,000) and the Actual Result (YTD) was reported as (\$51,837,000) and should be (\$49,611,000) for a net Operating Surplus of \$695,000 (originally reported as a deficit of \$1,531,000). The attached provides the correct figures.

The correct attachment has been tabled as Appendix 1 and referenced in the Recommendation below.

MOVED Cr de Vries

That Council receives and notes the monthly finance update report as at 30 June 2025, provided as the tabled attachment in Appendix 1 of the minutes of this meeting – 15 July 2025.

SECONDED Cr Hurn

CARRIED 2022-26/769

PURPOSE

The monthly finance update report as at 30 June 2025 provides information on the financial position and performance of the Council, including notes on material trends and transactions.

REPORT

The monthly finance report as at 30 June 2025 is attached. It should be noted that this monthly update is not reflective of any adjustments or transactions that usually occur as part of Council's end of year financial processing (e.g. asset adjustments and revaluations, reserve reconciliations, etc). The final figures for 30 June 2025 will be provided to Council later in the year as part of our finalised audited annual financial statements.

This report has been prepared comparing the year-to-date actuals at the end of the period, to the original adopted 2024-2025 budget, as well as revised quarter 3 budget.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 ~~Monthly Finance Report Council June 2025~~  Replaced with Appendix 1 of these minutes.

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS6 Finance - Provision of financial and budgetary accounting services, treasury and investment services, management reporting, reconciliation and taxation services, asset accounting, internal control, accounts payable and receivable services

Legislative Requirements

Nil

RISK MANAGEMENT CONSIDERATIONS

These statements are qualitative in nature and designed to provide an indication of Council's general position when deciding to take or retain risk in pursuit of its objectives.

1. SERVICE DELIVERY

Refers to the delivery of services to the community, which includes the systems and physical assets that enable provision of these services, including structures (such as roads, buildings and facilities) as well as IT infrastructure, plant, vehicles & other equipment.

Monthly monitoring of financial performance ensures Council is in a position to ensure budget and expenditure are aligned to meet approved levels of service.

2. SUSTAINABILITY & ENVIRONMENT

Relates to measures to preserve, protect and minimise impact on the natural environment, including sacred and indigenous lands, flora, fauna, heritage, water, waste, hazardous materials and pollution.

Nil

3. **FINANCIAL**

Refers to planning and control of Council's budget to align with the sustainable achievement of the desired outcomes articulated in its Community Plan.

To enable Council to make effective and strategic decisions, a high-level monthly finance report is provided for Council's noting.

4. **PEOPLE**

Relates to recruitment, retention, wellbeing and safety of employees and volunteers and engagement and management of contractors as well as the wellbeing and safety of the community.

Nil

5. **REPUTATION**

Relates to policy, decisions, actions and circumstances that may cause Council to lose credibility with the community, ratepayers, key stakeholders, other levels of government and its own employees and contractors.

Nil

COMMUNITY ENGAGEMENT

Community consultation was undertaken as part of the original budget adoption process for 2024-2025, as required by the relevant legislation. This report is advising Council of the monthly finance position compared to that budget.

7.2.4 MINOR AMENDMENTS TO 2025-26 FEES AND CHARGES REGISTER **25/49491**

MOVED Cr Preece

That Council approve the updated fees for use of Bethany Reserve and the removal of the separate fee for the set-up/pack-down of facilities for the 2025-26 budget year as outlined in Attachment 1.

SECONDED Cr de Vries

CARRIED 2022-26/770

PURPOSE

The 2025-26 Fees and Charges register was approved by Council at the 17 June 2025 meeting. It has subsequently been identified that amendments are required to the fees approved for use of Bethany Reserve and to remove the separate fee for set-up/pack-down of facilities.

REPORT

Discussion

At its meeting on 17 June 2025, Council approved and adopted a list of fees and charges for the 2025-26 budget year. It has been identified that amendments are required to the fees approved for use of Bethany Reserve and to remove the separate fee for set-up/pack-down of facilities, to ensure there is not an unfair cost to people wishing to use Council's facilities.

The fee for the hire of the Bethany Reserve shelter shed increased from the 2024-25 amount of \$15 per hour to \$50 per hour, and the fee for the hire of the Bethany Reserve shelter shed and kitchen increased from \$26 per hour to \$100 per hour. The intention of this fee increase was to cover the costs associated with Barossa Council staff having to attend Bethany Reserve to set-up and pack-down after the event, for example emptying bins.

It has been recognised however that by increasing the hourly fee by such a significant amount, there is an unfair cost to people wishing to hire Bethany Reserve, especially for longer periods of time. For example, someone wishing to hire the Bethany Reserve shelter shed and kitchen for 8 hours would be required to be pay \$592 more based on the fee approved for 2025-26 compared to the 2024-25 fee.

It is proposed that a more modest increase to the hourly rate be adopted - \$20 per hour for hire of the Bethany Reserve shelter shed (compared to \$15 per hour in 2024-25) and \$31 per hour for hire of the shelter shed and kitchen (compared to \$26 per hour in 2024-25).

A fee of \$11 per hour was also approved at the 17 June 2025 meeting for set-up and pack-down of all halls and facilities. Historically if a Council hall or facility was booked, a set-up/pack-down hourly fee was charged in addition to a separate hourly fee for use of the facility. For example, if a facility was booked for a total of 5 hours, made up of 1 hour of set-up, 3 hours of use, and 1 hour of pack-down, two hours of the set-up/pack-down fee was charged plus 3 hours of the separate hourly fee for use of the facility.

To simplify the fee for hiring a Council facility, it is proposed that one flat fee be charged for hiring the facility. It is therefore proposed that the hourly fee for set-up/pack-down of facilities be removed from the 2025-26 fees and charges register. The hourly fee already included for use of each of the facilities will instead be applied for the total hourly use of the facility.

Summary and Conclusion

The amended fees for use of Bethany Reserve are outlined in Attachment 1 for Council consideration and approval.

In addition to this, it is proposed that the hourly set-up/pack-down fee for all halls and facilities be removed, and this be replaced with one flat-fee for hourly use of the

facility. These hourly fees were already approved by Council at the 17 June 2025 meeting.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Proposed changes to 2025-26 Fees and Charges Register - to 15 July 2025 Council meeting 

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
- BS6 Finance - Provision of financial and budgetary accounting services, treasury and investment services, management reporting, reconciliation and taxation services, asset accounting, internal control, accounts payable and receivable services
- CS8 Compliance, Monitoring and Enforcement - Conducting compliance, monitoring and responding to non-compliance associated with planning, building, swimming pool, fire safety, public health and safety

Legislative Requirements

Section 188 of the Local Government Act 1999.

RISK MANAGEMENT CONSIDERATIONS

These statements are qualitative in nature and designed to provide an indication of Council's general position when deciding to take or retain risk in pursuit of its objectives.

1. SERVICE DELIVERY

Refers to the delivery of services to the community, which includes the systems and physical assets that enable provision of these services, including structures (such as roads, buildings and facilities) as well as IT infrastructure, plant, vehicles & other equipment.

Fees and charges raised for goods and services provided by Council allows us to recover the costs associated with providing these goods and service, allowing us to maintain an appropriate service delivery level to members of the community.

2. SUSTAINABILITY & ENVIRONMENT

Relates to measures to preserve, protect and minimise impact on the natural environment, including sacred and indigenous lands, flora, fauna, heritage, water, waste, hazardous materials and pollution.

Nil impact.

3. FINANCIAL

Refers to planning and control of Council's budget to align with the sustainable achievement of the desired outcomes articulated in its Community Plan.

Fees and charges raised for goods and services provided by Council allows us to recover the costs associated with providing these goods and services.

To continue to minimise the general rates burden on our community, it is imperative that Council increases fees and charges in line with the cost increases being experienced by the Council in delivering such goods and/or services. Accordingly, all fees and charges have been reviewed by the relevant budget managers and increased where appropriate.

4. PEOPLE

Relates to recruitment, retention, wellbeing and safety of employees and volunteers and engagement and management of contractors as well as the wellbeing and safety of the community.

Nil impact.

5. REPUTATION

Relates to policy, decisions, actions and circumstances that may cause Council to lose credibility with the community, ratepayers, key stakeholders, other levels of government and its own employees and contractors.

Fees and charges have been reviewed by the relevant budget managers and any increases have been kept at the level of inflation where possible. This helps to ensure that the goods and services provided by Council are accessible to all members of the community.

COMMUNITY ENGAGEMENT

The 2025-26 Annual Budget and Business Plan is aligned to the proposed 2025-26 fees and charges register and this report represents no material change in risk, financial outcomes or resource allocations. The 2025-26 Annual Budget and Business Plan went out for consultation and was formally adopted at the 17 June 2025 Council meeting.

The newly adopted fees and charges were made available to the community to access on the Council's website on 1 July 2025.

7.3 Infrastructure and Environmental Services

Pursuant to Section 73 of the Local Government Act 1999, Cr Angas disclosed a General Conflict of Interest in the matter - Item number 7.3.1 - Request To Consider A Walkway Closure (Effectively A Road Closure) - Barossa Village Incorporated as he currently holds a position on the Board of the Barossa Village. Cr Angas advised the Chamber that he would leave the meeting.

Cr Angas left the meeting at 6:22pm.

7.3.1 REQUEST TO CONSIDER A WALKWAY CLOSURE (EFFECTIVELY A ROAD CLOSURE) - BAROSSA VILLAGE INCORPORATED **25/49192**

MOVED Cr Schilling

That Council having reviewed the request and Disposal of Land and Other Asset Policy:

- (1) Agree to commence a process under the *Roads (Opening and Closing) Act 1991* for the purpose of closing the walkway between Scholz Avenue and Penrice Road as shown at Attachment 1 on condition that:
 - a. All cash costs incurred by Council are reimbursed by Barossa Village Incorporated; and
 - b. A perpetual access agreement is reached to ensure an alternative pedestrian access is achieved and it is appropriately sign posted and safely maintained by Barossa Village Incorporated.
- (2) Agree that the Disposal of Land and Other Assets Policy is satisfied through the provision of part 1(b) of this resolution as compensation for the transfer of land, be it through a new title or amalgamation of titles.
- (3) That Council, subject to approval of the final road orders, approves the Mayor and Chief Executive Officer to sign and seal any relevant documentation to give effect to this decision of Council.

SECONDED Cr Hurn

CARRIED 2022-26/771

PURPOSE

To consider commencing a process under the *Roads (Opening and Closing) Act 1991* to assist Barossa Village Inc with their investment plan for units adjacent to a Council walkway, in return to provide pedestrian access through an access arrangement to the west of the current walkway.

REPORT

Background

Barossa Village Inc (BVI) has been pursuing ongoing investment and improvement in its housing stock to meet ever growing demand and community need.

At present they are developing plans for upgrades between Scholz Avenue and Penrice Road, specifically residences adjacent Council's walkway (which is effectively a road). The walkway can be seen at Attachment 1 to this report.

Introduction

The BVI has recently briefed the Chief Executive Officer on plans for the aforementioned upgrades and sought advice on how to approach Council to consider transferring the adjoining land to their allotments to assist the redevelopment outcomes with room and space provisions.

At Attachment 1 is his correspondence and a map of the location.

Discussion

The proposal of BVI is considered reasonable, with plans to ensure continued pedestrian access outlined on the included map. The vast majority of users of the walkway, which we understand is very low, are the residents of BVI in any case.

To achieve the outcome, Council would need to approve a process under the *Road (Opening and Closing) Act 1991*, which includes many steps including community engagement and ultimately Ministerial approval. A summary of the various legislative and administrative steps follows.

It is proposed that BVI would be responsible for any out-of-pocket expenses associated with the process, ie for legal lodgement of documents to achieve the outcome, not any of our time or resourcing costs should Council agree to proceed. The steps at a high level are:

1. Council is formally approached seeking to commence a Road (Opening and Closing) Act process to close the road off and create a title. This would including having to enter into an agreement under the Act with Council including provision for ongoing pedestrian access.
2. A Council report is submitted seeking to commence the process.
3. If supported, a survey is undertaken, and a road closing plan generated.
4. Once items 1-3 are complete there is a period of community engagement on the proposal.
5. Depending on the outcomes of community engagement, Council then must determine if it will proceed and endorse the relevant road closing orders.
6. Those orders then need to go to the relevant Minister and need endorsement.
7. If the Minister concurs with the orders, then the road is closed and the process of issuing or amalgamating two adjacent titles commences.
8. Once titles are issued/amalgamated settlement can conclude.

The normal process for someone wishing to undertake such a closure would be to pay all costs including reasonable administrative costs and compensation of some form for the land. In this case it is proposed that the cash cost must be covered by BVI, however as a fellow community organisation the administrative support is not pursued.

Further, and before proceeding, Council also needs to turn its mind to the Disposal of Land and Other Assets Policy and that it is satisfied the resulting land can be transferred (be it by transfer of new title or amalgamated titles) is reasonable and the compensation of ensuring an access agreement is in place for pedestrian access is acceptable. In the view of the authors it is, as demonstrated by the following policy assessment for land disposal.

Relevant Policy Clauses	Basis of Clause	Analysis
3.5.1	<i>Roads (Opening and Closing Act) 1991</i>	This will be adhered to as outlined in this report.
3.5.2.1 to 3.5.2.4	Market approaches to disposal of the resulting land after the <i>Roads (Opening and Closing Act) 1991</i> process.	The resulting land is not developable as its simply too narrow and it has not real market value other than to adjoining allotments.
3.5.2.5	Acceptable method is direct negotiation with adjoining landowners.	The report is proposing to enter into an agreement with the major adjoining landowner who seeks to provide community services to our community.
3.5.4	Valuation requirement for at least one valuation	This land is not developable and fundamentally has no market value due to its shape; the policy clause also stipulates a valuation is not required for road closure disposal matters, which this proposal is.

Summary and Conclusion

Having received the correspondence and inspected the location where there is a viable and safe alternative pedestrian access option Council is asked to consider commencing the process as outlined in this report.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Barossa Village Incorporated Correspondence 

Supporting references

[Disposal-of-Land-and-Other-Assets-Policy.pdf](#)

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
--

Community Plan

Creating a safe and connected community where people have access to sustainable services and service levels and infrastructure they need and feel a sense of belonging.

Strategic Outcome

We support and advocate for sound planning and community outcomes in the implementation of the Concordia development in alignment with Council's vision, mission and principles for this development.

Legislative Requirements

Roads (Opening and Closing) Act 1991

Local Government Act 1991 Section 49

RISK MANAGEMENT CONSIDERATIONS

These statements are qualitative in nature and designed to provide an indication of Council's general position when deciding to take or retain risk in pursuit of its objectives.

1. SERVICE DELIVERY

Refers to the delivery of services to the community, which includes the systems and physical assets that enable provision of these services, including structures (such as roads, buildings and facilities) as well as IT infrastructure, plant, vehicles & other equipment.

Partnering with a fellow community organisation to assist in community service provision.

2. SUSTAINABILITY & ENVIRONMENT

Relates to measures to preserve, protect and minimise impact on the natural environment, including sacred and indigenous lands, flora, fauna, heritage, water, waste, hazardous materials and pollution.

Nil

3. FINANCIAL

Refers to planning and control of Council's budget to align with the sustainable achievement of the desired outcomes articulated in its Community Plan.

Nil

4. PEOPLE

Relates to recruitment, retention, wellbeing and safety of employees and volunteers and engagement and management of contractors as well as the wellbeing and safety of the community.

Nil

5. REPUTATION

Relates to policy, decisions, actions and circumstances that may cause Council to lose credibility with the community, ratepayers, key stakeholders, other levels of government and its own employees and contractors.

Nil

COMMUNITY ENGAGEMENT

Engagement processes are undertaken as part of the *Roads (Opening and Closing) Act 1991*.

Cr Angas returned to the meeting at 6:23 pm.

7.4 Development and Community Services

7.4.1 DRAFT DESIGN STANDARD 1 - ENGINEERING REQUIREMENTS FOR LAND DIVISION 25/47687

MOVED Cr Angas

That Council:

- (1) Endorses the draft submission on the proposed Design Standard 1 – Engineering Requirements for land division, as contained in Attachment 1.
- (2) Authorises the Chief Executive Officer or delegate, to make minor technical or typographical amendments to the submission.

SECONDED Cr Preece

CARRIED 2022-26/772

PURPOSE

The State Government has released for consultation proposed engineering requirements for land division. This report provides Council information on the key issues that are of priority for the Council submission.

REPORT

Background

A report provided to the 15 April 2025 Council meeting highlighted proposed changes to the regulations under the *Planning, Development and Infrastructure Act 2016*. Many of the proposed changes implement the recommendations of the Expert Panel on Planning Reform as well as the Housing Roadmap.

A key issue with the proposed changes is the land division approval process and the vesting of land to councils. Council resolved not to support these proposed changes. It is understood the government is considering all submissions. A copy of Council's submission is contained in Attachment 2.

Introduction

The State Government has released *Design Standard 1 – Engineering requirements for land division* for consultation which closes 15 July 2025. A copy of the letter from the Chair, State Planning Commission outlining the consultation is contained in Attachment 3. The *Draft Design Standard 1* is contained in Attachment 4.

There are significant implications for councils if these new requirements and the proposed regulation changes are implemented as proposed. This report provides Council advice on the more significant implications if the regulations and Design Standard are introduced as outlined.

The technical requirements have also been scrutinised in detail by Council's Engineering Services Department and technical comments are outlined within the draft submission, contained in Attachment 1.

It should be noted that the draft Design Standard 1 only applies to the Master Planned Neighbourhood Zone, Master Planned Renewal Zone or the Master Planned Township Zone. Concordia Growth Area is the only such area that would be affected by the proposed Design Standard.

Discussion

The stated intention of the engineering requirements is '*...to streamline assessment processes and enable more homes to be built faster across South Australia's growth areas*'.

The engineering requirements set out technical requirements / specifications for the construction of infrastructure (roads, stormwater systems, street trees etc.) for land division. They are comprised in three parts:

- a) Design Standard – this is the statutory mechanism under the Act that provides the Design Principles and Design Requirements for the respective infrastructure matters;
- b) Technical Manual – supports the Design Standard with technical details and specifications that relate to respective civil infrastructure;
- c) Standard Drawings – supports the Design Standard with detailed specifications for the construction of specific infrastructure and includes dimensions, materials and construction methods.

The Design Standard will replace Council's Engineering Guidelines as it relates to Concordia. Currently, each Council has adopted its own guidelines for infrastructure for land division development. Council's requirements are based on generally accepted engineering requirements with changes to reflect local conditions.

The intent of the Design Standard is that there will be consistency for civil infrastructure design, assessment and construction across the state. At this time, engineering requirements will be applied to the identified growth areas in the Greater Adelaide Regional Plan. In Barossa, this includes the Concordia Growth Area.

Infrastructure such as roads and stormwater systems that are created in land division developments become a Council asset for ongoing maintenance. This impacts council's asset management and long-term financial plans. Council therefore has a strong interest in the type and condition of infrastructure that is gifted in the land division process.

A preliminary review of respective standards across growth councils has identified common requirements that could be adopted. In principle, there is opportunity to better align engineering requirements. There are however important local considerations that should be included, and it is not clear at this time the extent to which this is provided for in the new Design Standard.

There are concerns with how the new Design Standard will be used given the proposed regulation changes considered by Council in April 2025. These concerns are outlined under headings below:

Implications of carved out approval processes

The land division approval process provides that a Land Division Consent may be granted by a nominated Relevant Authority under the Act. The Land Division Assessment Panel (sub-committee of the State Planning Commission) has been established for this purpose.

If Council is largely excluded from the design and approval stages of land division, despite becoming the long-term custodian of the resulting infrastructure, there are significant risks from an asset management perspective. It undermines Council's ability to apply a whole-of-life approach to infrastructure planning and delivery.

Specifically, it increases the likelihood that:

- Infrastructure is not designed with consideration for long-term renewal maintenance, or lifecycle performance;
- Assets may not align with Council's endorsed service levels and standards, as outlined in Council's Strategic Asset Management Plan;
- The early deterioration or premature failure of infrastructure could impose unplanned costs and risks on Council, exceeding the projections in Council's Long Term Financial Plan and compromising long-term sustainability.

It is also unclear how infrastructure agreements and deeds, which are an essential part of the Concordia Growth Area planning process, are to be accounted for in the land division process.

Vesting of land to Councils

The stated intention of the new Design Standard is to inform the design process for land divisions. This is however only a small part of the land division approval process. Land division applications are complex, having input from various experts throughout the design, construction, inspection, maintenance and hand over process. The new Design standard does affect these processes, but this is not clarified in the Design Standard or the draft Regulations.

The Council report of 15 April 2025 identified that Councils will no longer be able to refuse the vesting of land and infrastructure if the proposed regulation proceeds as

proposed. This change is a significant risk for all Councils. It fails to recognize the importance of inspections and quality control to ensure infrastructure that is vested to councils is constructed to the appropriate standard.

Based on current experience, there is a high risk of substandard infrastructure being vested to councils under this proposed change. Councils employ significant resources in the inspection of development to ensure infrastructure is built in accordance with approved plans. Ultimately communities will be burdened with rectification costs and/or shortened asset life if inferior/poorly constructed infrastructure is vested to councils without quality control checks.

12.5% open space no longer a requirement

The draft regulations propose the deletion of the requirement that 12.5% open space is required in a land division application. Further, the current regulations remove Council's role in the vesting of open space or accepting of a financial contribution where less than 12.5% open space is provided. Public open space is an essential component for all communities and this proposal is opposed.

Summary and Conclusion

The draft Design Standard is proposed to be applied to identified growth areas in the Greater Adelaide Regional Plan. In Barossa, this would apply to the Concordia growth area.

The proposed Design Standard needs to be considered together with the draft Regulation changes that were considered by Council in April 2025. It is apparent that there are risks of important local council requirements not being appropriately considered in the approval process and potential for substandard infrastructure being vested to councils under the proposed changes.

Holistic consideration should be given to the approval process, including the design process and providing the context and framework of how Design Standards are to be applied. There should also be greater consideration given to the engineering requirements being used as guidelines to allow flexibility to adopt to local conditions.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1	Draft Submission to State Planning Commission regarding Design Standard 1 - Engineering Requirements for Land Divisions 
Attachment 2	Council Report - 15 April 2025 meeting - Amendment Regulations 2025 
Attachment 3	Advice from State Planning Commission - Public Consultation for Draft Engineering Requirements 
Attachment 4	Draft Design Standard 1 - Engineering Requirements for Land Divisions 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



We strive to be a leader in regional Local Government and are committed to delivering effective, efficient, and valued services to the community.

Strategic Outcome

- We have strong relationships, and where appropriate, partner with our community, industries, stakeholders, the Local Government sector and Governments.

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

RISK MANAGEMENT CONSIDERATIONS

These statements are qualitative in nature and designed to provide an indication of Council's general position when deciding to take or retain risk in pursuit of its objectives.

1. SERVICE DELIVERY

Refers to the delivery of services to the community, which includes the systems and physical assets that enable provision of these services, including structures (such as roads, buildings and facilities) as well as IT infrastructure, plant, vehicles & other equipment.

The respective standards do have common requirements that could be adopted. In principle, there is an opportunity to better align engineering requirements.

2. SUSTAINABILITY & ENVIRONMENT

Relates to measures to preserve, protect and minimise impact on the natural environment, including sacred and indigenous lands, flora, fauna, heritage, water, waste, hazardous materials and pollution.

In the development of the Technical Manual, the principle of sustainability has been applied in relation to water quality, tree canopy and construction techniques.

3. FINANCIAL

Refers to planning and control of Council's budget to align with the sustainable achievement of the desired outcomes articulated in its Community Plan.

The changes to vesting of infrastructure is a significant risk for all councils. Based on current experience, there is a high risk of substandard land and associated infrastructure being vested to councils under this proposed change.

Ultimately communities will be burdened with rectification costs and/or shortened asset life if inferior/poorly constructed infrastructure is vested with councils. This will impact depreciation for assets and require earlier than expected renewal maintenance.

4. PEOPLE

Relates to recruitment, retention, wellbeing and safety of employees and volunteers and engagement and management of contractors as well as the wellbeing and safety of the community.

Nil

5. REPUTATION

Relates to policy, decisions, actions and circumstances that may cause Council to lose credibility with the community, ratepayers, key stakeholders, other levels of government and its own employees and contractors.

The proposed regulation changes have potential to negatively impact the reputation of local government if its ability to undertake quality control checks in relation to construction of infrastructure prior to the vesting of the infrastructure is removed.

COMMUNITY ENGAGEMENT

The draft Design Standard is out for consultation until 15 July 2025. The Department has consented to the embargoed submission being presented by the due date with the endorsed submission being received upon adoption of the minutes of the Council meeting.

7.4.2 AMENDMENTS TO COUNCIL'S SIGNAGE POLICY **25/42597**

MOVED Cr de Vries

That Council endorses the amended Signage Policy to align with recent legislative amendments to the *Local Government Act 1999*, as contained within Attachment 1.

SECONDED Cr Evans

CARRIED 2022-26/773

PURPOSE

To seek Council endorsement of the amended Signage Policy to align with recent legislative amendments to the *Local Government Act 1999* (the Act).

REPORTBackground

In December 2024, amendments were made to Section 226 of the *Local Government Act 1999* relating to the control of electoral advertising posters. At the same time, Section 226A was implemented prohibiting the exhibition of designated Commonwealth electoral advertising posters on roads and road-related areas.

There are further amendments to the Act that also prohibit displaying of electoral advertising material for State and local government elections.

Discussion

Council's signage Policy, adopted in September 2023, currently exempts electoral signs, therefore the current Policy is inconsistent with the Act. Amendments have been made to the policy, as set out at Attachment 1, to reflect the recent updates to the Act.

Summary and Conclusion

As the current signage Policy is now inconsistent with the Act, sections 2.3.4, 2.3.5 and 2.3.6 of the Policy need to be removed to ensure the Policy is correct.

During the initial development and subsequent reviews of this Policy, public consultation was required. However, in this instance Section 50 (7) of the *Local Government Act 1999* states that minor changes can occur to a Policy if it is of minor significance that would attract little (or no) community interest. In this instance it will not be necessary, as community feedback cannot supersede the requirements of the Act.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Draft Signage Policy - July 2025 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTSCorporate Plan

CS8 Compliance, Monitoring and Enforcement - Conducting compliance, monitoring and responding to non-compliance associated with planning, building, swimming pool, fire safety, public health and safety

Legislative Requirements

Local Government Act 1999

Electoral Act 1985

RISK MANAGEMENT CONSIDERATIONS

These statements are qualitative in nature and designed to provide an indication of Council's general position when deciding to take or retain risk in pursuit of its objectives.

1. SERVICE DELIVERY

Refers to the delivery of services to the community, which includes the systems and physical assets that enable provision of these services, including structures (such as roads, buildings and facilities) as well as IT infrastructure, plant, vehicles & other equipment.

Nil

2. SUSTAINABILITY & ENVIRONMENT

Relates to measures to preserve, protect and minimise impact on the natural environment, including sacred and indigenous lands, flora, fauna, heritage, water, waste, hazardous materials and pollution.

Nil

3. FINANCIAL

Refers to planning and control of Council's budget to align with the sustainable achievement of the desired outcomes articulated in its Community Plan.

Nil

4. PEOPLE

Relates to recruitment, retention, wellbeing and safety of employees and volunteers and engagement and management of contractors as well as the wellbeing and safety of the community.

Nil

5. REPUTATION

Relates to policy, decisions, actions and circumstances that may cause Council to lose credibility with the community, ratepayers, key stakeholders, other levels of government and its own employees and contractors.

Should the amendments not occur, Council's Signage Policy will not be aligned with the relevant State Legislation.

COMMUNITY ENGAGEMENT

Section 50 (7) of the *Local Government Act 1999* states that minor changes can occur to a Policy if it is of minor significance that would attract little (or no) community interest. In this instance.

Public Consultation will not be necessary as community feedback cannot override the Act.

7.4.3 APPOINTMENT OF OFFICERS TO THE ADELAIDE MOUNT LOFTY RANGES BUSHFIRE MANAGEMENT COMMITTEE

25/46467

MOVED Cr de Vries

That Council endorse Tomas Hennessy, Team Leader, Infrastructure Maintenance Planning as Deputy Member for The Barossa Council on the Adelaide Mount Lofty Ranges Bushfire Management Committee.

SECONDED Cr Troup**CARRIED 2022-26/774****PURPOSE**

To seek Council endorsement of a new Deputy Member to the Adelaide Mount Lofty Ranges Bushfire Management Committee (the Committee), following the recent resignation of the Senior Manager Infrastructure and Environmental Services

REPORTBackground

The Committee has a role in developing and promoting policies, practises, plans and strategies for its area, focusing on the assessment and reduction of bushfire risk and hazards. It is also an advisory committee to the State Bushfire Coordination Committee on bushfire prevention matters for its area.

At the Council meeting held on 21 May 2024, the Manager Health Service and Community Safety, and the Senior Manager Infrastructure and Environmental Services were endorsed as the Member and Deputy Member on the Bushfire Management Committee for The Barossa Council.

Discussion

Recently the Senior Manager Infrastructure and Environmental Services resigned from The Barossa Council and as such, has resigned as the Deputy Member on the Committee.

It is recommended that Tomas Hennessy, Team Leader, Infrastructure Maintenance Planning be appointed as the new Deputy Member. Tomas is authorised to make decisions and/or is responsible for bushfire management activities with the Council area.

Summary and Conclusion

It is important to ensure that best practises, plans and strategies are considered to assist in minimising the risk of fire and assist with community safety in the Barossa Council area, therefore, the Team Leader, Infrastructure Maintenance Planning is recommended as the most appropriate representative for the Deputy position for The Barossa Council.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



We strive to be a leader in regional Local Government and are committed to delivering effective, efficient, and valued services to the community.

Strategic Outcome

- We have strong relationships, and where appropriate, partner with our community, industries, stakeholders, the Local Government sector and Governments.

Corporate Plan

- CS13 Fire Prevention - Fire prevention activities including issuing fire prevention notices and working with fire agencies to reduce fire risks
- 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

Fire and Emergency Services Act 2005

RISK MANAGEMENT CONSIDERATIONS

These statements are qualitative in nature and designed to provide an indication of Council's general position when deciding to take or retain risk in pursuit of its objectives.

1. SERVICE DELIVERY

Refers to the delivery of services to the community, which includes the systems and physical assets that enable provision of these services, including structures (such as roads, buildings and facilities) as well as IT infrastructure, plant, vehicles & other equipment.

The appointment of members to the Committee is necessary under the Terms of Reference to ensure the effective function of the Committee. Appropriately qualified, accredited and experienced members are recommended for appointment.

2. SUSTAINABILITY & ENVIRONMENT

Relates to measures to preserve, protect and minimise impact on the natural environment, including sacred and indigenous lands, flora, fauna, heritage, water, waste, hazardous materials and pollution.

Nil

3. FINANCIAL

Refers to planning and control of Council's budget to align with the sustainable achievement of the desired outcomes articulated in its Community Plan.

Nil

4. PEOPLE

Relates to recruitment, retention, wellbeing and safety of employees and volunteers and engagement and management of contractors as well as the wellbeing and safety of the community.

The endorsed members need to be authorised to make decisions and/or are responsible for bushfire management activities with the Council area.

5. REPUTATION

Relates to policy, decisions, actions and circumstances that may cause Council to lose credibility with the community, ratepayers, key stakeholders, other levels of government and its own employees and contractors.

Council and its staff are required to ensure that appropriate steps are taken to mitigate the risk of fire in its area.

COMMUNITY ENGAGEMENT

Not required.

7.4.4 REQUEST TO EXTINGUISH ENCUMBRANCE AT COULTHARD ESTATE NURIOTPA 25/47693

MOVED Cr Preece

That Council delegates authority to the Chief Executive Officer to discharge the Encumbrance applying to properties within Coulthard Estate, per Attachment 1, where such request is received from a landowner.

SECONDED Cr Angas

CARRIED 2022-26/775

PURPOSE

To seek Council consent to extinguish the Encumbrance at Coulthard Estate, Nuriootpa

REPORT

Background

Coulthard Estate was granted development authorisation in 1994 for 97 residential allotments. The estate is fully developed. The land division is located at the northern end of the Nuriootpa High School, on the eastern side of Murray Street and located approximately 550m south of Sturt Highway.

The land division layout is contained in Attachment 1 and the Deposited Plans for the land division are contained in Attachment 2.

The land division was approved subject to an Encumbrance that was registered upon all of the relevant allotments created under the land division. Encumbrances are a legal claim or restriction on a property that limits the owner's rights or use of the property. The encumbrance is registered between Council and the landowner.

The Encumbrance is contained in Attachment 3. Clause 1 of the Encumbrance states:

1. *During the continuance of this Encumbrance, the Encumbrancer shall not upon the land or in respect thereof:*
 - a. *Erect or suffer to be erected or to remain thereon any building, fence, or other structure (including roofing, garages and other outbuildings) whereby all or any portion of the building material used or contained in such building, fence or other structure is of reflective galvanised iron;*
 - b. *Suffer allow or permit any mobile home or transportable home of any type whatsoever situated on the Land to be used for residential purposes.*

Discussion

A key limitation of Encumbrances which work against their perpetual survival is that they are only enforceable between the parties that signed the Encumbrance i.e. between the Council and original landowner. In the instance where a property is sold, the new landowner is not a party to the Encumbrance and enforcement against the landowner may be problematic unless they have signed the Encumbrance.

Encumbrances are consequently no longer used by Councils to address ongoing land management type situations and instead Land Management Agreements (LMA) are used. LMAs can be entered into pursuant to Section 192 of the *Planning, Development and Infrastructure Act 2016* and relate to the development, management, preservation or conservation of land with the owner.

The existing Encumbrance is more than 30 years old, and the provisions contained within the Encumbrance are no longer enforced. Given the age of the Encumbrance and concerns regarding enforceability of its terms, it is recommended that Council delegate authority to the Chief Executive Officer to allow discharge of the Encumbrance for any property within Coulthard Estate, where requested.

If the Encumbrance is extinguished, the land remains subject to the same controls as all other land in Nuriootpa where not subject to an Encumbrance. For example, a transportable dwelling can be applied for and may be approved, provided the application meets the provisions of the Planning & Design Code. Galvanised iron would also not be precluded as a building material used in residential areas.

Summary and Conclusion

This report outlines a request for Council to extinguish the Encumbrance at Coulthard Estate, Nuriootpa and recommends Council delegate power to the Chief Executive Officer to discharge the Encumbrance.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1	Coulthard Estate - Land of Division 
Attachment 2	Colthard Estate - Deposited Plans for the Division 
Attachment 3	Coulthard Estate - Memorandum of Encumbrance for Land Division 

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 and Infrastructure Act 2016

RISK MANAGEMENT CONSIDERATIONS

These statements are qualitative in nature and designed to provide an indication of Council's general position when deciding to take or retain risk in pursuit of its objectives.

1. SERVICE DELIVERY

Refers to the delivery of services to the community, which includes the systems and physical assets that enable provision of these services, including structures (such as roads, buildings and facilities) as well as IT infrastructure, plant, vehicles & other equipment.

Nil

2. SUSTAINABILITY & ENVIRONMENT

Relates to measures to preserve, protect and minimise impact on the natural environment, including sacred and indigenous lands, flora, fauna, heritage, water, waste, hazardous materials and pollution.

The Encumbrance restricts transportable dwellings and building materials comprising galvanised iron. The purpose of the Encumbrance was clear at the outset but after 30 years of time, the Encumbrance is no longer enforced and there are issues in enforcing the terms of the Encumbrance upon new landowners that are not a party to the original Encumbrance.

3. FINANCIAL

Refers to planning and control of Council's budget to align with the sustainable achievement of the desired outcomes articulated in its Community Plan.

Nil

4. PEOPLE

Relates to recruitment, retention, wellbeing and safety of employees and volunteers and engagement and management of contractors as well as the wellbeing and safety of the community.

Nil

5. REPUTATION

Relates to policy, decisions, actions and circumstances that may cause Council to lose credibility with the community, ratepayers, key stakeholders, other levels of government and its own employees and contractors.

It is considered there are good governance reasons why the Encumbrance should be discharged from the land. Council retains right to assess development of land within Coulthard Estate to achieve suitable development outcomes pursuant to the *Planning, Development and Infrastructure Act 2016*.

COMMUNITY ENGAGEMENT

Should Council consent to the discharge of the Encumbrance, it is proposed to write to all applicable properties to bring the resolution to landowners' attention.

7.4.5 DRAFT SUBMISSION - CONCORDIA CODE AMENDMENT **25/49418**

MOVED Cr de Vries

That Council:

- (1) Endorse the draft submission in respect to the Concordia Code Amendment as contained in Attachment 1.
- (2) Authorises the Chief Executive Officer or delegate, to make minor technical or typographical amendments to the submission.

SECONDED Cr Troup

CARRIED 2022-26/776

PURPOSE

To present a draft submission for Council endorsement in respect to the Concordia Code Amendment.

REPORT

Introduction

The Concordia Code Amendment was released for public consultation for a six week period from 19 June 2025 to 31 July 2025. This report presents Council's draft submission for endorsement.

The Code Amendment

The Concordia Code Amendment aims to rezone approximately 995 hectares of land to provide more homes for South Australians. The amendment will help facilitate staged development of a new master planned community to accommodate approximately 10,000–12,000 new homes for an estimated 25,000-30,000 residents.

The amendment will also enable the range of land uses and facilities needed to support a community of this size, including employment land, town centres, education facilities, healthcare, community facilities, open space and recreation areas.

The area of land affected by the Code Amendment is generally bound by:

- Kalbeeba Road and Teusner Road to the east;
- Bergen Road and Ironbark Road to the north;
- The North Para river to the west; and
- Local roads including Calton Road and the Barossa Valley Way to the south.

The draft Code Amendment proposes the following changes to the planning rules in the affected area:

- Rezoning approximately:
 - o 971 hectares of land currently in the Rural Zone to the Master Planned Neighbourhood Zone;
 - o 24 hectares of land currently in the Rural Zone to the Employment Zone.
- Applying the Regulated and Significant Trees Overlay to the entire affected area and Urban Tree Canopy Overlay to the Master Planned Neighbourhood Zone;
- Introducing a new Emerging Main Street Subzone and applying it to the Master Planned Neighbourhood Zone to support developing:
 - o Several activity centres, each including a main street that is a focal point for the surrounding neighbourhood;
 - o Medium to high density residential neighbourhoods in walkable distances to activity centres.
- Applying the Affordable Housing Overlay to the Master Planned Neighbourhood Zone to deliver at least 15 percent affordable homes across the residential development.
- Applying the Noise and Air Emissions Overlay to the Master Planned Neighbourhood Zone to protect residents in the new development from noise and air emissions generated by main roads, railways and other land uses.

- Introducing two concept plans to:
 - o Guide the provision of basic infrastructure, including stormwater management and roads.
 - o Support the orderly development of future land uses, including the preferred location of activity centres, schools and community facilities, and specifying the land required for education and emergency services.

A copy of the written communication from the Chief Executive of the Department for Housing and Urban Development is contained in Attachment 2.

Infrastructure

To assist with the future delivery of basic infrastructure at Concordia, the State Government proposes to implement an Infrastructure Delivery Scheme. Basic infrastructure includes roads, stormwater management, electricity and stormwater. Consultation on the scheme will be undertaken in coming months.

A Concept Plan identifies the location of key land uses where land needs to be reserved for social infrastructure within the Code Amendment. The Concept Plan also specifies the minimum amount of land and number of facilities required for state social infrastructure including education and emergency services.

In addition, the State Government is establishing deeds to secure land for state social infrastructure such as health, education, emergency services or other facilities.

In respect to social infrastructure, a Social Infrastructure Deed is currently being negotiated between Council and Concordia landowners. These discussions are progressing. The social infrastructure provision incorporates sport and recreation, community centres and the like.

Discussion

Feedback during the consultation period is requested in relation to the Code Amendment in the following ways:

- The choice of proposed(s) zone and subzones and where they are applied within the affected area;
- The spatial application of overlays to the affected area;
- The wording of the proposed policies within the new Emerging Main Street Subzone;
- The introduction of the proposed concept plan and the information contained within them.

A draft submission is prepared and is contained at Attachment 1. The draft submission highlights a number of elements which are supported including the introduction of an Emerging Main Street Subzone, an Employment Zone, policy that supports an outer link road and policy supporting density around centres.

Council's aspirations for a Concordia Subzone have not been embedded in the Code Amendment which is a gap. There are also elements of the Concept Plan which warrant amendment and there are opportunities for improvements to the Emerging Main Street Subzone policy.

Detailed commentary is provided under headings below:

Concordia Subzone

The Barossa Council has engaged extensively with Planning & Land Use Services (PLUS) and the Growth and Infrastructure Coordination Unit (GICU) since March 2024 in relation to the introduction of a Concordia Subzone Policy into the Planning & Design Code library to apply over the Master Planned Neighbourhood Zone.

Advocating for a Concordia Subzone was in alignment with Council's adopted vision for Concordia *"A vibrant, connected and contemporary Barossa Community created with liveability, sustainability and longevity at its core"*. Central to this were the following six principles:

- Community – Concordia is a modern and distinctive Barossa community;
- Connected – Concordia is a connected community that promotes prosperity across the region;
- Sustainable – Concordia is an innovative and sustainable community;
- Inclusive – Concordia is a healthy, safe, accessible and inclusive community;
- Choice – Concordia delivers high quality design, amenity and choice;
- Environment – Concordia enhances and incorporates the natural environment.

To assist the development of the Subzone Policy, Council engaged John Stimson of Stimson Consulting and member of the State Planning Commission to collaborate with Council in preparation of the policy.

It is considered there is a strong need for a subzone policy for Concordia Growth Area to address gaps in the existing Masterplanned Neighbourhood Zone. Concordia contains a large degree of sloping and undulating land and additional policy, through a new subzone, is beneficial to ensure development responds to the site's natural features and slope of the land whilst balancing the need for density and expedient delivery of development.

Further, the site sits adjacent the highly valued Barossa Valley Character Preservation District and is a visually exposed site from existing urban and rural areas. The Barossa Council has a strong desire to preserve and, where possible, promote the landscape character of the Barossa in the planning and delivery of Concordia Growth area.

The absence of the Concordia subzone is considered to be a missed opportunity. Council seeks inclusion of a Concordia Subzone Policy into the code as part of the proposed Code Amendment for Concordia.

Infrastructure

The following are considered to be fundamental infrastructure considerations for Concordia that need to be accounted for and captured within the Basic Infrastructure Scheme:

- Sturt Highway connection – Murray Street and Lyndoch Road/Barossa Valley Way are near or at capacity, thereby making connection to Sturt Highway critical. This needs to be part of the initial development link investment. There is a need to further understand the funding mechanism and timing for delivery.
- Public transport – Early delivery of a rail station at Concordia is required. Timing of delivery of rail will also impact the bus services required. The road network

needs to reflect bus routes which should connect activity centres to each other, Concordia connection to Gawler central, Lyndoch and road connections to the proposed Concordia railway station.

- Concordia Road junction with Barossa Valley Way – A further study is required for the proposed intersection between Concordia Road with Barossa Valley Way, with a confluence of issues in the current location;
- North-south Boulevard – The main central arterial road between Sturt Highway and Barossa Valley Way needs to be a boulevard. This is essential for the character of the Concordia Growth area, visual amenity and multi-purpose use. The road is expected to function as an arterial road and ongoing management should sit with Commissioner of Highways.
- Local Roads south of Barossa Valley Way – There is expected to be significant increase in traffic upon roads south of Barossa Valley Way, for example Cheek Avenue and Sunnyside Avenue. These roads need to be upgraded to accommodate the anticipated increase in traffic volumes.

The Concordia Code Amendment needs to work in conjunction with the Basic Infrastructure Scheme and the Deeds for Social Infrastructure that are being negotiated between Council and landowners and the State with landowners. The following matters need to be further considered:

- How will suitable land be set aside for social infrastructure that is critical to meet the future needs of Concordia and what will be the triggers for delivery.
- Noting the Basic Infrastructure Scheme is yet to be released for consultation, there is a critical dependency between the Code Amendment and the Basic Infrastructure Funding Plan. Further consultation with The Barossa Council is necessary in relation to the Infrastructure Funding Plan.

Concept Plan

The following elements should be considered as part of improvements to the Concept Plan:

- Gateways are identified at some of the key entrances *“to reinforce the prominence of these intersections and the need to maintain the visual amenity and streetscape appeal through the careful siting of buildings and other activities in a well landscaped setting”*. The gateways do not appear to be calling up the Gateway Overlay policy. It is suggested there is opportunity for the Gateway Overlay to be applied to these locations.
- A landscaped buffer is shown along a portion of Barossa Valley Way, which is supported, but this buffer does not extend all the way up to Concordia Road. We suggest the buffer is extended further on the Concept Plan.
- The neighbourhood activity centre, the District Park and primary school should be shifted further south to improve the business case for the Concordia train station. The preferred location of the District Community Centre is next to the Sports and Recreation Reserve on the western side of the north-south boulevard.
- The Concept Plan doesn't show the transmission easements or substations. Is there a particular reason why they've been excluded from the plan?
- Some of the shared use paths have breaks in them which should be corrected.
- The Concept Plan identifies the outer edge road which is planned to be accommodated at the edge of the growth area and is proposed to act as part of the buffer to the Rural Zone/Character Preservation District. What mechanism is proposed to ensure that land is set aside to enable the edge

road to be accommodated later ie. if say 30m or 50m of land is required to be preserved to accommodate the road, how is such outcome achieved?

Please find attached previous summary feedback provided to GICU, dated 26th February 2025 and 14th May 2025.

Emerging Main Street Subzone Policy

The following matters should be considered as improvements to the draft policy within the Emerging Main Street Subzone:

- **Desired Outcome 1** – it is suggested delete the word “include” and replace with “are developed as”. Otherwise, a main street might just be a small element of the activity centre. It needs to be the only element in a local activity centre and the primary element for a neighbourhood activity centre (unless we think all roads in a neighbourhood activity centre should be designed as main streets).
- **PO 1.4** – How does one determine where a building that has residential on ground floor is suitable without a spatial limit to the activity centre? It is arguable that the same residential only buildings (or at least elements of them) are suitable in an activity centre.
- **PO 1.5** – The word “linear” is incorrect, it should be “liner”. A diagram explaining this concept would be useful.
- **PO 1.7** – How do we work out where to apply the 200m boundary if there is no spatial limit to the activity centres?
- **PO 2.1** – Buildings of 3-4 storeys in a Local Centre may be suitable and higher 6-8 storeys in a Neighbourhood Activity Centre. Noting this is a greenfield situation, the development will not need to worry about an existing interface situation.
- **PO 2.4** – Insert the word “continuous” before the word “pedestrian”. You want the shelter to be all along the main street to provide shade from sun and rain, not have gaps.
- **PO 3.1** – The DPF should be expressed in two parts, one for local and the other for neighbourhood activity centres. The heights should also be different. Max 3-4 storeys for local and max 6-8 for neighbourhood.
- **PO 3.3** – The 30 degree plane should start at 6m, not 3m. We are dealing with a greenfield site with no potential interface issues with existing built form.
- **PO 4.4** – How does one assess this policy when there is no spatial limit to an activity centre in the Code? Can't determine what the scale should be.
- **Part 8** – Administrative Terms and Definitions – There should be an example diagram of a main street in the policy. The definition of a main street as outlined in Part 8 is somewhat circular and unhelpful. What happens if a Building Envelope Plan is not used, is the definition still valid?

Summary and Conclusion

This report presents the Concordia Code Amendment and Council's draft submission for endorsement. The draft submission highlights a number of elements which are supported including the introduction of an Emerging Main Street subzone, an Employment Zone, policy that supports an outer link road and policy supporting density around centres. Council's aspirations for a Concordia Subzone have not been embedded in the Code Amendment which is a gap. There are fundamental infrastructure considerations for Concordia that need to be accounted for and captured within the Basic Infrastructure Scheme. There are also elements of the

Concept Plan which warrant amendment and there are opportunities for improvements to the Emerging Main Street subzone policy.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

- Attachment 1 Draft Council Submission - Concordia Code Amendment 
- Attachment 2 Advice - Department for Housing and Urban Development - Consultation on the Draft Concordia Code Amendment and Infrastructure Scheme Update 

Supporting references

[Concordia Code Amendment: rezoning land for residential development | YourSAy](#)

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Our Places

Our places and spaces enhance the liveability, retain rural and regional character and diversity of our communities.

Strategic Outcome

- Our places are planned, managed, and sustainable.

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

RISK MANAGEMENT CONSIDERATIONS

These statements are qualitative in nature and designed to provide an indication of Council's general position when deciding to take or retain risk in pursuit of its objectives.

1. SERVICE DELIVERY

Refers to the delivery of services to the community, which includes the systems and physical assets that enable provision of these services, including structures (such as roads, buildings and facilities) as well as IT infrastructure, plant, vehicles & other equipment.

Not Applicable

2. SUSTAINABILITY & ENVIRONMENT

Relates to measures to preserve, protect and minimise impact on the natural environment, including sacred and indigenous lands, flora, fauna, heritage, water, waste, hazardous materials and pollution.

The Code Amendment is proposing to rezone approximately 995ha of land within the Concordia Growth Area to facilitate the development of a new, master planned residential community with appropriate civil infrastructure as well as social, education, recreation, commercial and retail services.

The Code Amendment is looking to introduce a policy framework that can be used to facilitate the development of a sustainable, resilient, innovative, vibrant, connected and inclusive master planned community that responds to the existing character of the area and supports the needs of the community.

The investigations undertaken to inform the preparation of the master plan identified the extent of waterways and conservation reserves containing native vegetation. The master plan aims to protect and conserve these natural environments and ensure new development is appropriately integrated with the existing environment.

3. FINANCIAL

Refers to planning and control of Council's budget to align with the sustainable achievement of the desired outcomes articulated in its Community Plan.

The Concordia Growth Area has been modelled into Council's Long Term Financial Plan.

4. PEOPLE

Relates to recruitment, retention, wellbeing and safety of employees and volunteers and engagement and management of contractors as well as the wellbeing and safety of the community.

Endorsement of the Concordia Code Amendment will pave the way for future urban development within the Growth Area. The Growth Area will help facilitate staged development of a new master planned community to accommodate approximately 10,000-12,000 new homes for an estimated 25,000-30,000 residents.

The Barossa Council has initiated a Future Growth Resource Strategy and Plan to understand impacts to the workforce and ways of working to ensure operational readiness.

5. REPUTATION

Relates to policy, decisions, actions and circumstances that may cause Council to lose credibility with the community, ratepayers, key stakeholders, other levels of government and its own employees and contractors.

There are several elements of the Concordia Code Amendment which are supported, and which align with Council's Vision, Mission and Principles for Concordia Growth Area.

Council's aspirations for a Concordia Subzone have not been embedded into the Code Amendment which is a gap. There are also elements of the

Concept Plan which warrant amendment and there are opportunities for improvements to the Emerging Main Street Subzone policy.

COMMUNITY ENGAGEMENT

Community engagement on the Code Amendment is open until 31 July 2025. The Chief Executive of the Department for Housing and Urban Development will consider feedback received in finalising the Code Amendment and will prepare an Engagement Report which will outline what was heard during consultation and how the proposed Code Amendment was changed in response to submission. The Minister will determine the Code Amendment.

8. CONFIDENTIAL REPORTS

8.1 Office of the Mayor and CEO

8.1.1 SPECIAL AUDIT AND RISK COMMITTEE - AGENDA AND MINUTES - 2 JUNE 2025 25/50557

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 matter involves commercial negotiations for a long term 10 year core systems contract and that Council must comply with non-disclosure arrangements in place with the State.

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

MOVED Cr Preece

That Council:

- (1) Under the provisions of Section 90(2) of the *Local Government Act 1999*, make an order that the public be excluded from the meeting with the exception of the Acting Chief Executive Officer, Acting 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)(b) of the *Local Government Act 1999*:

information the disclosure of which-

- (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
- (ii) would, on balance, be contrary to the public interest; and

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 matter involves commercial negotiations for a long term 10 year core systems contract and that Council must comply with non-disclosure arrangements in place with the State.

SECONDED Cr Hurn

CARRIED 2022-26/777

The meeting moved into confidence at 6.29pm

MOVED Cr de Vries

That Council:

- (1) Council resolution
- (2) Having considered this matter in confidence under Sections 90(2) and 90(3)(b) and (j) of the *Local Government Act 1999*, makes an order pursuant to Section 91(7), that the minutes, agenda report and attachments other than the minutes relating to this confidentiality order of the Confidential Council Meeting held on 15 July 2025 in relation to item 8.1.1 Special Audit and Risk Committee - Agenda and Minutes - 2 June 2025 be kept confidential and not available for public inspection until annual review of confidential items and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr Hurn

CARRIED CO 2022-26/778

Resumption of open council meeting at 6.31pm

8.2 Corporate Services, Strategy and Innovation

8.2.1 BAROSSA PARK - DRAFT RIGHT OF USE AGREEMENT FOR THE STATE **25/50009**

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 matter relates to an agreement between the Premier of South Australia and The Barossa Council which is subject to confidentiality provisions.

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

MOVED Cr de Vries

That Council:

- (1) Under the provisions of Section 90(2) of the *Local Government Act 1999*, make an order that the public be excluded from the meeting with the exception of the Acting Chief Executive Officer, Acting 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 matter relates to an agreement between the Premier of South Australia and The Barossa Council which is subject to confidentiality provisions.

SECONDED Cr Preece**CARRIED 2022-26/779**

The meeting moved into confidence at 6.31pm

MOVED Cr Preece

That Council:

- (1) Council resolution
- (2) Council resolution
- (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 and agenda report attachments other than the minutes relating to this confidentiality order of the Confidential Council Meeting held on 15 July 2025 in relation to item 8.2.1 Barossa Park - Draft Right of Use Agreement for the State be kept confidential and not available for public inspection until Annual Review of Confidential Items and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr de Vries**CARRIED CO 2022-26/780**

Resumption of open council meeting at 6.32pm

8.3 Infrastructure and Environmental Services

8.3.1 BAROSSA REGIONAL PROCUREMENT GROUP - TENDER - PROVISION OF NEW SURFACING WORKS AND RESURFACING OF SEALED ROADS **25/48775**

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, if disclosed, could prejudice the commercial position of a person or confer a commercial advantage on a competitor.

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

MOVED Cr de Vries

That Council:

- (1) Under the provisions of Section 90(2) of the *Local Government Act 1999*, make an order that the public be excluded from the meeting with the exception of the Acting Chief Executive Officer, Acting 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)(b) of the *Local Government Act 1999*:

information the disclosure of which-

- (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of 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, if disclosed, could prejudice the commercial position of a person or confer a commercial advantage on a competitor.

SECONDED Cr Evans

CARRIED 2022-26/781

The meeting moved into confidence at 6.32pm

MOVED Cr de Vries

That Council:

- (1) Council resolution
- (2) Council resolution
- (3) Having considered this matter in confidence under Sections 90(2) and 90(3)(b) of the *Local Government Act 1999*, makes an order pursuant to Section 91(7), that the minutes, agenda report and attachments other than the minutes relating to this confidentiality order of the Confidential Council Meeting held on 15 July 2025 in relation to item 8.3.1 Barossa Regional Procurement Group - Tender - Provision of New Surfacing Works and Resurfacing of Sealed Roads be kept confidential and not available for public inspection until annual review of confidential orders and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr Evans

CARRIED CO 2022-26/782

Resumption of open council meeting at 6.33pm

9. URGENT OTHER BUSINESS

Nil

10. NEXT MEETING

Tuesday 19 August 2025 at 5.30pm

11. CLOSURE

Mayor Lange declared the meeting closed at 6.34pm.

Confirmed at Council Meeting on 19 August 2025

Date:.....

Mayor:.....

APPENDIX 1

Relating to Item 7.2.3 – Monthly Finance Report as at 30 June 2025

MONTHLY FINANCE REPORT

AS AT 30 June 2025

For Year Ending 30 June 2025

	Notes	% Actual Expenditure to Original Budget	Original Budget (Full-Year) \$'000	Revised Budget (Q3) (Full-Year) \$'000	Actual Result (Year-to-Date) \$'000
Uniform Presentation of Finances					
OPERATING ACTIVITIES:					
			<i>Operating</i>		
Operating revenue			49,517	50,785	50,308
Less: Operating expenses		99.31%	(49,954)	(51,837)	(49,611)
Operating Surplus / (Deficit)			(437)	(1,052)	695
CAPITAL ACTIVITIES:					
Net Outlays on Existing Assets					
			<i>Capital</i>		
Capital expenditure on renewal and replacement of existing assets	2	68.64%	(11,202)	(10,689)	(7,689)
Add back: Depreciation, amortisation & impairment			10,816	10,181	10,833
Add back: Proceeds from sale of replaced assets			368	304	358
Subtotal			(18)	(204)	3,502
Net Outlays on New and Upgraded Assets					
Capital Expenditure on new and upgraded assets	2	103.80%	(29,484)	(32,139)	(30,605)
Add back: Amounts received specifically for new and upgraded assets	1		6,725	8,196	5,792
Subtotal			(22,759)	(23,943)	(24,813)
Net Lending/(Borrowing) for the Financial Year			(23,214)	(25,199)	(20,616)
Total % Capital Budget Spent			94.12%		

NOTES

1) Total Barossa Park SA Government contributions year-to-date excluded from figure - \$16.7 million

2) 2024-25 capital expenditure to end of June includes:

- Barossa Park redevelopment (less SA Government contribution) - \$22.7m
- Nuriootpa soccer - \$1.6m
- Sealed roads - \$2.8m
- Unsealed roads - \$1.9m