The Barossa Council

MINUTES OF THE MEETING OF THE BAROSSA COUNCIL

held on Tuesday 27 January 2026 commencing at 5:30pm
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa.

M I N U T E S

Welcome and Acknowledgement of Country by Mayor Bim Lange 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, Jane Evans, Bruce Preece, Jess Greatwich, Rick Lane and Heidi Thompson.

Apologies

Cr Cathy Troup

Not Present

Nil

Leave of Absence

Nil

The Council acknowledged the recent attack at Bondi Beach and held a minutes silence in respect for those individuals killed and the impact on their family and friends and the wider community.

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 16 December 2025 at 5.30pm, as circulated, be confirmed as true and correct records of the proceedings of those meetings.

SECONDED Cr Angas **CARRIED 2022-26/888**

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 Evans

That the Mayor's report be received.

SECONDED Cr Lane **CARRIED 2022-26/889**

5. COUNCILLORS' REPORTS

Nil

6. MATTERS FOR INFORMATION

6.1 Williamstown and Lyndoch Landcare Group Inc - Minutes of Meeting
6.2 Gawler River Floodplain Management Authority - Minutes of Meeting

6.3 Government of South Australia - Accelerating SA's transition to a circular economy: South Australia's Waste Strategy 2025 - 2030.
6.4 Update from Boundaries Commission on the Community Submission Regarding Truro and Dutton
6.5 Barossa Bushgardens S41 Committee - Minutes of Meeting
6.6 Audit and Risk Committee - Presentation of Agenda and Minutes for the December 2025 meetings
6.7 Local Government Elections 2026 - Correspondence from Commission Indicative Costs for Election
6.8 2026 Barossa Heritage Motorsport Festival
6.9 Changes to the Aged Care Act 2024 requiring mandatory screening for Elected Members
6.10 Development of new Disability Access and Inclusion Plan in 2026

7. DEBATE REPORTS

7.1 Office of the Mayor and CEO

Pursuant to Section 73 of the Local Government Act 1999, Cr Preece disclosed a Conflict of Interest in the matter Item number 7.1.1 – Findings and Orders of the Behavioural Standards Panel against Cr Preece, as the item refers to findings about his misbehaviour in the role as a Elected Member of The Barossa Council. Cr Preece advised the Chamber that he would leave the meeting.

Cr Preece left the meeting at 5:36 pm.

7.1.1 FINDINGS AND ORDERS OF THE BEHAVIOURAL STANDARDS PANEL AGAINST CR PREECE
26/2171

MOVED Cr de Vries

That Council, having received the Final Report of the Behavioural Standards Panel into the behaviour of Cr Preece:

(1) Censure Cr Preece in accordance with the findings and orders of the Panel under s 262W(1)(b) of the *Local Government Act 1999 (the Act)*.

(2) Authorise the Chief Executive Officer to provide written confirmation to the Panel's as to the completion or otherwise of the Orders.

(3) Note that if Cr Preece does not comply with the Behaviour Standards Panels' Orders, including Council directions of 20 May 2025, the Chief Executive Officer will refer the matter pursuant to Section 262W(4) of the Act to South Australian Civil and Administrative Tribunal as required by the Act.

SECONDED Cr Greatwich **CARRIED 2022-26/890**

PURPOSE

To table and review the findings of the Final Report by the Behavioural Standards Panel (the Panel) regarding a complaint against Cr Preece.

REPORT

<u>Background</u>
Council is aware that there were 6 complaints against Cr Preece's behaviour that were investigated in accordance with the *Local Government Act 1999* and Council policy and tabled for its consideration at the meeting of 20 May 2025. At this meeting Council made 5 findings, noting two complaint matters were of a similar nature and therefore presented as one item. The decisions of Council where:

7.1.1 COMPLAINT AGAINST CR PREECE - TABLING OF INVESTIGATION, FINDINGS AND RECOMMENDED OUTCOMES - COMPLAINT MATTER 1 AND 2
25/36696

MOVED *Cr de Vries*

That Council having reviewed the independent investigation report and findings:

(1) Hereby finds that Cr Preece breached the following clauses under the Behavioural Standards for Council Members for the allegations found proved:

- *Clause 1.4 of the Mandatory Standards - Act in a reasonable, just, respectful and non-discriminatory way.*
- *Clause 2.5 of the Mandatory Standards - Act in a manner consistent with their roles, as defined under section 59 of the Act.*
- *Clause 3.1 of the Mandatory Standards - Establish and maintain relationships of respect, trust, collaboration, and cooperation with all Council members.*

(2) To remedy these breaches, the Council resolves that:

a. Cr Preece be reprimanded;
b. Cr Preece attend training relevant to his role and responsibilities as an Elected Member within (4) weeks, unless an amended date is otherwise agreed prior with the Mayor which shall include Indigenous and cultural awareness training component; and
c. Cr Preece issue a public apology to Crs Greatwich and Schilling and acknowledging the offence to fellow Councillors and the Indigenous and wider community at a public meeting of the Council, to be delivered within the next two (2) meetings of Council, and the terms of the apology are to be recorded in the Minutes which shall acknowledgement of the substances of the complaint being substantiated.

SECONDED *Cr Troup* ***CARRIED 2022-26/695***

MOVED *Cr Angas*

That Council having found Cr Preece has breached the Behaviour Standards for Council Members censures the member for his behaviour and disrespect to Cr Greatwich and Cr Schilling, Council and its community as outlined in the findings.

SECONDED *Cr de Vries* ***CARRIED 2022-26/696***

7.1.2 COMPLAINT AGAINST CR PREECE - TABLING OF INVESTIGATION, FINDINGS AND RECOMMENDED OUTCOMES - COMPLAINT MATTER 3
25/36700

MOVED *Cr Greatwich*

That Council having reviewed the independent investigation report, and findings, hereby:

(1) Finds that Cr Preece has breached the following clauses under the Behavioural Standards for Council members for the allegations found proved:

- *Clause 1.4 of the Mandatory Standards - Act in a reasonable, just, respectful and non-discriminatory way.*
- *Clause 2.1 of the Mandatory Standards – Comply with all applicable Council policies, codes, procedures guidelines and resolutions.*
- *Clause 2.5 of the Mandatory Standards - Act in a manner consistent with their roles, as defined under section 59 of the Act.*
- *Clause 4.2 of the Mandatory Standards – Not bully Council employees.*

(2) To remedy these breaches, the Council resolves that:

a. Cr Preece be reprimanded;
b. Cr Preece attend training relevant to his role and responsibility as an Elected Member within (4) weeks, unless an amended date is otherwise agreed prior with the Mayor including bullying and harassment training; and
c. Cr Preece issue a public apology which shall acknowledge he engaged staff contrary to the Chief Executive Officers instructions and bullied and harassed staff, at a public meeting of the Council to the employees in question (without otherwise naming them), to be delivered within the next two (2) meetings of Council, and the terms of the apology are to be recorded in the Minutes.

SECONDED *Cr Evans*

VARIATION

Cr Evans sought leave of the meeting and consent of the Mover, requesting the addition of the word 'with' after the word 'engaged' in item (2)c.

The Mayor put the question of leave of the meeting. Leave of the meeting and consent from the Mover was granted.

The motion was varied and read as follows:

That Council having reviewed the independent investigation report, and findings, hereby:

(1) Finds that Cr Preece has breached the following clauses under the Behavioural Standards for Council members for the allegations found proved:

- *Clause 1.4 of the Mandatory Standards - Act in a reasonable, just, respectful and non-discriminatory way.*
- *Clause 2.1 of the Mandatory Standards – Comply with all applicable Council policies, codes, procedures guidelines and resolutions.*
- *Clause 2.5 of the Mandatory Standards - Act in a manner consistent with their roles, as defined under section 59 of the Act.*
- *Clause 4.2 of the Mandatory Standards – Not bully Council employees.*

(2) To remedy these breaches, the Council resolves that:

a. Cr Preece be reprimanded;
b. Cr Preece attend training relevant to his role and responsibility as an Elected Member within (4) weeks, unless an amended date is otherwise agreed prior with the Mayor including bullying and harassment training; and
c. Cr Preece issue a public apology which shall acknowledge he engaged with staff contrary to the Chief Executive Officers instructions and bullied and harassed staff, at a public meeting of the Council to the employees in question (without otherwise naming them), to be delivered within the next two (2) meetings of Council, and the terms of the apology are to be recorded in the Minutes.

CARRIED 2022-26/697

MOVED *Cr Greatwich*

That Council having found Cr Preece has breached the Behaviour Standards for Council Members censures the member for his behaviour and disrespect to Council and its staff as outlined in the findings.

SECONDED *Cr de Vries* ***CARRIED 2022-26/698***

7.1.3 COMPLAINT AGAINST CR PREECE - TABLING OF INVESTIGATION, FINDINGS AND RECOMMENDED OUTCOMES - COMPLAINT MATTER 4
25/36701

MOVED *Cr Angas*

That Council having reviewed the independent investigation report, and findings, hereby:

(1) Finds that Cr Preece has breached the following clauses under the Behavioural Standards for Council members for the allegations found proved:

- *Clause 1.4 of the Mandatory Standards - Act in a reasonable, just, respectful and non-discriminatory way.*

- *Clause 2.5 of the Mandatory Standards - Act in a manner consistent with their roles, as defined under section 59 of the Act (namely, to ensure positive and constructive working relations within the Council).*
- *Clause 3.1 of the Mandatory Standards – Establish and maintain relationships of respect, trust, collaboration, and cooperate with all Council members.*

(2) To remedy these breaches, the Council resolves that:

a. Cr Preece be reprimanded;

b. Cr Preece attend training relevant to his role and responsibility as an Elected Member within (4) weeks, unless an amended date is otherwise agreed prior with the Mayor including training on bullying and harassment; and

c. Cr Preece issue a public apology at a public meeting of the Council which shall include an apology to Cr Greatwich for a lack of professional conduct and undertaking bullying and harassment, to be delivered within the next two (2) meetings of Council, and the terms of the apology are to be recorded in the Minutes.

SECONDED *Cr Troup* ***CARRIED 2022-26/699***

MOVED *Cr Angas*

That Council having found Cr Preece has breached the Behaviour Standards for Council Members censures the member for his behaviour and disrespect to Cr Greatwich and Council as outlined in the findings.

SECONDED *Cr Hurn* ***CARRIED 2022-26/700***

7.1.4 <u>COMPLAINT AGAINST CR PREECE - TABLING OF INVESTIGATION, FINDINGS AND RECOMMENDED OUTCOMES - COMPLAINT MATTER 5</u>
25/36703

MOVED *Cr de Vries*

That Council having reviewed the independent investigation report, and findings, hereby:

(1) Finds that Cr Preece has breached the following clauses under the Behavioural Standards for Council members for the allegations found proved:

- *Clause 1.2 of the Mandatory Standards - Act in a way that generates community trust and confidence in the Council.*
- *Clause 1.5 of the Mandatory Standards – When making public comments, including comments to the media, on Council decisions and Council matters, show respect for others and clearly indicate their views are personal and are not those of the Council.*
- *Clause 2.5 of the Mandatory Standards – Act in a manner consistent with their roles, as defined under section 59 of the Act.*

(2) To remedy these breaches, the Council resolves that:

a. Cr Preece be reprimanded;
b. Cr Preece attend training relevant to his role and responsibility as an Elected Member within (4) weeks, unless an amended date is otherwise agreed prior with the Mayor including appropriate public conduct; and

c. Cr Preece issue a public apology which shall include acknowledgement of misconduct at a Council and community event and to the members of the clubs and community present at the Tanunda Recreation Park redevelopment opening at a public meeting of the Council, to be delivered within the next two (2) meetings of Council, and the terms of the apology are to be recorded in the Minutes.

(3) Cr Preece, for a period of 12 months, be ineligible for consideration to attend on behalf of the Council, as an Elected Member representative, at community events where the Council is invited to send a representative and that this be published in the Minutes of the Council meeting.

SECONDED *Cr Greatwich* ***CARRIED 2022-26/701***

MOVED *Cr de Vries*

That Council having found Cr Preece has breached the Behaviour Standards for Council Members censures the member for his behaviour and disrespect to the Tanunda community and this present at the Tanunda Recreation Park redevelopment opening as outlined in the findings.

SECONDED *Cr Troup* ***CARRIED 2022-26/702***

7.1.5 COMPLAINT AGAINST CR PREECE - TABLING OF INVESTIGATION, FINDINGS AND RECOMMENDED OUTCOMES - COMPLAINT MATTER 6
25/37102

MOVED *Cr Greatwich*

That Council having reviewed the independent investigation report, and findings, hereby:

(1) Finds that Cr Preece has breached the following clauses under the Behavioural Standards for Council members for the allegations found proved:
- *Clause 1.3 of the Mandatory Standards - Act in a manner that is consistent with the Council's role as a representative, informed and responsible decision maker, in the interests of its community.*
- *Clause 1.4 of the Mandatory Standards – Act in a reasonable, just, respectful and non-discriminatory way.*
- *Clause 2.5 of the Mandatory Standards – Act in a manner consistent with their roles, as defined under section 59 of the Act (being a failure to provide community leadership and guidance).*

(2) To remedy these breaches, the Council resolves that:
a. Cr Preece be reprimanded;
b. Cr Preece attend training relevant to his role and responsibility as an Elected Member within (4) weeks, unless an amended date is otherwise

agreed prior with the Mayor including the impacts of discriminatory behaviour and actions; and

c. Cr Preece issue a public apology to the Members of the Gawler River Floodplain Management Authority and Council which shall include acknowledgement of his discriminative behaviour and comments at a public meeting of the Council and write to the Chairperson of the Gawler River Floodplain Management Authority providing a written apology, to be delivered within the next two (2) meetings of Council, and the terms of the apology are to be recorded in the Minutes.

(3) In accordance with clause 5.6.6 of the Charter, that the Council revokes the appointment of Cr Preece from the GRFMA, and appoint and alternative Member to the Board.

(4) Note the outcomes of agenda items 7.1.1 to 7.1.5;

a) being six (6) formal investigations and findings of multiple breaches of the Behavioural Standards for Elected Members; and
b) the impacts and costs on rate payers, residents and employees; and
c) damaging Councils reputation;

calls on Cr Bruce Preece to resign from Council forthwith from his position as an Elected Member of The Barossa Council.

SECONDED *Cr Angas* ***CARRIED 2022-26/703***

MOVED *Cr Hurn*

That Council having found Cr Preece has breached the Behaviour Standards for Council Members censures the member for his behaviour and disrespect to the Members of the Gawler River Floodplain Management Authority, Council and its community as outlined in the findings.

SECONDED *Cr Greatwich* ***CARRIED 2022-26/704***

Introduction

As Cr Preece did not comply with Councils directions to apologise, either not at all or outside of the required timeframes and not with the prescribed instructions, regarding the Gawler River Floodplain Management Authority statement, the Mayor as directed by the *Local Government Act 1999, Section* 262Q and Council Elected Member Behaviour Management Process Part 3 referred the matters to the Behaviour Standards Panel.

Discussion

The Behaviour Standards Panel has now issued its final report and struck the following orders. The relevant documents are tabled at Attachment 1.

The Panel's findings are therefore that Cr Preece committed misbehaviour on five occasions as detailed in the "Provisional Findings" section of the report.

The Panel orders that:

1. It reprimands Cr Preece, by means of a public statement, in accordance with s 262W(1)(a) of the Act.
2. The Council is directed to pass a censure motion in respect of Cr Preece, in accordance with s 262W(1)(b) of the Act.
3. Cr Preece is required to issue public apologies in a manner which accords with the actions taken by the Council, in accordance with s 262W(1)(c) of the Act.
4. Cr Preece is required to issue a public apology in a manner determined by the Panel in accordance with s 262W(1)(c) of the Act.
5. Cr Preece is required to reimburse the Council the specified amount of $810, as a proportion of reimbursement of the costs to the Council in relation to dealing with these complaints, in accordance with section 262W(1)(e) of the Act.

The Panel reprimand is tabled at Attachment 2.

The apology required of Cr Preece is to be undertaken in accordance with the wording provided in the final report in addition to those instructed by Council in May 2025.

If the original apologies, all five and the apology required from the Behavioural Standards Panel, are not concluded within two ordinary meetings of Council from the release of the report, being 19 January 2026 the matter must then be referred to the SA Civil and Administrative Tribunal. The final date for compliance with the orders is therefore 17 February 2026.

Summary and Conclusion
The complaint matters have been investigated and determined by the Panel and this report tables the outcomes and ensures Council compliance with the Panels orders.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Behavioural Standards Panel Final Report
Attachment 2 Behavioural Standards Panel Reprimand

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS4 Council and Committees - Provision of support to Council and Committees through the provision of required information, agendas, and minutes. Council and Committees are provided with support to enable informed decisions

BS7 Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims

Legislative Requirements
Section 262 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.

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.

Costs incurred to date on this, and other complaints managed collectively, and all being reported to the Council meeting amount to $70,370.15 being $52,853.90 in legal and investigation services and $17,516.25 in administrative costs of the Chief Executive Officer, being internal resource used to date (this equates to an estimated 92.5 hours to date). This does not include any estimate for the Mayors time costs.

These costs relate to all complaints made against Cr Preece that are currently under processes pursuant to Council policy and processes.

This does not include any invoicing for January 2026.

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.

This has impacted the two staff involved, they are fearful of impact on them personally and Council senior staff have been ensuring they are adequately supported.

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 processes of the complaints and now the inability to achieve an agreed outcome will result in reputational damage to Council.

COMMUNITY ENGAGEMENT

Nil required or recommended and the Behaviour Standards Panel has released the report and its reprimand publicly at its web site Behavioural Standards Panel.

Cr Preece returned to the meeting at 5:40 pm.

7.1.2 MANAGEMENT OF DISCRETIONARY RESERVE BALANCES - CORRECTION
25/101083

MOVED Cr Angas

That Council, pursuant to regulation 21 of the *Local Government (Procedures at Meetings) Regulations 2013*, amend resolution number 2022-26/643:

From:

That Council approve the treatments outlined in Attachment 1 and authorise the Chief Executive Officer to give effect to those treatments, on condition where the funds are released to an organisation they agree it will be utilised for its foundation purposes and shall consult with relevant prior group representative, and thereby increase the budget (net of any revenues received in 2024-25 financial year) by $75,022.

To:

That Council approve the treatments outlined in Attachment 1, except that line item "947-Lyndoch Street Party Reserve" be returned to Southern Barossa Alliance, and authorise the Chief Executive Officer to give effect to those treatments, on condition where the funds are released to an organisation they agree it will be utilised for its foundation purposes and shall consult with relevant prior group representative, and thereby increase the budget (net of any revenues received in 2024-25 financial year) by $75,022 and to facilitate the amendment that the 2025-26 budgeted expenses be increased by $5,203.

SECONDED Cr Barrett **CARRIED 2022-26/891**

PURPOSE

To amend a prior resolution of Council to correct and interpretation issue with the Lyndoch Street Party Reserve and make payment of the reserve balance to the Southern Barossa Alliance.

REPORT

Background
A report was presented to Council at its meeting of 18 March 2025, copy at Attachment 1, that resolved a raft of old reserve balances.

Introduction
The assessment of the reserves in the attachment to the report contained an interpretation error concerning the Lyndoch Street Party Reserve.

Discussion
The Lyndoch Street Party Reserve was understood to be funds accrued within Councils own budget and could be applied to the cost of supporting the event but this was incorrect and included funds raised by the community and also result in a treatment recommendation that was inconsistent with other treatments.

To correct this, it is now recommended that the funds be returned to Southern Barossa Alliance to support the street party.

I have contacted the group and explained the situation and that this report is required before the funds can be released. They also understand there are no future funds within Council budget other than the costs to support the event labour and other costs, as it is with the other Christmas events.

Summary and Conclusion
The determination of the reserve balances for this item requires correction and this report will facilitate the necessary correction and provide the funds.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 March 2025 Council Report - Copy

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
Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013

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.

   $5,203 increase in expense for the year having not significant material effect on the operating surplus, net financial liabilities or asset sustainability ratio.

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.

   Corrects a minor error.

COMMUNITY ENGAGEMENT

Nil required or recommended, have engaged with the relevant group directly.

7.1.3 INVESTIGATION INTO DISPLAYING AUSTRALIAN FLAGS PERMANENTLY AT CIVIC AND OTHER LOCATIONS
25/101730

MOVED Cr de Vries

That Council having reviewed the new initiative assessment, in isolation to the development of the budget, and noting there are no new initiatives in the 2025-26 year:

(1) Acknowledge the sentiment of the proposal and thank the resident for bringing it forward for consideration.

(2) Not proceed with the initiative due to the estimated cost, lack of alignment to the Community or Corporate Plan, very low assessment score, introduction of additional work health and safety risks which outweigh the benefits it produces.

(3) Reiterate Council's current practice as a policy setting, in that it will continue to permanently display the Australian and Aboriginal Flags externally to the principal office and the Australian, State and Aboriginal Flags in the Council Chamber; and will display appropriate flags at civic events where warranted, such as Australia day and citizenship ceremonies.

SECONDED Cr Angas **CARRIED 2022-26/892**

PURPOSE

To determine if Council wishes to proceed with implementing a new program to display Australian flags at civic and other locations where the infrastructure is available.

REPORT

Background
Council instructed that an investigation into the proposal, as presented in Cr Angas's notice of motion at Attachment 1, be undertaken.

The letter of correspondence is attached at Attachment 2.

Introduction
An assessment of the infrastructure, maintenance, repair and replacement needs of existing flag poles at Council civic and other locations have been undertaken.

Further assessment has been undertaken on travel times, distance and rotation from morning to afternoon and the route of best fit. The findings and financial estimates are incorporated at Attachment 3.

Finally, as required by Council policy, an assessment has been undertaken within the due diligent report – project feasibility study as presented at Attachment 4.

Discussion

Assumptions

Prior to summarising the findings, the following assumptions are critical to the analysis:

1. Maintenance, repair and replacement needs of the infrastructure and operating needs for the flag raising and lowering, lighting etc. are in alignment with the Australian Government Flag protocols.
2. All available locations have been assessed and there are currently 26 flagpoles at 19 locations.
3. The poles at the principal office in Nuriootpa do not require resourcing, that is already catered for, leaving 18 sites as new service sites.
4. It does not include the NCPA at this stage, there are poles at this site.
5. There are 3 sites that may meet the lighting criteria, however that would need assessment under the protocols, therefore it assumes, other than the Nuriootpa principal office, all flags need to be raised and lowered daily.
6. The analysis is for weekdays only, not public holidays or weekends. If the service was for seven days per week there would be a significant and material increase in costs in the order of 48.35% in salary and wages due to penalties that would apply to the extra 2 days. It would also increase vehicle costs and would push the overall cost to practically $2.6M over a 10-year program.
7. Other assumptions for calculations of costs are provided in Attachment 2.

Community and Corporate Plan Alignment

There is no direct Community and Corporate Plan alignment for this initiative. If it is supported as a necessary service, an amendment will be scheduled to these plans, including the requirement for the Community Plan, as a strategic management plan having to go through a period of consultation.

Summary of Request

To display the Australian National Flag permanently and prominently at the Soldiers' Memorial Halls in Nuriootpa and Tanunda, and more broadly at other appropriate civic locations throughout the Barossa Council area.

Findings

1. Of the 26 identified flagpole, 24 require some maintenance and repair.
2. 2 require replacement.
3. 6 poles are in poor to very poor condition.
4. Once off maintenance costs, including halyard and pully updates, are estimated at $17,185.
5. New flag costs are $7,337.
6. Estimated ongoing maintenance and flag replacement are estimated at $5,000 per annum indexed.
7. There is real community intangible benefit in the form of community pride and recognition, however there are no identifiable tangible benefits.
8. The five-day service level will cost an annual amount of $175,035 or $1,750,349 over the 10-year long term financial plan. That equates to a rate increase of 0.51%.

9. The assessment against the policy-based bid analysis tool is 35 points. This score is in the very low range (lowest score possible is 23, medium score is 69 and highest score possible is 115).
10. No analysis has been undertaken at private sites that could, and were identified in the request, as it would simply add more cost and also require much greater management arrangements to be put in place such as with churches and the like.
11. Many of the sites may only see flags raised for around 3 hours due to the need to travel around the district.
12. No weekends have been included, which is at odds with part of the requests identified benefits as a tourism and civic pride outcome, when the majority of tourists are in the area on weekends.

Additional Future Options

With the expansion of services and where there is a permanent presence at workplaces of relevant alignment to the request, these could increase as follows:

- Mount Pleasant Library.
- Lyndoch Library.
- Depot sites in Tanunda and Williamstown (although they are not really aligned to the request as they are not prominent locations or tourism spots)
- Visitor Information Centre
- Barossa Creative Industries Centre
- New infrastructure to be built and manned in future as part of the Concordia development.

Please note these ideas have also not been explored in any detail at this time, they are simply future suggestions and will also require industrial relations engagement and job specification changes if it was explored, let alone impact on ability to provide normal services.

Alternative Recommendation

Whilst the recommendation has been made on this technical assessment, if Council wish to continue to proceed with assessment, an alternative recommendation is hereby provided for consideration.

That Council having reviewed the new initiative assessment, in isolation to the development of the budget, and noting there are no new initiatives in the 2025-26 year:

(1) Acknowledge the sentiment of the proposal and thank the resident for bringing it forward for consideration.

(2) Proceed with the initiative as part of the 2026-27 annual budget and business plan process to assess it against other spending needs and ensure it is consulted upon with the community as part of this process.

(3) Reiterate Council's current practice, as a policy setting, in that it will continue to permanently display permanently the Australian and Aboriginal Flags externally to the principal office and the Australian, State and Aboriginal Flags in the

Council Chamber; and will display appropriate flags at civic events where warranted, such as Australia day and citizenship ceremonies.

Summary and Conclusion
There is no doubt there is sound reasoning for the display of national and other flags and pride and patriotism; however, Council needs to weigh up the significant cost and impact on ratepayers, be it through rate increases to pay for the initiative or reduction in other services or capital investment in core infrastructure. Ultimately at officer level this is a nice to do initiative that would be at the expense of have and need to do's, and the benefits do not outweigh the benefits of other investments that have to and need to be done.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1	Notice of Motion - Cr Angas - October 2025 Council Meeting
Attachment 2	Proposal Request
Attachment 3	Flags Data and Financial Model
Attachment 4	Due Diligence Assessment - Project Feasibility Study

Supporting references
Australian National Flag protocols | PM&C

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS4 Council and Committees - Provision of support to Council and Committees through the provision of required information, agendas, and minutes. Council and Committees are provided with support to enable informed decisions

Legislative Requirements
Section 122(5) and (6) of the Local Government Act
Section 123 of the Local Government Act

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 proposal introduces a new service that is not currently funded and cannot be absorbed within existing budget and resourcing.

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.

Provided in the attachments in summary based on the assumptions outlined in the report:

- Will cost $1,750,349 excluding penalty rates for public holidays.
- Council operating result in the long term financial plan over the 10 years will reduce to $4.718M from $6.468M.
- If no other operating programs are reduced, or capital investment deferred or reduced, the Council will need to borrow the full $1.750M to fund the LTFP settings.
- Net financial liabilities will increase to 4.2% at year 10 up from 1.5% and peak at 89.9% in 2026-27 up from 89.8%.
- It does not impact the asset renewal ratio as it is not a capital item unless capital investment is reduced to pay for it.
- In summary, this investment if endorsed will need to be funded from either a rate increase, reduction in other programs or capital investment, otherwise the operating position of Council is reducing to a position of high risk and provides little future buffer.

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.

Will introduce some additional work health and safety challenges due to height and restricted access. If approved by Council, these will be managed within normal protocols and systems already in place.

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.

This is a challenging question for Council. If it approves the initiative, it is committing $1.75M for a 10-year program that is not able to be rolled out equitably across the community, which is a fundamental desire of the program, at significant cost and without tangible benefit whilst acknowledging the intangible benefit and messaging to our community and those that visit it. Should Council choose not to proceed, there is a risk of a perception that Council is unpatriotic. However, this is fundamentally addressed already, with existing policy settings of permanent internal and external display of flags at the principal office, in the Council Chamber and at relevant events, for instance Australia Day.

COMMUNITY ENGAGEMENT

No community engagement has been undertaken and has not been proposed, depending on Council's decision, if it proceeds, it should be included in the Annual Business Plan and Budget considerations at most at this time, and consulted on as part of that statutory requirement.

7.1.4 VARIATION TO DELEGATIONS REGISTER - UPDATES TO LEGISLATION
26/86

MOVED Cr de Vries

That Council in exercise of the power contained in section 44 of the *Local Government Act 1999 and section 100 of the Planning, Development and Infrastructure Act 2016*, hereby delegates the powers and functions under the following Acts and specified in the proposed Instrument of Delegation contained at Attachment 1 to the position of Chief Executive Officer:

(1) Disability Inclusion Act 2018
(2) Dog and Cat Management Act 1995
(3) Expiation of Offences Act 1996
(4) Graffiti Control Act 2001
(5) Instrument A of the Planning, Development and Infrastructure Act 2016
(6) Instrument B of the Planning, Development and Infrastructure Act 2016
(7) Local Government Act 1999

SECONDED Cr Hurn **CARRIED 2022-26/893**

PURPOSE

To provide Council with the opportunity to consider updated and new provisions identified through legislative amendments for delegation to the Chief Executive Officer under various legislation.

REPORT

Background
Council has powers and functions that must be performed under a range of legislation. In most cases, the relevant Acts grant these powers and functions directly to Council. The ways in which Council may exercise its powers and functions are:

- when the Council itself exercises the power or function at a formally constituted meeting; and

- where the legislation enables it, a power or function may be delegated to a Council employee, in most cases being the Chief Executive Officer.

Delegations enable Council to apportion its powers and functions to the Chief Executive Officer (CEO) who in turn may sub-delegate to Council staff who have the relevant expertise and experience to improve the efficiency and timeliness of carrying out Council's decisions.

From time to time, legislation upon which Council's delegations are based change, requiring Council to review its relevant delegations on a periodic basis. Council may review its delegations at any time.

Introduction

In early 2020, the Local Government Association (LGA) advised councils it was undertaking a comprehensive review of the delegations' templates and revised its approach to the service offered to councils. The resulting framework established a simpler and contemporary approach that will improve ease of use, reduce legal risk, and enhance flexibility for Council.

Each power and function now consist of a short description only, replacing the historic approach which substantially replicated the text of the legislation. This framework also expands the number of delegable provisions across Acts that were not previously included as part of the delegations.

Discussion

The statutory power of delegation under section 44 of the *Local Government Act 1999* enables the delegation of the statutory powers and functions vested or conferred on a council. Other statutory delegation powers permit the delegation of powers or functions vested in a council in a particular capacity (e.g. as a relevant authority under the *Safe Drinking Water Act 2011* or an enforcement agency under the *Food Act 2001*). A column providing for the capacity in which the Council is acting is included in the tables of delegable statutory powers and functions. This is to assist Governance Officers to identify the powers and functions which are relevant to the Council and which the Council wants to delegate. It will also assist Council in ensuring the correct powers of delegation are referenced in the instrument of delegation.

The framework is not intended to provide a compliance manual for delegates exercising statutory functions and powers. Providing guidance as to the legal requirements for the valid exercise of that delegated power or function is not the purpose of an instrument of delegation or sub-delegation. The purpose is to record formally the delegation of statutory functions or powers. The delegate or sub-delegate is responsible for exercising the delegated power or function lawfully. This requires compliance with:

- any conditions or limitations on the delegation;
- any statutory requirements which apply to the exercise of the power or function; and
- relevant principles of administrative law.

Updates

Periodic updates to legislation are facilitated by the LGA and their legal partners at Norman Waterhouse Lawyers.

In this periodic update of delegations there have been changes to six pieces of legislation being:

Disability Inclusion Act 2018
New
- Review and vary the disability access inclusion plan to be consistent with the State Disability Inclusion Paper.
- Publish the varied disability access and inclusion plan.

Dog and Cat Management Act 1995
Changed
- Numbering changes to clause for charging fees.
- Correction to a legislation reference.

Expiation of Offences Act 1996
New
- Authorisation of persons to issue expiation.
  Note – this has previously been allowed under the *Local Government Act 1999*.

Graffiti Control Act 2001
New
- Appoint an authorised person, with conditions if required.
- Enter private property and issue reasonable directions including consulting with the owners and other third parties
  Note – these have previously been allowed under the *Local Government Act 1999*.

Planning Development and Infrastructure Act 2016 – Instruments A and B
New
- Inspections for swimming pools to be carried out by qualified persons.
- Various provisions around the management of security for agreements around land divisions for Community or Strat titles.
- Multiple provisions regarding the initiation and consultation on Regional Plans and Code amendments.
- Collection of compliance fee in the event an accredited professional elects not to collect.

Changed
- Numbering and legislation reference changes to multiple Regulations.
  – no impact on actual content.

- Simplification of requirements to provide documentation to amendments of codes, reports and land divisions.
- Minor procedural changes with engagement and Minister determinations.

Deleted
- Removal of additional clauses that have been incorporated into the streamlined changes.

Local Government Act 1999
New
- Provide written notice for the imposition of rate liabilities.

Changed
- Provide written notice for the sale of land for non-payment of land to the land owner and a state newspaper.

- Provide notice of a proposed conversion of private road to public road.

Summary and Conclusion
Council is now asked to review and endorse the delegations as at Attachment 1.

The delegations within this report do not detail the entirety of the delegation framework, only those provisions that have been recently amended via legislative change.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Amendment to the Delegations Register - January 2026

Supporting references
No further supporting references.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS7 Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims

Legislative Requirements

Council may delegate a power or function vested or conferred under a range of legislation, it may be made to any employee of Council, a Council Committee or an authorised person.

In this report, powers are being delegated under powers of the *Local Government Act 1999* and *Planning, Development and Infrastructure Act 2016*.

The delegation register is available on Council's website.

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.

   Effective delegations enable staff to align finances to its vision and strategy for ongoing financial sustainability.

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.

Effective delegations enable staff to align finances to its vision and strategy for ongoing financial sustainability.

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.

Effective delegations enable staff to align finances to its vision and strategy for ongoing financial sustainability.

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.

Effective delegations enable staff to align finances to its vision and strategy for ongoing financial sustainability.

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.

Effective delegations enable staff to align finances to its vision and strategy for ongoing financial sustainability.

COMMUNITY ENGAGEMENT

Employees are informed through established internal procedures of any variation to instruments of delegations that affect their position.

Council's Register of Delegations is made available to the public via Council's website www.barossa.sa.gov.au as required by the *Local Government Act 1999*.

7.1.5 AUDIT AND RISK COMMITTEE MEMBER APPOINTMENTS
26/1250

MOVED Cr Angas

That Council:

(1) Appoint Mr Ian Swan as an Independent Member to the Audit and Risk Committee for a further two years, concluding on 27 January 2028

(2) Appoint Mr Peter Brass as the Chairperson to the Audit and Risk Committee for a further 12 months concluding on 28 January 2027, in line with appointment to the Committee.

SECONDED Cr Preece **CARRIED 2022-26/894**

PURPOSE

Council are required pursuant to *Section 126 of the Local Government Act 1999* to determine appointments to the Audit and Risk Committee for pending membership and chairperson vacancies.

REPORT

Introduction
Independent Member appointments for one member and the chairperson due to lapsing in January 2026. Council are required pursuant to Section 126 of the *Local Government Act 1999* to fill these vacancies to enable full membership of the Audit and Risk Committee.

Discussion

Independent Member Vacancy
The appointment of Ian Swan to the Audit and Risk Committee lapses 27 January 2026. Mr Swan has confirmed he would be pleased to be extended for a further two year term. Reappointment via extension would ensure continuity on the Committee and avoid the need to go to market for a new member.

Chairperson Vacancy
The appointment of Peter Brass as the Audit and Risk Committee Chairperson lapses 28 January 2026. Mr Brass has confirmed he would be happy to be extended for a further year in alignment with his Committee appointment until 28 January 2027. Reappoint ensures continuity in the role of chairperson.

Summary and Conclusion
Reappointment of Mr Ian Swan as an Independent Member and Mr Peter Brass as Chairperson maintains the current structure of the Audit and Risk Committee. Council may determine a different approach which will impact the conduct of the next scheduled Committee meeting early February.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references
Audit and Risk Committee Terms of Reference

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS4 Council and Committees - Provision of support to Council and Committees through the provision of required information, agendas, and minutes. Council and Committees are provided with support to enable informed decisions

BS7 Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims

Legislative Requirements
Section 126 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.

   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.

   Current membership costs are included within the budget. Should Mr Ian Swan not be reappointed, there will be costs associated with the recruitment process for a new member.

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.

Reappointing current members maintains positive relationships and retains experience on the Committee.

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

There is no requirement to consult the community on the membership composition.

7.1.6 REVOCATION OF COMMUNITY LAND MANAGEMENT PLAN NUMBER 8 - TALUNGA VILLAGE
26/1741

MOVED Cr Preece

That Council noting that the subject land of Talunga Village was revoked as community land pursuant to Section 198 of the *Local Government Act 1999* (the Act) on 19 March 2013 and as such no community land management plan is required or effective from that time, and in accordance with Councils resolution of 19 December 2023 the assets and management for housing purposes of the land has been transferred to Barossa Village Incorporated; and

a. therefore, revokes Community Land Management Plan Number 8 – Talunga Village pursuant to Section 198(1) of the Act; and
b. that consultation requirements for this revocation have been satisfied by the revocation actions concluded in 2013; and
c. that there is no impact of this decision on the community pursuant to Section 198(3) of the Act.

SECONDED Cr Evans **CARRIED 2022-26/895**

PURPOSE

To revoke the Talunga Village community land management plan as it is no longer relevant due to the removal of community land management status and transfer of assets to Barossa Village Incorporated.

REPORT

Background and Introduction
The report of December 2013 provides all the necessary background to this matter and is provided at Attachment 1.

In summary the subject land in 2013 was revoked as community land under the *Local Government Act 1999*, at that time it was no longer community land, and any plan was no longer effective or required.

Secondly the land and purpose for the land and its management as housing was transferred to Barossa Village Incorporated in 2024, therefore Council no longer own the land and any plan over the land would be irrelevant in this case.

Discussion
The matter is to simply "clean up" an unneeded plan and conduct the necessary administrative processes as prescribed by the *Local Government Act 1999* to revoke the Community Land Management Plan Number 8 – Talunga Village.

Section 198 of the *Local Government Act 1999* prescribes as follows:

198—Amendment or revocation of management plan:

(1) A management plan may be amended or revoked by the adoption of a proposal for its amendment or revocation.
(2) A council may only adopt a proposal for amendment to, or revocation of, a management plan after the council has carried out the public consultation that would be required if the proposal were for a new management plan.
(3) However, public consultation is not required if the amendment has no impact or no significant impact on the interests of the community.
(4) A council must give public notice of its adoption of a proposal for the amendment or revocation of a management plan.

In addressing the requirements Council has:

1. Under subsection (1) the power to revoke a management plan.
2. Should only revoke the plan if it has consulted on the matter and considered submissions under subsection (2), please see next point.
3. Subsection (3) provides an exception for consultation if the revocation has no impact on the community. Council has already conducted consultation to revoke the community land management plan status and completed that in 2013 at that time the plan should have been revoked. Further the land has been transferred for it housing purposes to Barossa Village Incorporated, therefore the plan has no effect and subsection (3) is in the opinion of the author satisfied.
4. A notice will be placed in the Government Gazette and local papers as required.

Summary and Conclusion
This is a process of "cleaning up" a prior matter and removing a plan that no longer is required or relevant.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Talunga Village Background

Supporting references
community-land-management-plan-8-talunga-village.pdf

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS7 Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims

Legislative Requirements
Section 198 of the Local Government Act

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 impact.

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.

   Nil impact.

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.

Nil impact.

COMMUNITY ENGAGEMENT

Not required or recommended as outlined in the body of the report.

7.1.7 <u>TALUNGA PARK - OVAL AND FACILITES BUSINESS CASE FOR TORRENS VALLEY FOOTBALL CLUB ACCESS</u>
26/1786

MOVED Cr de Vries

That Council note the update on the progress of the requested business case and acknowledge that the target for January 2026 cannot be met and that the Chief Executive Officer complete the business case as a matter of priority post the scheduled workshop of 27 January 2026 and at the earliest opportunity, but not later than the February 2026 Ordinary Meeting of Council table the information as best can be completed by the timeframe for Council determination of future service levels and infrastructure needs at Talunga Park.

SECONDED Cr Hurn **CARRIED 2022-26/896**

PURPOSE

To update Council on the progress of the requested business case.

REPORT

<u>Background</u>
At Council's meeting of 18 November 2025, it passed the following resolution.

That Council:

(1) Instruct the Chief Executive Office to prepare a report, cost, business case and other necessary information outlined, for the January 2026 Ordinary Council Meeting of Council to continue equestrian and football activities on Talunga Park Oval, Mount Pleasant in accordance with the following desired service levels:

a. Maintain the Talunga Park Oval to a football playing standard so that there is an even cover of turf and level surface with no obvious depressions or holes within the playing surface reflecting local *requirements, environmental conditions and the intended standard of play as per the 2024 AFL preferred Community Facilities Guidelines.*

b. *Any Licence involving playing and training of Australian Rules Football on Talunga Park shall reflect that the oval surface is being maintained as per the 2024 AFL Community Facilities Guidelines with an even cover of turf and a level surface with no obvious depressions or holes.*

c. *Permit the Torrens Valley Football Club to use the oval for up to 4 competition days of football, 1 training night per week, 1 finals game per season, a presentation day/evening and up to 11 Auskick events throughout the football season.*

d. *The report shall be based on the information provided by Councillor Barrett covering, but not limited to, the identification of reasonably foreseeable risks and putting in place control measures that cover those identified reasonably foreseeable risks.*

(2) Endorse the prior master planning process regarding oval infrastructure such that there is support and promotion of Talunga Park to facilitate sport including Australian Rules Football competition and training to a level of service commensurate with use and increased population growth.

(3) Endorse the Talunga Park Master Plan whereby the facility is an agricultural, community, sport and equestrian hub for people visiting, working and living in Mount Pleasant and surrounds.

Introduction

Officers since the resolution has passed have activated various pieces of work to try and develop a reasonable business case including engaging third parties to assist us with costs, design, oval and infrastructure needs and shortfalls to meet the requisite AFL guideline standards (local level facility).

Discussion

The sheer timeframe of 8 weeks to try and pull together a reasonable business case over the holiday period has been problematic whilst also ensuring other works are delivered during this period and it cannot be achieved.

Work on the business case is in the order of 50% completed at the time of writing this report. The last significant level of information has been received on 14 January 2026.

The business case will be minimal in scope when compared to prior standards applied to other like projects. At present the analysis is not ready for formal consideration and there is a very low level of confidence in the information and policy direction still at this time. I have consulted with the mover of the motion and the associated information provider, Cr Barrett and he is understanding of the challenges, and supportive of the proposal outlined in this report. There are a range of issues that in my view require further analysis and thinking by Council and officers they are categorised into three areas:

1. The costs involved and associated service level needs including the activity of the club.

2. The limitation of the business case due to the limited timeframe to develop it noting it was also over the Christmas period; we have done our best to get information from third parties, but the last lot of critical information has been

received today and raises concerns about the timing and viability of rushing any investment.

3. The timing involved; regardless of if Council allocated the money in the budget at the 27 January meeting of Council there is no way the work can be achieved, we must support the show and that needs the oval and therefore we could not start work on the oval until after then. The recommended timeframe for such work to allow sufficient growing season is to start in October and needs a 6-month period to bed in. To do it over the winter season would be extremely problematic in reaching the desired outcome. Top dressing with overseeding will work based on the advice of the consultant that has supported Lyndoch and Tanunda work but it needs significant regrowth period as well as irrigation upgrades.

However there is sufficient information to present a workshop to Council to work through the challenges presented in the above summary and help shape the business case and if directed and funded how this will be implemented and the management of the service impacts.

Summary and Conclusion
The business case is progressing but will not be completed for a raft of reasons and further policy input requirements. A workshop has been scheduled to work through the current status to assist informing the final business case for formal consideration.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

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.

Current service levels that are approved are not impacted currently.

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.

In relation to this impact there isn't any financial impact not already incurred, and senior resourcing is focussing on this priority along with normal priorities.

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 understanding the work cannot be achieved within the timeframe set support the wellbeing of our staff and contractors, who have also done their best over the period to get information to us as quickly as they can over the holiday period.

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 need to properly assess the request and have a level of confidence with the proposal is sound government and project assessment.

COMMUNITY ENGAGEMENT

Not required or recommended as part of this report.

7.2 Corporate Services, Strategy and Innovation

7.2.1 MONTHLY FINANCE REPORT AS AT 31 DECEMBER 2025
26/382

MOVED Cr Greatwich

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

SECONDED Cr Preece **CARRIED 2022-26/897**

PURPOSE

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

REPORT

Background

The monthly finance report as at 31 December is at Attachment 1. This report has been prepared comparing the year-to-date actuals at the end of the period, to the original adopted 2025-26 budget and updated Q1 budget, as approved at the November 2025 Council meeting.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Monthly Finance Report Council December 2025

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 2025-26, as required by the relevant legislation. This report is advising Council of the monthly finance position compared to that budget.

7.3 Infrastructure and Environmental Services

7.3.1 ANGASTON SHOW HALL - CONDITION REVIEW
25/55143

MOVED Cr de Vries

That Council:

(1) Notes that access and utilisation of the space has been restricted to existing use access and activities to support managing and extending the building lifecycle.

(2) Approves the limiting of utilisation of the Angaston Show Hall to the current users and that it is removed as a publicly available hireable space.

(3) Endorses investigating a review for an upgrade to the existing show hall building, alternative solutions for sustaining the activities that occur within this space or if these activities and events could be catered for at other locations and/or a new show hall facility tailored to requirements of other community users within the Angas Recreation Park.

SECONDED Cr Preece **CARRIED 2022-26/898**

PURPOSE

The Angaston Show Hall is no longer fit for purpose and requires a decision with regards to the buildings future and investment in sustaining the activities that occur within this space or if these activities and events could be catered for at other locations or utilising alternative options.

REPORT

Background
The Angaston Show Hall was allocated budget in the 2025-2026 Annual Business Plan and Budget funding for a roof replacement. The building was identified to be demolished in The Big Project masterplan for the Angaston Rec Park in 2019/20 and is no longer fit for purpose.

The masterplan proposed to build a new show hall facility linked to the extended clubroom to enable shared use of some facility elements (i.e. kitchen, toilets) and maximise investment of money in undercover show exhibition space. Tailor to requirements of other community users (i.e. personal fitness, indoor sports, events, displays).

Introduction
The Angaston Show Hall is nearing the end of its useful life; it currently has limited user groups accessing the facility throughout the year. It is however listed as available to hire by the Community. Officers have currently been limiting access to the facility to the current recurring users.

Discussion

Managing and extending the lifecycle of the Angaston Show Hall has required restricting access to the existing lease/licences holders and not supporting any additional use of this building over and above their current utilisation.

The roof requires replacing as does the external cladding, windows and timber trimmers. Accessibility is not compliant, the main doors are cosmetic with flooring being placed over the steps inside and boarded closed, causing all access to be via the side door.

Structurally the building is still safe but will require further assessment to determine the extent of works required prior to committing costs to repair and upgrade.

Currently, the Show Hall is utilised one night each week for archery, the show society meet throughout the year and as an exhibition space during the Angaston Agricultural, Horticultural and Floricultural Annual Show.

Based on regular inspection officers are comfortable that access by the current users is safe, and the continuing to allow only the existing users access will extend the useful life allowing for a proper review of the Angaston Recreation Park and engage with the community to determine the future needs to determine how best the level of service provided by the Show Hall can best be replicated.

Summary and Conclusion

A decision is required on the buildings future and investment in sustaining the activities that occur within this space or if these activities and events could be catered for at other locations or utilising alternative options.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 1703 - Angas Recreation Park - Angaston Recreation Park ARP - Masterplan

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

CS3 Assets - Planning, construction, maintenance and operation of Council's assets (Transport, Bridges, Community Wastewater Management System, Community, Cultural, Recreation and Stormwater)

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.

   With the current restrictions in place, the service delivery impacts are to future community users who will no longer be able to view the Show Hall as a hireable space. There is no impact to existing users.

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.

   There is potential for loss of revenue from new hirers, but historically this site has had minimal hiring outside of the existing long-standing users.

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.

   There could be some members of the community that see the removal of the Angaston Show Hall as a hireable space as negative, however as noted there is minimal ah-hoc hiring of the facility.

COMMUNITY ENGAGEMENT

The has been no community consultation undertaken thus far, however discussions with existing user groups of the show hall will be required moving forward.

7.3.2 ANGASTON CWA HALL - CONDITION REVIEW
25/55145

MOVED Cr Angas

That Council endorses further investigation with stakeholder engagement opportunities to improve the amenities and spaces of the Angaston CWA Hall Rest Rooms, to extend its lifecycle and create improved utilisation, before undertaking the required structural repair works.

SECONDED Cr de Vries **CARRIED 2022-26/899**

PURPOSE

The existing Angaston CWA Hall and Rest Rooms located in the heart of Angaston provide an essential service regarding public amenities, however the associated spaces within this building are underutilised and tired.

There are significant structural concerns in the North-East corner and before committing to implementing the required costly repair, we would like to explore with stakeholder engagement what opportunities might be possible to improve the facility, its lifecycle and utilisation to benefit the reserve, the community and the visitors it hosts.

REPORT

Background
In October 2024 an engineering report was commissioned for the Angaston CWA Hall and Rest Rooms, located in the Angaston Memorial Reserve, Angaston. The report was required due to significant building movement and cracking particularly in the north east corner.

Introduction
The engineers report identified the cracking of the building is caused by movement of the soils under the footings, by the soils wetting up or drying particularly around the edges of the building and soil erosion from the north-eastern corner.

A floor level survey undertaken in the small CWA community space at the eastern end of the building discovered a drop of 70mm across the room.

Other factors exacerbating seasonal movement is a tree in close proximity on the eastern side, inadequate stormwater drainage and the buildings position adjacent to the creek embankment.

Remedial works recommended included;

- underpinning the building,
- installation of a retaining wall to the northern side of the building,
- investigate with an arborist the extent of the root system of the tree on the eastern side of the building,
- clean all underground stormwater pipes,
- investigate all underground stormwater, sewer and water pipes for leaks
- Replace earthenware pipes with PVC
- Install new perimeter concrete paving to western, northern sides.

Costs to facilitate the remedial works to stabilise the building have been estimated at between $60,000-80,000.

Excluded from the recommended remedial works include any structural roof issues that may have occurred because of this movement, upgrade works to the existing interior spaces or the exterior façade (other than crack repair).

Discussion
The required repairs as recommended by the engineer are not insignificant. With that investment in mind a local architect was engaged and produced preliminary concept options that presented a range of opportunities to convert the existing CWA amenities and spaces into an open picnic pavilion through to a closed function space.

The three (3) options attached that best reflect improved amenities and potential utilisation were reviewed by an independent cost consultant to provide a preliminary high level cost estimate. These came back ranging $215,000- $315,000.

Summary and Conclusion
The existing Angaston CWA Hall and Rest Rooms located in the heart of Angaston provide an essential service regarding public amenities, however the associated spaces within this building are underutilised and tired with significant structural concerns in the north-east corner.

Before committing to implementing costly repair works we recommend further investigation with stakeholder engagement opportunities to improve the amenities and spaces of this building, to extend its lifecycle and create improved utilisation.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 JBG Architects - Angaston CWA Rest Room refurbishment- Options 1 - 4 and 6

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

CS3 Assets - Planning, construction, maintenance and operation of Council's assets (Transport, Bridges, Community Wastewater Management System, Community, Cultural, Recreation and Stormwater)

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.

At this stage access to the CWA Hall is limited to the restrooms and large room only given the structural issues, this impairment will continue until a decision is made and works undertaken.

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.

There are financial implications to any other the proposed solutions, consultation with Council and stakeholders will inform the best value investment.

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

The has been no community consultation undertaken thus far, however discussions with community and stakeholders is essential should further opportunities be explored.

7.3.3 BAROSSA BUSHGARDENS S41 COMMITTEE - APPOINTMENT OF INDEPENDENT COMMUNITY MEMBER
25/98093

MOVED Cr Preece

That Council approve the appointment of Greg Donovan as representative of the Friends of Barossa Bushgardens to the Barossa Bushgardens S41 Committee for the remaining term of Council.

SECONDED Cr Hurn **CARRIED 2022-26/900**

PURPOSE

To approve the proposed appointment of Greg Donovan as the Friends of Barossa Bushgardens representative to the Barossa Bushgardens S41 Committee for the remaining term of Council.

REPORT

Introduction
At the meeting of the Barossa Bushgardens S41 Committee held 17 December 2025, Greg Donovan was nominated as the representative for the Friends of the Barossa Bushgardens to the Barossa Bushgardens S41 Committee. Greg's nomination was supported by all members of the Barossa Bushgardens S41 Committee.

A copy of the resolution is included below:

MOVED K Jenkins

That Barossa Bushgardens Committee:

(1) Receive and note the Minutes of the Friends of Barossa Bushgardens Annual General Meeting held 13 November 2025.

(2) Support the appointment of Greg Donovan as Friends of Barossa Bushgardens representative to the Barossa Bushgardens S41 Committee, to be endorsed by Council resolution.

SECONDED A Philpott **CARRIED BB 2022-26/1**

Discussion
Greg Donovan has been part of the Bushgardens since shortly after its inception in 2001. Greg has contributed his extensive knowledge to grow the gardens and has worked in the coordinator position for a number of years.

Greg also led a Land Care group in Kapunda for many years and has propagated thousands of plants with his wife Terri. Both, Greg and Terri are still heavily involved at the Bushgardens with weed control and seed collection.

Greg has assumed the position of Chair to the Friends of Barossa Bushgardens, demonstrating his commitment to the Barossa Bushgardens and the wider environment.

Summary and Conclusion
As per the Terms of Reference for the Barossa Bushgardens S41 Committee, the appointment of Independent Community Members is to be nominated by the S41 Committee and approved by resolution of Council.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references
Barossa Bushgardens S41 Committee Terms of Reference

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS4 Council and Committees - Provision of support to Council and Committees through the provision of required information, agendas, and minutes. Council and Committees are provided with support to enable informed decisions

Legislative Requirements
Section 41 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.

   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.

Nil

COMMUNITY ENGAGEMENT

Not required.

7.4 Development and Community Services

7.4.1 BAROSSA CHARACTER AREA PROJECT WORKING GROUP - EXPRESSIONS OF INTEREST
26/237

Cr Greatwich sought advice and expressed concern about having a conversation about private details of the individuals who nominated and proposed that Council consider conducting this matter in confidence.

A proposed report and recommendation was provided to members on 27 January 2026 should it wish to consider the matter in confidence as requested of the Chief Executive Officer.

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

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that it contains sensitive information relating to personal information of those that have expressed an interest in joining the working group including qualifications, experience and personal details which formed part of information tabled under separate cover to Council.

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 Greatwich

That Council:

(1) Under the provisions of Section 90(2) of the Local Government Act 1999, make an order that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director Corporate Services, Strategy and Innovation, Director Development and Community Services, Director Infrastructure and Environmental Services and the Minute Secretary, in order to consider in confidence a report relating to being information that must be considered in confidence pursuant to:

Section 90(3)(a) of the Local Government Act 1999:
information the disclosure of which would involve the unreasonable disclosure of information concerning the personnel affairs of any person (living or dead).

(2) Accordingly, on this basis, Council is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential as it contains sensitive information relating to personal information of those that have expressed an interest in joining the working group including qualifications, experience and personal details which formed part of information tabled under separate cover to Council..

SECONDED Cr Angas **CARRIED 2022-26/901**

The meeting moved into confidence at 6.05pm

Cr Greatwich left the meeting at 6:05 pm.

Pursuant to Section 73 of the Local Government Act 1999, Cr Angas disclosed an Conflict of Interest in the matter Item 7.4.1 - Barossa Character Area Project Working Group - Expressions of Interest due to his wife being an applicant and is being considered in the resolution. Cr Angas advised the Chamber that he would leave the meeting.

Cr Angas left the meeting at 6:05 pm.

Cr Greatwich returned to the meeting at 6:05 pm.

MOVED Cr Hurn

Cr Hurn moved to Suspend Proceedings with approval of two-thirds of the Members present, suspend the meeting procedures pursuant Regulation 20(1) of the *Local Government (Procedures and Meetings) Regulations* so that applications can be discussed; the suspension shall be for a period of 15 minutes.

SECONDED Cr Greatwich **CARRIED 2022-26/902**

SUSPENSION OF PROCEEDINGS - The Council suspended meeting proceedings at 6:06pm

RECOMMENCEMENT OF PROCEEDINGS - The Council recommenced meeting proceedings at 6.21pm.

MOVED Cr Greatwich

That Council:

(1) Acknowledges the Expressions of Interest received from each member of the community; and

(2) Having considered each Expression of Interest, appoints the following community members to the Barossa Character Area Working Group:

a. Jan Angas
b. Karl Roth
c. Paul Mickan
d. Louise Hickinbotham
e. Katrin Lohner

(3) Authorises the Chief Executive Officer or his delegate to write to each member advising them of their appointment.

(4) Having considered this matter in confidence under Sections 90(2) and 90(3)(a) of the *Local Government Act 1999,* makes an order pursuant to Section 91(7), that the discussion and attachments, provided under separate cover, of the Confidential Council Meeting held on 27 January 2026 in relation to item 7.4.1. Barossa Character Area Project Working Group – Expressions of Interest be kept confidential and not available for public inspection and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr Hurn

Cr Preece called for a **DIVISION**

The motion was set aside.

The division was taken with:

FOR the motion - Cr Barrett, Cr de Vries, Cr Hurn, Cr Schilling, Cr Evans, Cr Greatwich, Cr Lane, Cr Thompson

AGAINST the motion - Cr Preece

The Mayor declared the motion **CARRIED 2022-26/904**

PURPOSE

To consider Expressions of Interest received and appoint five community members to the Barossa Character Area Project Working Group.

REPORT

Background
At its 21 October 2025 Council Meeting, Council endorsed the commencement of the Barossa Character Area Review Project. A key component of the project is the establishment of Working Group, that comprises five community members.

Introduction
Council called for Expressions of Interest from community members to join the Barossa Character Area Working Group (the group) via social media and advertisement on the Council website and in local newspapers. The closure date for Expressions of Interest was Friday 16 January 2026.

Discussion
A total of ten Expressions of Interest were received from community members, as follows (alphabetical order - surname):

- Jan Angas
- Rolf Binder
- Chrstine Canute
- John Geber
- Sally Goers-Fox
- Louise Hickinbotham
- Katrin Lohner
- Paul Mickan
- Karl Roth
- Michael Wohlstadt

A copy of each Expression of Interest is contained has distributed to Elected Members under separate confidential cover.

Each community member has outlined their credentials and interest in becoming part of the group and between them all, a wide variety of experience exists.

Staff have provided the recommended composition of the Committee based on relevant experience, diversity of members skillset and rationale for involvement in the group. Ultimately, it is a decision for Elected Members as to who they wish to appoint.

In addition to the above community members, each of the invited organisations have confirmed their involvement in the group including Light Regional Council, Mid Murray Council, RDA, Barossa Australia and Barossa Region Residents Association.

Following the finalisation of the group, it is expected the first meeting will occur in February 2026.

Summary and Conclusion
A key component of the Barossa Charter Area Review project is the formation of a working group. The appointment of the five community members will allow the Committee to meet, establish the project outline and work toward a future Code Amendment, as per the scope of the project.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Our Council

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
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 formation of the group will allow the Barossa Character Area review to commence and involve community input and sentiment.

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 working group will review the current legislation and work toward a future Code Amendment that will preserve, protect and enhance the cultural importance of the Barossa.

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.

No financial impact

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.

Community members will be appointed to the committee to assist in the process of reviewing the Barossa Character 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.

Involvmenet of community members will ensure local voices are included in any future decisions.

COMMUNITY ENGAGEMENT

Nil

Resumption of open council meeting at 6.24pm

Cr Angas returned to the meeting at 6:24pm.

7.4.2 BAROSSA CREATIVE INDUSTRIES CENTRE - PROJECT UPDATE
26/2185

MOVED Cr de Vries

That Council having reviewed the value management processes, other identified revenue sources and budgeted contingency authorise the Chief Executive Officer to amend the budget for any shortfall, limited to $716,688 (ex GST) in order to deliver the Centre.

SECONDED Cr Angas **CARRIED 2022-26/905**

PURPOSE

To provide Elected Members with a project update for the Barossa Creative Industries Centre (BCIC) and seek approval to underwrite any final shortfall with an associated value management process.

REPORT

Background
The BCIC will be a cultural hub and creative industry precinct for the Barossa region. The building will showcase the heritage, culture and creative industries of the world-renowned Barossa community on a regional, national and international level, once completed.

Introduction
The BCIC has an approved budget of $18.6M which includes all building costs and associated costs such as contingency, statutory charges and professional fees.

The works packages have been sent to the market by Council's Managing Contractor, Cook and the quotes received are considerably over the budgeted amount. This is largely due to increase in builders' costs and time between cost estimates and getting project to market (due to delay with grant funding).

As such, a significant value management exercise has been undertaken to identify proposed savings without comprising the functionality or community expectations of the BCIC. To date, the total amount of savings achieved through the VM process is $4.6M.

Discussion
Value management of the BCIC has been rigorously undertaken to achieve $4.6M in savings, this now reduces the building cost to $15.97M and total project cost to $19.31M as outlined in Attachment 1.

The attachment provided by Phillips Pilkington Architects highlights the key deletions from the project to achieve the revised budget. Whilst some of the deletions are not ideal, the building will still be able to function to expected service levels and deliver on its remit to the community. It also does not mean that future investment to address needs as the facility is utilised and we learn what further investments are required, remembering that such a service and asset investment is a very long term, 50+ year, process.

Further savings are still possible through existing grant applications to underground powerlines ($250,000) and for artwork installations, as well as community funding opportunities. If the targeted additional funding is realised, up to $716,688 of savings could be achieved. At present the worst-case scenario shortfall is $716,688 however on analysis of the proposal, officers believe the range of the shortfall will be between $166,688 to $416,688 or 0.896% to 2.240% variation.

Current Pricing	$19,316,688
Approved Budget	$18,600,000
Shortfall (maximum underwritten amount)	**$716,688**
Additional Revenue Targets	
SAPN Undergrounding Application (already made)	($250,000)

Grant Funding – Arts – if not achieved will be value managed out	($300,000)
Community Funding Raising Target	($300,000)
Surplus	**(133,312)**
Shortfall estimate (presently)	**$166,688 to $416,688**

The risk of undertaking any further value management at this stage is that the functionality and community expectations may start to be compromised. Once the building work commences targeted value management exercises will be undertaken by Councils Managing Contractor, Cook Building with different trade packages to ensure Council is getting best value for money.

Summary and Conclusion
Quotes to commence construction of the BCIC have been received and at present, the project is still over budget by $716,800. As such, it is requested that the overall project budget be increased by this amount such that the initial trade packages can be signed off and works can commence. It should also be noted that an additional $750,000 in savings may be achieved if grants are successful and that ongoing value management throughout the construction of the project will continue.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Barossa Creative Industries Centre Value Management Summary and Spreadsheet

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

CS2 Art and Culture - Organising and facilitating the Barossa gallery, arts culture and events

Legislative Requirements
Section 123 of the Local Government Act

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.

Councils arts, culture and heritage functions will be centred around the BCIC.

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.

Agreeing the underwrite a shortfall if other revenue streams forecast are not achieved will allow the project to proceed. The management of costs will continue actively throughout the build as well as stringent use of the contingency will be applied to ensure wherever possible the approved budget of $18.6M is achieved.

The current forecast for the long term financial plan based on worst case scenario is summarised in the following table. Please note there are two material and updated changes made since the updated long term financial plan was adopted at Council meeting of December 2025 they are:

1. That with the Concordia development now remaining with Council and the work to a point that there is a level of confidence in the estimated it has been incorporated into the new forecasts below.
2. There has been a change to accounting interpretations for grants or contribution used in capital programs which has resulted in significant grant revenue now being realised in the operating position of Council over the next 3 years being 2025-26 to 2027-28.

All key indicators are within target parameters and the comparison is to the 2034-35 financial year. There is no impact on the 2025-26 budget.

	Long Term Financial Plan 10 Year Total/Outcome				
	Target	**Adopted**	**Estimated**	**Change Improvement / (Reduction)**	**Indicator Notes**
Operating Surplus	Surplus Year 10	2,897	9,320	6,423	Impacted by items 1 and 2 explained above.
Operating Surplus Ratio – Average	(2%) to 10%	(0.2%)	0.9%	1.1%	Impacted by items 1 and 2 explained above.
Net Financial Liabilities - Average	0% to 100%	56.5%	71.7%	(15.2%)	Solely related to Concordia

					investment needs.
Net Financial Liabilities – Peak	N/a	2026-27 89.8%	2026-27 88.4%	1.4%	
Asset Renew Funding Ratio	80% to 110%	113.5%	115.8%	2.3%	

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 BCIC is a generational project for the Barossa community and its delivery has been long anticipated. Significant reputational risk if the proceed does not proceed.

COMMUNITY ENGAGEMENT

Extensive community engagement has been undertaken with this project over the years and currently is support by an agile working group of stakeholders.

8. CONFIDENTIAL REPORTS

8.1 Office of the Mayor and CEO

8.1.1 INTERNAL REVIEW OF A COUNCIL DECISION - 18A ELIZABETH STREET DRAINAGE 25/96229

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

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that it contains legal advice relating to a request for an Internal Review of a Council Decision.

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

MOVED Cr de Vries

That Council:

(1) Under the provisions of Section 90(2) of the *Local Government Act 1999*, make an order that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director Corporate Services, Strategy and Innovation, Director Development and Community Services, Director Infrastructure and Environmental 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)(h) of the *Local Government Act 1999:*

legal advice;

(2) Accordingly, on this basis, Council is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential in order that it contains legal advice relating to a request for an Internal Review of a Council Decision.

SECONDED Cr Evans **CARRIED 2022-26/905**

The meeting moved into confidence at 6.27pm

MOVED Cr de Vries

That Council:

(1) Council resolution

(2) Council resolution

(3) Council resolution

(4) Having considered this matter in confidence under Sections 90(2) and 90(3)(h) 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 27 January 2026 in relation to item 8.1.1 Internal Review of a Council Decision - 18A Elizabeth Street Drainage 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 Greatwich **CARRIED CO 2022-26/906**

Resumption of open council meeting at 6.35pm

8.1.2 AUDIT AND RISK COMMITTEE - PRESENTATION OF CONFIDENTIAL AGENDA AND MINUTES FOR THE 11 DECEMBER 2025 MEETING
26/1972

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 they contain sensitive information relating to Council's cyber security systems and posture; information that is subject to a non-disclosure agreement and related to ongoing negotiations with third parties to enter into arrangements for the management of social infrastructure at Concordia; that Council and its committees and staff comply with non-disclosure arrangements in place with the State; or relate to actual litigation brought against Council by TTEG.

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

MOVED Cr Preece

That Council:

(1) Under the provisions of Section 90(2) of the *Local Government Act 1999*, make an order that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director Corporate Services, Strategy and Innovation, Director Development and Community Services, Director Infrastructure and Environmental 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)(e) of the *Local Government Act 1999:*

matters affecting the security of the council, members or employees of the council, or council property; or the safety of any person; and

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

matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty; and

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

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

(2) Accordingly, on this basis, Council is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential in order that they contain sensitive information relating to Council's cyber security systems and posture; information that is subject to a non-disclosure agreement and related to ongoing negotiations with third parties to enter into arrangements for the management of social infrastructure at Concordia; that Council and its committees and staff comply with non-disclosure arrangements in place with the State; or relate to actual litigation brought against Council by TTEG.

SECONDED Cr Evans **CARRIED 2022-26/908**

The meeting moved into confidence at 6.36pm

MOVED Cr Greatwich

That Council:

(1) Council resolution

(2) Having considered this matter in confidence under Sections 90(2) and 90(3)(b), (e), (g) and (i) of the *Local Government Act 1999,* makes an order pursuant to Section 91(7), that the minutes, agenda report and attachments other than the minutes relating to this confidentiality order of the Confidential Council Meeting held on 27 January 2026 in relation to item 8.1.2 Audit and Risk Committee - Presentation of Confidential Agendas and Minutes for the December 2025 meetings be kept confidential and not available for public inspection until annual review and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr Preece **CARRIED CO 2022-26/908**

Resumption of open council meeting at 6.37pm

9. URGENT OTHER BUSINESS

Nil

10. NEXT MEETING

Tuesday 17 February 2026 at 5:30pm

11. CLOSURE

Mayor Lange declared the meeting closed at 6.37pm.

Confirmed at Council Meeting on 17 February 2026

Date:………………………………. Mayor:………………………………….