



NOTICE OF ORDINARY COUNCIL MEETING
Tuesday 21 April 2026
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa,
commencing at 5:30pm.

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



Martin McCarthy
Chief Executive Officer
The Barossa Council

A G E N D A

Welcome by Mayor

1. ATTENDANCE RECORD

1.1 Members Present

Apologies

Nil

Not Present

Nil

Leave of Absence

Nil

2 CONFIRMATION OF PREVIOUS MINUTES

2.1 Minutes of previous meetings – for confirmation:

- 2.1.1 Council meeting held on Tuesday 17 March 2026 at 5:30pm
- 2.1.2 Special Council meeting held on Wednesday 1 April 2026 at 5:15pm

2.2 Matters arising from previous minutes

Nil

3 PROCEDURAL ITEMS

3.1 Petitions

Nil

3.2 Deputations/Visitors to the meeting

- 3.2.1 Volunteer Recognition - Sue Martin, Community Transport Program Volunteer Driver

3.3 Notice of Motion

Nil

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11. CLOSURE

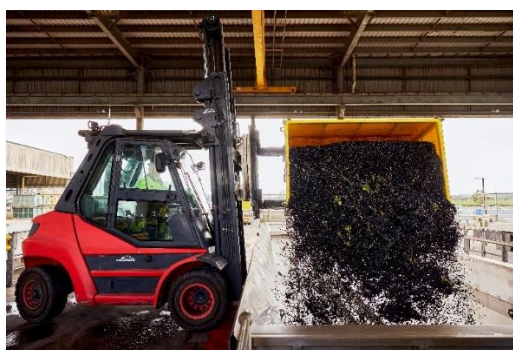
Mayor's Report - April Meeting 2026

26/23241

MARCH AND APRIL

11/03/2026

Invitation to attend Treasury Wine Estate's celebration of their significant milestone of crushing one million tonnes of grapes, marking a quarter century of continuous production since the site commenced operations as Wolf Blass Bilyara in February 2001.



16/03/2026

Celebrating the completion of the connection of Keyneton Road from Eden Valley, through Keyneton and Moculta to Truro and the Sturt Highway on bitumen rather than gravel, providing a safer road and significant accessibility, tourism and freight efficiencies.



Pictured with Stephen Henschke, Henschke Wines and Deputy Mayor Georga Warhurst, Mid Murray Council

Attended the Barossa Bikes Connect for Youth windup which celebrated an initiative for kids to learn new bike skills, discover how to stay safe and strong while biking.



Pictured with Bill Gransbury and Matt Hale

18/03/2026

Meeting with representatives from the Sporting Car Club of South Australia and Council Event staff to discuss various event opportunities at the Collingrove Hill Climb. Representatives will present a proposal at the Council's next Workshop.

19/03/2026

Attended the B26 Cricket Tournament Dinner at Tanunda Football Club.

20/03/2026

Citizenship Ceremony was held in the Council Chambers welcoming seven new citizens to our community. This was attended by over 30 family and friends and catered for by the SA Country Women's Association – Angaston Branch.



Pictured with Deputy Mayor Jane Evans, new citizen Shannon Arthur and Active Citizen of the Year, Lorna Schiller

21/03/2026

Meeting with youth in Williamstown who getting creative on a practice wall, before they turn their attention to a large scale piece on the Victoria Creek toilet block.



28/03/2026

Invitation from City of Playford Mayor Glenn Docherty to attend the President's Luncheon and Football Match watching Central Districts versus North Adelaide at Central Districts Football Club.

1/04/2026

Invitation to speak with Year 3 and 4 students from Redeemer Lutheran School and share the importance of what local government does and how it contributes and helps our community. We discussed how local government fits in with state and federal government, the difference between rules and laws and how decisions are made democratically within government.



Pictured with Ben Clark, Director Infrastructure & Environmental Services

Invitation to speak with Year 5 and 6 students from Faith Lutheran School and share the roles and responsibilities as Mayor and how the local government works within our community.

We discussed how power is organised and how people within communities participate in decision-making.



Pictured with Ben Clark, Director Infrastructure & Environmental Services

6/04/2026

Interview with Channel 7 regarding upcoming Gather Round at Barossa Park.

7/04/2026

Accompanied Ben Clark, Director Infrastructure & Environmental Services to meet the HiWay team at Black Hill Road, Cambrai to assess unsealed roads application options to improve maintenance, service and lifecycle cost.



Pictured with Ben Clark, Director Infrastructure & Environmental Services

8/04/2026

Radio interviews with Graham Goodings from 5AA and Flow FM regarding Gather Round.

Met Frank Rocca to discuss safety concerns following the recent accident, Old Kapunda Road and Sturt Highway. I have followed up this matter with Executives from the Department Infrastructure and Transport and waiting outcomes from the Department's investigations and possible safety measure that could be identified.

9/04/2026

Radio interview with Australian Radio Network regarding Gather Round.

Invitation to attend AFL Gather Round match at Adelaide Oval, watching Adelaide Crows v Carlton.

10/04/2026

Radio interview with ABC Radio regarding Gather Round.

Attended the North Melbourne and Brisbane Lions Captains run at Barossa Park.



Pictured with Minister Emily Bourke, Minister for Tourism, Caleb Daniel, Captain North Melbourne, Sam Draper, Captain Brisbane Lions and Tom Foristal, Managing Director, Melba's Chocolates



Pictured with Martin McCarthy, CEO, Ben Clark, Director Infrastructure & Environmental Services, Benn Kromwyk, Senior Manager Infrastructure and Environmental Operations and the Council depot crew who assisted with the Barossa Park set up for Gather Round

Attended the AFL Gather Round Business Lunch as the invitation of the AFL.

11/04/2026

Attended AFL Gather Round match at Barossa Park, watching North Melbourne v Brisbane Lions.



Pictured with Andrew Dillon, AFL CEO and Martin McCarthy, CEO



Being interviewed by Channel 7

Attended the Barossa Food and Wine Village, the ultimate way to celebrate the Festival of Footy and highlighting a feast of flavour, fun, and footy in the heart of the Barossa in Tanunda's main street. This was a great opportunity for the community to enjoy food and drink options from local restaurants, cafes and cellar doors. The footy action continued on the big screen and Adelaide indie pop band, The Tullamarines headlined the entertainment. Introduced Minister Emily Bourke, Minister for Tourism to various businesses involved in the Food and Wine Village activation.



Pictured with Minister Emily Bourke, Minister for Tourism



Pictured with Hailey and Simon Marschall

12/04/2026

Radio Interview with 3AW regarding Gather Round.



Attended AFL Gather Round match at Barossa Park, watching GWS Giants v Richmond.



Acknowledging the initiative by Council staff utilising a large red gum log, providing an interesting entrance to Williamstown which also captures heritage significance whereby red gum was extensively felled in the Mt. Crawford and Williamstown area and provided good quality timber for the whole of the State. It was used in a variety of ways, including wharf pylons at Port Adelaide, railway sleepers, telegraph poles, pit props for mines.

MATTERS FOR INFORMATION

6.1 NORTHERN AND YORKE LOCAL GOVERNMENT ASSOCIATION MINUTES OF 6 MARCH 2026 AND PROPOSAL FOR COMMISSIONER FOR AGRICULTURE

**Author: Chief Executive Officer
26/21968**

The minutes of the Northern and Yorke Local Government Association of 6 March 2026 are hereby tabled for Councils information.

Also attached is a proposal currently underway across the South Australian rural associations lead by the Limestone Coast Local Government Association investigating and seeking the enactment of a Commissioner of Agriculture. The proposal also provides a copy of the model implemented in New South Wales. If required a full debate report will be brought to Council on this matter in due course.

ATTACHMENTS

Attachment 1	Minutes ↓ 
Attachment 2	Commissioner of Agriculture Proposal ↓ 
Attachment 3	New South Wales Legislation ↓ 

SUPPORTING REFERENCES

Nil



NORTHERN AND YORKE LOCAL GOVERNMENT ASSOCIATION

Minutes

Ordinary Board Meeting

6th March 2025

District Council of Mount Remarkable

Venue: Melrose Institute, Melrose

and online via MS Teams

OPENING OF MEETING

The President Mayor Rodney Reid opened the meeting at 10:41 am and welcomed all attendees.

ACKNOWLEDGEMENT OF COUNTRY & WELCOME

1 ADMINISTRATIVE MATTERS

Present:

Mayors: Rodney Reid, Keith Pluckrose, Deputy Mayor Alan Zubrinich, Ruth Whittle OAM (online), Kylie Gray (online), Stephen McCarthy, Roslyn Talbot, Mark Wasley (online), Ken Anderson

CEOs: Sean Holden, Marc Gardner, Darren Star (online).

Others: Bridget Ransome (N&YLGA), Angela Ruddenkai (PIRSA), Hon Geoff Brock MP, Daniel Willson (RDA), Morne Kruger (Big Bag Recovery), Charlotte Edmunds (Limestone Coast LGA, online), Vanessa Miller (LGA, online), Lorraine Pitman (Kilo), Kirsty Mead (Kilo), Katherine Russell (LGA, online).

Welcome**1.1 Apologies**

Mayor Bill Gebhardt, Mayor Leonie Kerley, Mayor Allan Aughey, Mayor Grant Chapman, Mayor Bim (Michael) Lange, Mayor Bill Close.

Andrew Cameron, James Miller, David Stevenson, Martin McCarthy, Stephen Rufus, Tamara Harrison, Mark McShane, David Stobbe, David Stevenson, Chris Davey, Ross McNeil, Dylan Strong, Penny Pratt MP, Hon Tony Piccolo MP.

1.2 Leave of Absence Nil**1.3 Conflict of Interest Nil****1.4 Previous meeting minutes Northern and Yorke LGA**

Motion: That the minutes of the Northern and Yorke Local Government Association Board Meeting held on 5th December 2025 be confirmed as a true and correct record.

Moved: Mayor Talbot Seconded: Mayor McCarthy CARRIED

Mayors Whittle and Gray were not present for the vote.

1.6 N&YLGA Action List

N&YLGA Meeting – 6th March 2026

Item	Topic	Action	Status	Comment
4.2	Advocacy Plan / consultation with member councils	An updated Advocacy Plan has been prepared.	On-going	Reviewed 6-monthly
	Roads / Transport Plan	HDS has been working on the Regional Transport Plan update.	On-going	Presentation scheduled for the June Board Meeting
4.7	Waste & Resource Recovery Strategy	The review is progressing and a final report due.	On-going	Presentation scheduled for the June Board Meeting

1.7 Report Title: Deferred / Adjourned Items

Item 4.1 N&YLGA Banking Provider. This item has been deferred to a later meeting as there is a need to conduct a thorough procurement process to determine a recommendation to bring to the N&YLGA board to change the association's banking provider from BankSA to another banking provider.

2 PRESENTATIONS

Big Bag Recovery (Morne Kruger)

Morne Kruger the Operations Manager for Big Bag Recovery presented their proposal for recovery and recycling of used plastic packaging.

Commissioner for Agriculture (Charlotte Edmunds, Executive Officer Limestone Coast Local Government Association)

Charlotte Edmunds is seeking a State Government commitment to investigate options for an ongoing independent and statutory Commissioner for Agriculture. She is currently seeking regional LGA support for her proposal.

Local Government Association SA (Katherine Russell)

Katherine Russell provided an update to the meeting on behalf of the LGA SA, including the CEO recruitment process; Special Local Roads Program funding which is now open for applications; and the recent Federal Government Inquiry into the Fiscal Sustainability of Local Government.

3 REPORTS FOR INFORMATION

3.1 Audit & Risk Management Committee

Motion: That the Northern and Yorke Local Government Association receives and notes the Draft Audit and Risk Management Committee Minutes of the 13th February 2026 and Management and Bank Reconciliation reports for December 2025 and January 2026.

Moved: Mayor Anderson Seconded: Mayor Wasley CARRIED

3.2 Northern & Yorke LGA Policies and Procedures Review

Bridget Ransome advised that a Work Plan has been drawn up for the review of the of the Northern & Yorke LGA policies and procedures which had not been carried out for many years

Motion: That the Northern and Yorke Local Government Association notes the Work Plan and supporting documentation in relation to the review and updating of the policies and procedures of the association.

Moved: Mayor McCarthy Seconded: Mayor Pluckrose CARRIED

4 REPORTS FOR DECISION

4.1 N&YLGA Proposed Draft Budget 2026-2027

Motion: That the N&YLGA Board approves the draft budget for the Northern & Yorke Local Government Association for the 2026-2027 financial year.

Moved: Mayor Whittle Seconded: Mayor Anderson CARRIED

4.2 N&YLGA Nomination to the Five Nations Committee

That the Northern and Yorke LGA nominate Mayor McCarthy as the replacement representative to serve on behalf of the association to the Five Nations Committee.

Moved: Deputy Mayor Zubrinich Seconded: Mayor Talbot CARRIED

4.3 N&YLGA Board Meeting Dates

Motion: That the Northern and Yorke LGA retain the existing schedule of dates for board meetings for the remainder of 2026 with a view to reviewing the most appropriate day for meetings from 2027 onwards.

Moved: Mayor Talbot Seconded: Mayor Pluckrose CARRIED

5 MOTIONS AND QUESTIONS

5.1 Motions with notice

Nil

5.2 Motions without notice

Nil

5.3 Questions with notice

Nil

5.4 Questions without notice

Nil.

6 MEMBERS' COMMUNICATION**6.1 Chairperson's Report**

Motion: That the Chairperson's report for 6th March 2026, be received and noted.

Moved: Mayor McCarthy Seconded: Mayor Wasley CARRIED

7 CONFIDENTIAL ITEMS

Motion: That the N&YLGA board meeting move into confidence to discuss items 7.1.1 and 7.1.2.

Moved: Mayor Anderson Seconded: Mayor McCarthy CARRIED

7.1.1 Review of the Structure and Scope of Responsibility for the position of Chief Executive Officer

Motion, that the N&YLGA Board:

- 1. Convenes a workshop as a matter of urgency to review the content and actions of the Annual Business Plan to better align with the current positioning of N&YLGA.**
- 2. Authorises the Executive of N&YLGA to engage a leadership strategist to facilitate this review with the CEO and the Board.**
- 3. Clarifies to the CEO whether regional forums and workshops (and other events), which are an income stream for N&YLGA, form part of the scope of responsibility as indicated in the Annual Business Plan.**
- 4. Authorise the CEO to:**

- Spend a maximum of \$1,500 pa for intrastate Professional Development (as approved by the Chairperson)
- Attend conferences, seminars, workshops etc. that are interstate, with approval of the Board.

Moved: Mayor Talbot Seconded: Mayor Pluckrose CARRIED

7.1.2 CEO Performance Review recommendations to N&YLGA Board

Motion, that the N&YLGA Board:

1. That the performance review was conducted in an open and frank manner and the ratings identified, accurately and fairly represent the outcomes of the process.
2. That the CEO position continues as 0.8FTE position.
3. That the remuneration for the CEO Bridget Ransome be increased by 3% from November 25th 2025.
4. That the CEO be encouraged to utilise the allocated funds in the budget to obtain administration support on a contract basis as required.
5. That the N&YLGA Executive in consultation with the CEO develop measurable KPIs.

Moved: Mayor McCarthy Seconded: Mayor Pluckrose CARRIED

Motion:

Pursuant to Section 91(7) of the Local Government Act 1999, the committee orders that the following documents relating to Agenda Item 7.1.1 – *Review of the Structure and Scope of Responsibility for the Position of Chief Executive Officer* and 7.1.2 – *CEO Performance Review recommendations to N&YLGA Board* shall be kept confidential, being documents relating to a matter dealt with by the committee on a confidential basis under Sections 90(2) and 90(3)(g) of the Act.

On the grounds that the documents relate to information which, if disclosed may result in a breach of a law or a legal obligation or duty being confidential reports provided by consultants. This order shall operate for a period of twelve (12) months.

Moved: Mayor Anderson Seconded: Deputy Mayor Zubrinich CARRIED

8 ANY OTHER BUSINESS

Nil

9 CLOSE – NEXT MEETING

The meeting closed at 12.47 pm.

The Northern & Yorke LGA will meet again for an Ordinary Meeting of the association on Friday, 12th June 2026 at 10.30 am hosted by The Barossa Council (venue to be advised).

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2026 ADVOCACY PRIORITY SUSTAINABLE FOOD AND FIBRE PRODUCTION

Purpose

This brief provides context for the Limestone Coast Local Government Association's request that the State Government investigate the establishment of an independent and statutory South Australian Commissioner for Agriculture.

Background – the Limestone Coast

Our globally significant natural assets are core to the region's identity. Communities are deeply connected to their landscapes, balancing economic growth with the protection of high-value agricultural land, biodiversity corridors, marine parks, and RAMSAR-listed wetlands.

It's not surprising the Limestone Coast's economic strength is founded in agriculture, forestry and fishing sectors which continue to provide the region's largest economic output and employment.

The Limestone Coast generates over 30 per cent of the South Australia's Agricultural exports from just two per cent of the state's land mass.

Our 21,330 sq km region is unique because our agricultural output is diverse. Agriculture, forestry and fishing employs 6,268 people and generates \$3.35 Billion from commodities that include:

- Wine
- Dairy
- Livestock
- Southern Rock Lobster
- Forestry
- Horticulture
- Grain

There are significant opportunities for increased economic diversification through value-add industries in food and fibre processing and a growing demand for Agri-tourism.

The sustainable management and protection of primary production land, ground water and coast is vital for the long term economic and social prosperity of the Limestone Coast.

The problem

The Limestone Coast is not immune to the issues of land-use conflict as well as natural disasters and drought that create challenges for all South Australian regional communities.

While Local Government will always play a role in supporting the community and advocating on their behalf, small regional councils have neither the resources nor expertise to divert to navigating the complexity of many of these challenges, yet they are often the first point of call for landholders when seeking support.

Not only do Local Government play a significant role in advocating on behalf of community but are also impacted when Primary Production land is sought for large scale residential development, energy generation/transmission or mining exploration. It not only impacts rate revenue, infrastructure requirements and environmental policies but the social structure of communities that have traditionally been based in Primary Production.

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2026 ADVOCACY PRIORITY SUSTAINABLE FOOD AND FIBRE PRODUCTION

Land use conflict was explored by a Parliamentary Committee in 2021 in the context of Mining. While a number of recommendations were made, few legislative reforms have been achieved as a result. In fact, primary producers feel that the proposed reform of the Mining Act in November 2025 has only added to their concerns, intensifying the sentiment that value of primary production is misunderstood.

The cumulative benefits of primary production on food security, the economic contribution, as well as the contribution that hard working regional communities make to social cohesion, is perceived as unrecognised or at least under-appreciated and this perception creates a significant barrier to gaining social licence. While governments argue we must make regions attractive for mining investment, little is said about investment confidence in the agricultural sector when legislative reform favours alternative land use and threatens sustainable primary production that supports more jobs and more economic value.



Land use conflict

Regional communities find themselves consistently putting out 'spot fires' each time a new mining or energy development threatens the long-term viability and sustainability of high value primary production land. In some part of the State large scale residential housing developments change the social and economic structure of farming communities.

For our primary producers, their communities and associated stakeholders (including the tourism industry), this creates uncertainty, has significant mental health implications and impacts investment decisions.

Mining and energy project development is contingent on meeting a number of legislative and regulatory requirements across different levels of government. The process and potential implications for landholders, the broader community, and viability of existing industry can be confusing, with consultation processes flawed. Approval and regulatory oversight is also widely criticised for lacking independence.

While energy policy developments, the increasing desire for critical minerals as well as urban sprawl as populations grow, increase the demand for conversion of agricultural land, community acceptance

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2026 ADVOCACY PRIORITY SUSTAINABLE FOOD AND FIBRE PRODUCTION

is not moving at the same pace. Previous attempts to impose new mining and energy projects across South Australia have been met with fierce opposition from regional communities, due to the process undertaken and the lack of assurances that primary industries can co-exist, unharmed. Unconventional Gas Extraction in the Limestone Coast as well as Southern Ocean Offshore Wind Farm are two recent proposals that failed to gain any social licence.

Renewable energy and mining can co-exist with primary production but must be in the right place at the right scale and with the right oversight, where the risk has been balanced appropriately against the value of existing land use.

Consideration must also be given to the social structure of communities that have been underpinned by primary production for generations. The inevitable change to community as a result of the shift in its economic profile must be considered and supported relative to the degree and speed of change. Local Government are at the coal face of these changes and the challenges that exist long after the sector has gone.

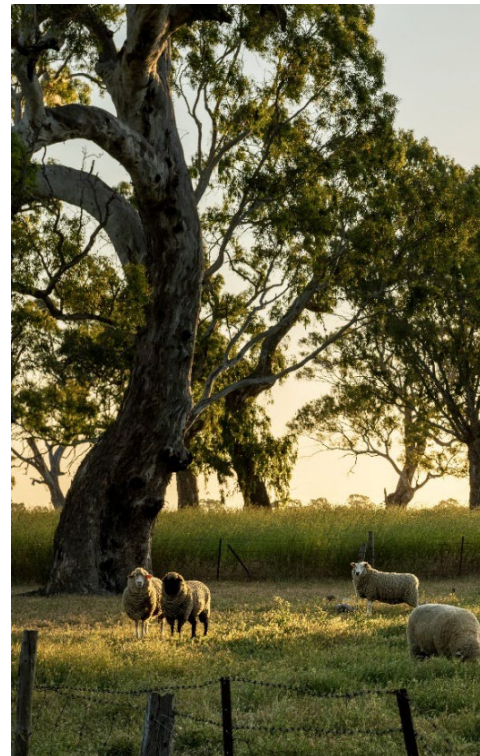
Natural disasters and drought

South Australia's agriculture, forest and fisheries sectors have experienced significant disruptions to food and fibre production and supply in recent years. Drought, bushfires, flood, algal bloom, abalone disease, varroa mite, frost and hail damage to name a few.

The State Government appointment of a Commissioner for Drought Support to assist with managing the drought response was welcomed to ensure that government support was timely, targeted and responsive. Although the position is not backed by Legislation, the positive response of stakeholders to the establishment of the position to assist in drought support demonstrates the potential value of an independent, trusted role that operates across portfolios and agencies.

Primary producers will always be preparing for drought, in drought, or recovering from drought. While doing so primary producers are battling many other overlapping challenges. Soil health, pest and disease mitigation, vegetation management and climatic changes, water quality and sustainability of resources all intertwine. Supporting landholders to create primary production systems that are more resilient to a range of pressures including climate variability, drought, fire, flood and increase productivity to do more with less will benefit the entire supply chain.

The Commissioner's work in this regard, would add to that of the Minister and Department other government agencies and industry groups, not duplicate or conflict with those executive and



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2026 ADVOCACY PRIORITY SUSTAINABLE FOOD AND FIBRE PRODUCTION

governance functions. For example, the respective roles of the proposed Commissioner and Landscapes SA could complement each other, with specific mechanisms established for formal and informal cooperation.

Achieving Government policy objectives in responding to climate change and the goal of net zero while maintaining Agricultural productivity is a key challenge that can only be overcome with meaningful cooperation.

The position would assist Government to navigate and negotiate complex community concerns, be a broker in matters of land-use conflict and provide additional checks and balances in light of the changing and potentially challenging nature of the next South Australian Parliament.

Currently, it would appear that ongoing conflict between primary production, competing land-users and mis-alignment of government policy to the sustainability of regional communities will continue to hamper both Agricultural productivity and intended government policy outcomes.

THE ASK

In July 2023, the NSW Government Commissioned a report investigating options for implementing an independent Agriculture Commissioner for New South Wales, delivering on an election commitment championed by the agricultural sector in response to growing land-use conflicts related to growth investment in the mining, coal seam gas and renewables sectors.

As a result of this report and its recommendations, NSW State Government appointed the State's first independent statutory Agriculture Commissioner in February 2025. The role's primary purpose is to provide independent advice to government on strategic agricultural land use issues and support a more sustainable and productive agriculture industry in NSW. Government recognised that agriculture needed an independent voice inside the system, adding to the existing structure of industry consultation. The role was designed to sit above departmental silos, providing strategic advice, whilst improving fairness and transparency for the agricultural sector.

LCLGA is advocating for the South Australian Government to undertake a similar exercise - investigate options for a South Australian Commissioner for Agriculture to act as an independent, solutions focused mechanism to support farmers, regional communities and government.

Broad consultation would be required as part of the investigation to examine the potential roles and functions of an independent Agriculture Commissioner and consider the practical measures and implications of such a role and/or any alternative reforms.

Ultimately the goal is to ensure primary producers are supported at a local and regional level. High value agricultural land and water resources should be identified and protected from incompatible land uses. In addition, the role would proactively identify opportunities to grow value-added agriculture, supporting regional processing, advanced manufacturing and circular economy opportunities to enable government policy making to benefit the sector across portfolios.

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A dedicated and ongoing position created under a statutory office to give the position greater authority to influence policy and regulation is an evolution of the current position of Drought Support Commissioner and would complement the State's only Statutory Commissioner based in, and acting specifically for, regional communities.

By expanding the role and functions of Drought Support Commissioner to a Commissioner for Agriculture, Government would be giving our Agriculture, Forestry and Fishing industries a level of confidence that their economic and social contribution is valued, and that there is expert, independent advice being given to government on matters including productivity, land (and sea) use conflict and food and fibre security, as well as natural disaster and drought resilience and recovery.

Importantly, cross agency and intergovernmental co-operation and collaboration on matters impacting agricultural communities would be improved.

The Limestone Coast Local Government Association seeks a State Government commitment to investigate the establishment of an independent South Australian Commissioner for Agriculture.

This investigation could be undertaken by;

- A select committee of the SA Parliament, or
- The existing Drought Support Commissioner, or
- Co-chaired Agriculture Sustainability Committee - a joint initiative of the Premier of South Australia and Minister for Primary Industries that includes industry and local government representation.

The LCLGA suggests that the investigation should deliver a public report to Government that includes how and if an Independent SA Agricultural Commissioner could assist in relation to:

- Options for mechanisms to identify and manage and increase protection of the State's significant agricultural land and water resources, without impinging on landholder rights
- How to improve the land use planning system to deal with land-use conflicts and whether an independent Commissioner or Ombudsman could add value as a trusted mediator
- How primary production, export and national food and fibre security strategies are considered in re-zoning land and development/project approvals
- The effectiveness of government engagement practices with local communities on matters impacting primary production (including drought, WAP reviews, land use changes and other regulatory reform etc)
- Options for improved coordination across all levels of government and industry to support productivity in primary production, including value-adding, regional processing and advanced manufacturing
- How cumulative impacts on agricultural land, water, biosecurity and regional economies are identified and managed, including the potential role of an independent commissioner in maintaining an agricultural risk and impact register
- The establishment of consistent, best practice land access and coexistence standards to improve certainty and fairness for landholders and proponents

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2026 ADVOCACY PRIORITY

SUSTAINABLE FOOD AND FIBRE PRODUCTION

- a statutory role in reporting to parliament to strengthen transparency and evidence-based decision making
- to update and inform agricultural communities including local government on identified issues and their progress
- make recommendations on regional development and other capacity constraints on regional communities that undermine the sustainability of agriculture communities
- Any other relevant issues

If the report does not recommend that a commissioner is best placed to address these issues it should outline an alternative option/s for consideration or further investigation.

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Agriculture Commissioner Act 2024 No 77

[2024-77]



New South Wales

Status Information

Currency of version

Current version for 1 November 2024 to date (accessed 15 January 2026 at 17:23)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Responsible Minister

- Minister for Agriculture

For full details of Ministerial responsibilities, see the [Administrative Arrangements \(Minns Ministry—Administration of Acts\) Order 2023](#).

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 1 November 2024

Agriculture Commissioner Act 2024 No 77 [NSW]

Agriculture Commissioner Act 2024 No 77



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Agriculture Commissioner Act 2024 No 77 [NSW]

Agriculture Commissioner Act 2024 No 77



New South Wales

An Act to establish the office of the Agriculture Commissioner and to provide for the functions of the office; and for other purposes.

Part 1 Preliminary

1 Name of Act

This Act is the *Agriculture Commissioner Act 2024*.

2 Commencement

This Act commences on the date of assent to this Act.

3 Definitions

In this Act—

agricultural matters means matters relating to agriculture, agricultural productivity, land use conflicts, food security and agroecology.

Agriculture Commissioner or **Commissioner** means the person appointed as the Agriculture Commissioner by the Governor under section 4(2).

Note—

The *Interpretation Act 1987* contains definitions and other provisions that affect the interpretation and application of this Act.

Part 2 Agriculture Commissioner

4 Establishment of Agriculture Commissioner

- (1) There must be an Agriculture Commissioner.
- (2) The Commissioner is appointed by the Governor on the recommendation of the Minister.
- (3) The Commissioner is an officer of the Crown.
- (4) Schedule 1 contains provisions relating to the Commissioner.

5 Functions of Agriculture Commissioner

- (1) The Commissioner has the following functions—
 - (a) to give advice about, and undertake reviews of, agricultural matters,
 - (b) to make recommendations about agricultural matters to the Minister and other relevant Ministers,
 - (c) to monitor developments relating to agricultural matters,
 - (d) to identify opportunities to improve agricultural matters,
 - (e) to promote a coordinated and collaborative approach across the Commonwealth Government, the NSW Government and local government in relation to agricultural matters,
 - (f) other functions conferred on the Commissioner by or under this Act or another Act.
- (2) The Commissioner must, from time to time, in consultation with relevant NSW Government agencies, prepare and publish maps of New South Wales in relation to agricultural matters to assist in the exercise of the Commissioner's functions.
- (3) To assist in the exercise of the Commissioner's functions, the Commissioner may—
 - (a) engage experts and stakeholders, and
 - (b) enter into contracts or other arrangements.
- (4) The Commissioner is subject to the control and direction of the Minister in the exercise of the Commissioner's functions, other than in relation to the content of the Commissioner's advice, reviews, reports or recommendations.
- (5) The Commissioner must act in an independent and impartial way in relation to the content of the Commissioner's advice, reviews, reports or recommendations.

6 Reports about reviews undertaken by Agriculture Commissioner

- (1) As soon as practicable after undertaking a review, as referred to in section 5(1)(a), the Commissioner must prepare a report about the review.
- (2) The report must be published on the Commissioner's website.
- (3) Before publishing a report under subsection (2), the Commissioner must—
 - (a) give a copy of the report to—
 - (i) the Minister, and
 - (ii) other relevant Ministers, and

Agriculture Commissioner Act 2024 No 77 [NSW]

- (b) allow the Minister, and other Ministers to whom the report is given, reasonable time to consider the report.

- (4) In this section—

Commissioner's website means a NSW Government website used by the Commissioner to provide public access to matters relating to the Commissioner's functions.

7 Ministers must respond to Agriculture Commissioner's recommendations

- (1) This section applies if the Commissioner makes a recommendation to the Minister or another Minister under section 5(1)(b).
- (2) The Minister to whom the recommendation is made must—
 - (a) respond to the recommendation within 6 months after the recommendation is made, and
 - (b) make the response publicly available.

8 Agriculture Commissioner's power to require information

- (1) The Commissioner may, by notice given to a relevant executive, require the relevant executive to give specified information to the Commissioner.
- (2) A notice may only require information to be given to the Commissioner if the information is reasonably required for the exercise of the Commissioner's functions.
- (3) A notice must specify—
 - (a) the way in which the information must be given, and
 - (b) a reasonable time within which the information must be given.
- (4) A notice may require information to be given to the Commissioner that includes personal information, within the meaning of the [Privacy and Personal Information Protection Act 1998](#).

Note—

Under the [Privacy and Personal Information Protection Act 1998](#), section 25, a public sector agency is not required to comply with particular provisions of that Act if non-compliance is otherwise permitted, or is necessarily implied or reasonably contemplated, under another Act.

- (5) A notice may only require a relevant executive to give existing information that is—
 - (a) in the possession of the relevant Public Service agency or relevant State owned corporation, or
 - (b) within the power of the relevant Public Service agency or relevant State owned corporation to obtain lawfully.

Agriculture Commissioner Act 2024 No 77 [NSW]

(6) The Commissioner may take copies of information given to the Commissioner under this section.

(7) A relevant executive given a notice under this section must comply with the notice unless the relevant executive has a reasonable excuse.

(8) In this section—

information includes a document.

relevant executive means—

(a) for a relevant Public Service agency—the head of the agency, or

(b) for a relevant State owned corporation—the chief executive officer or a director of the State owned corporation.

relevant Public Service agency means a Public Service agency, within the meaning of the [Government Sector Employment Act 2013](#), that has functions relating to, or is otherwise involved in, agricultural matters.

relevant State owned corporation means a State owned corporation that has functions relating to, or is otherwise involved in, agricultural matters.

9 Staff

Persons may be employed in the Public Service under the [Government Sector Employment Act 2013](#) to enable the Commissioner to exercise the Commissioner's functions.

Note—

The [Government Sector Employment Act 2013](#), section 59 provides that persons employed in the Public Service to enable the Commissioner to exercise the Commissioner's functions, or whose services the Commissioner makes use of, may be referred to as officers or employees, or members of staff, of the Commissioner. The [Constitution Act 1902](#), section 47A precludes the Commissioner from employing staff.

Part 3 Miscellaneous

10 Application of [Privacy and Personal Information Protection Act 1998](#)

The office of the Commissioner is a public sector agency for the purposes of the [Privacy and Personal Information Protection Act 1998](#).

11 Personal liability

(1) A protected person is not personally subject to civil liability for anything done or omitted to be done—

(a) in good faith, and

(b) for the purposes of exercising functions under this Act.

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(2) The liability attaches instead to the Crown.

(3) In this section—

civil liability includes an action, claim or demand.

protected person means the following—

- (a) the Commissioner,
- (b) a member of the staff of the Commissioner,
- (c) a person acting under the direction of the Commissioner.

12 Review of Act

(1) The Minister must review the operation of this Act to determine whether—

- (a) the policy objectives of the Act remain valid, and
- (b) the terms of the Act remain appropriate for securing the policy objectives.

(2) A review must be undertaken—

- (a) as soon as practicable after the period of 5 years from the commencement of this Act, and
- (b) every 5 years after the first review.

(3) A report on the outcome of the review must be tabled in each House of Parliament within 12 months after the end of the period to which the review relates.

13 Regulations

The Governor may make regulations about a matter that is—

- (a) required or permitted by this Act to be prescribed, or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Schedule 1 Provisions relating to Agriculture Commissioner

section 4(4)

1 Term of office

- (1) The Commissioner holds office for the term, not more than 5 years, specified in the Commissioner's instrument of appointment.
- (2) The Commissioner is eligible for reappointment.

2 Employment conditions and remuneration

- (1) The employment of the Commissioner must, subject to this Act, be governed by a contract of employment between the Commissioner and the Minister.
- (2) The Commissioner is not a Public Service employee under the [Government Sector Employment Act 2013](#) and the provisions of that Act relating to the employment of Public Service employees do not apply to the Commissioner, except as provided by this section.
- (3) The following provisions of or made under the [Government Sector Employment Act 2013](#) relating to the employment of Public Service senior executives apply to the Commissioner—
 - (a) provisions relating to the band in which an executive must be employed,
 - (b) provisions relating to the contract of employment of an executive,
 - (c) provisions relating to the remuneration, employment benefits and allowances of an executive.
- (4) For subsection (3), a reference in the provisions to the employer of a Public Service senior executive is taken to be a reference to the Minister.
- (5) Without limiting subsection (3)(b), the provisions of or made under the [Government Sector Employment Act 2013](#) that prescribe a model contract of employment for statutory officers, including provisions that specify mandatory model provisions, apply to the Commissioner's contract of employment.

3 Removal from office

- (1) The Minister may remove the Commissioner from office, but only for incompetence, incapacity or misbehaviour.
- (2) To avoid doubt, the [Government Sector Employment Act 2013](#), Part 6 applies in relation to the Commissioner.

Note—

Under the [Government Sector Employment Act 2013](#), Part 6, the Governor may remove the Commissioner from office at any time for any or no stated reason and without notice.

4 Vacancy in office

- (1) The office of Commissioner becomes vacant if the Commissioner—
 - (a) dies, or
 - (b) completes a term of office and is not reappointed, or
 - (c) resigns from office by notice to the Minister, or

Agriculture Commissioner Act 2024 No 77 [NSW]

- (d) is removed from office by—
 - (i) the Governor under the [Government Sector Employment Act 2013](#), Part 6, or
 - (ii) the Minister under this schedule, section 3(1), or
 - (e) becomes personally insolvent, or
 - (f) becomes a mentally incapacitated person, or
 - (g) is convicted—
 - (i) in New South Wales of an offence punishable by imprisonment for 12 months or more, or
 - (ii) elsewhere than in New South Wales of an offence that, if committed in New South Wales, would be an offence punishable by imprisonment for 12 months or more, or
 - (h) is imprisoned—
 - (i) in New South Wales in relation to a conviction for an offence, or
 - (ii) elsewhere than in New South Wales in relation to a conviction for an offence that, if committed in New South Wales, would be an offence punishable by imprisonment.
- (2) If the office of Commissioner becomes vacant, a person must, subject to this Act, be appointed to fill the vacancy.

5 Acting Commissioner

- (1) The Minister may appoint a person to act as Commissioner during—
 - (a) the illness or absence of the Commissioner, or
 - (b) a vacancy in the office of Commissioner.
- (2) A person acting as Commissioner—
 - (a) has and may exercise the Commissioner's functions, and
 - (b) is taken to be the Commissioner.
- (3) The Minister may, at any time, remove a person from office as acting Commissioner.
- (4) An acting Commissioner is entitled to be paid the same remuneration and allowances as the Commissioner.

Schedule 2 Savings, transitional and other provisions

Part 1 General

1 Regulations

- (1) The regulations may contain provisions of a savings or transitional nature consequent on the commencement of—
 - (a) a provision of this Act, or
 - (b) a provision amending this Act.
- (2) A savings or transitional provision consequent on the commencement of a provision must not be made more than 2 years after the commencement.
- (3) A savings or transitional provision made consequent on the commencement of a provision is repealed 2 years after the commencement.
- (4) A savings or transitional provision made consequent on the commencement of a provision may take effect before the commencement but not before—
 - (a) for a provision of this Act—the date of assent to this Act, or
 - (b) for a provision amending this Act—the date of assent to the amending Act.
- (5) A savings or transitional provision taking effect before its publication on the NSW legislation website does not—
 - (a) affect the rights of a person existing before the publication in a way prejudicial to the person, or
 - (b) impose liabilities on a person for anything done or omitted to be done before the publication.
- (6) In this section —
person does not include the State or an authority of the State.

Schedule 3 (Repealed)

MATTERS FOR INFORMATION

6.2 PROPOSED NORTHERN AND YORKE REGIONAL LANDSCAPE LEVY FOR 2026-27

**Author: Chief Executive Officer
26/22367**

Correspondence has been received and is attached outlining the landscape levy collection requirements for the 2026-27 financial year.

The levy basis has not changed and the indexation factor applicable is 2.4% being 0.3% lower than that anticipated for the draft budget.

The draft budget for the 2026-27 financial year had estimated the levy to be \$853,516 however the proposed levy has reduced due to indexation amount applicable under the relevant Act. The current required collections and payment to the board is \$852,292 or \$1,224 less than budget.

As members are aware Council is simply acting as a tax collector for the levy and has no control over what the funds are allocated to and the strategic directions of the Board.

The reduction does not alter Councils operating budget or cash position as we are simply collecting the levy on behalf of the State and passing it onto them.

ATTACHMENTS

Attachment 1 Correspondence from the Landscape Board [!\[\]\(23c95a79ea2fdecb85c88c5fd848f31c_img.jpg\) !\[\]\(a2d4ede976271f5b3eeb874ceb1d5a35_img.jpg\)](#)

SUPPORTING REFERENCES

Nil

OFFICIAL



23 March 2026

Mr Martin McCarthy
Chief Executive Officer
The Barossa Council
PO Box 867
Nuriootpa SA 5355

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

**Northern and Yorke
Landscape Board**

318 Main North Road
Clare SA 5453
Tel 08 8841 3444

ABN 83 450 552 896
ny.landscapeboard@sa.gov.au
www.landscape.sa.gov.au/ny

Dear Mr McCarthy,

In accordance with the *Landscape South Australia Act 2019* (the Act), the Northern and Yorke Landscape Board (the Board) write to advise the details of the landscape levy arrangements for the 2026-2027 financial year.

The Act outlines that the Board must publish in their annual business plans the amounts to be collected by Councils on behalf of the Board, through the regional landscape levy. The levy supports the delivery of the programs and projects in the annual business plan, within the priorities of Communities, Biodiversity, Water, Sustainable Agriculture and Pest Plants and Animals.

For the 2026-2027 financial year, there are no proposed changes to the basis of the levy. The total regional landscape levy has increased by 2.4% in accordance with the September CPI (All groups index, Adelaide, September 2025). The total regional landscape levy is apportioned to each council based on their share of the capital value of rateable properties across the whole region. The capital value data was extracted from SAILIS in March 2026 and non-rateable properties removed from the calculations. As capital values change, each council's share of the total regions' capital value also varies, and therefore the levy contribution varies. Individual council contributions for the 2026-2027 financial year, collected on behalf of the Board, are shown in Attachment A. The Northern & Yorke Landscape Board will invoice councils quarterly for their respective levy contributions.

Councils may also collect a fee from the Landscape Board for the administrative costs of collecting the Regional Landscape Levy. For 2026-2027 the fee has been calculated using a fixed fee of \$3,190.00 plus \$0.32 per rateable assessment. The estimated collection fee for each council is shown in Attachment A.

We thank you and your staff for collecting the landscape levy, and we look forward to continued partnerships between the Board and Council in delivering the objectives of the Regional Landscape Plan.

If you have any queries regarding the landscape levy or collection fees, please contact the Business and Finance Coordinator, Danielle Bone on 8841 3444 or at danielle.bone@sa.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Tony Fox'.

Tony Fox
General Manager, Northern and Yorke Landscape Board

www.landscape.sa.gov.au/ny

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Attachment A - **Regional Landscape Levy to be collected by Councils on behalf of the Northern and Yorke Landscape Board for 2026/2027, including collection fees claimable by Councils.**

<i>Local Government Area</i>	<i>Levy distributed by capital value</i>	<i>26/27 Collection Costs</i>
ADELAIDE PLAINS	388,643.43	5,227.12
BAROSSA	852,291.82	7,679.60
BARUNGA WEST	295,550.68	4,186.80
CLARE & GILBERT VALLEYS	488,254.62	5,619.76
COPPER COAST	612,091.31	7,360.88
GAWLER	702,888.02	7,389.36
GOYDER	253,835.85	4,840.56
LIGHT	613,531.03	6,134.64
MOUNT REMARKABLE	136,685.47	4,387.12
NORTHERN AREAS	347,108.01	4,733.36
ORROROO CARRIETON	42,138.26	3,732.08
PETERBOROUGH	36,189.10	3,815.28
PORT PIRIE	394,976.56	6,850.16
WAKEFIELD	456,816.34	5,136.88
YORKE PENINSULA	1,315,258.72	8,165.04
TOTAL	6,936,259.22	85,258.64

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DEBATE REPORT

7.1.1 FUTURE OF THE SISTER CITY AGREEMENT BETWEEN THE BAROSSA COUNCIL AND KUMENAN TOWN, JAPAN

**Author: Manager Governance and OMCEO
26/19864**

PURPOSE

To provide an update on Council's Sister City arrangements and seek the support of Council to cease the Sister City Agreement with Kumenan Town, Japan.

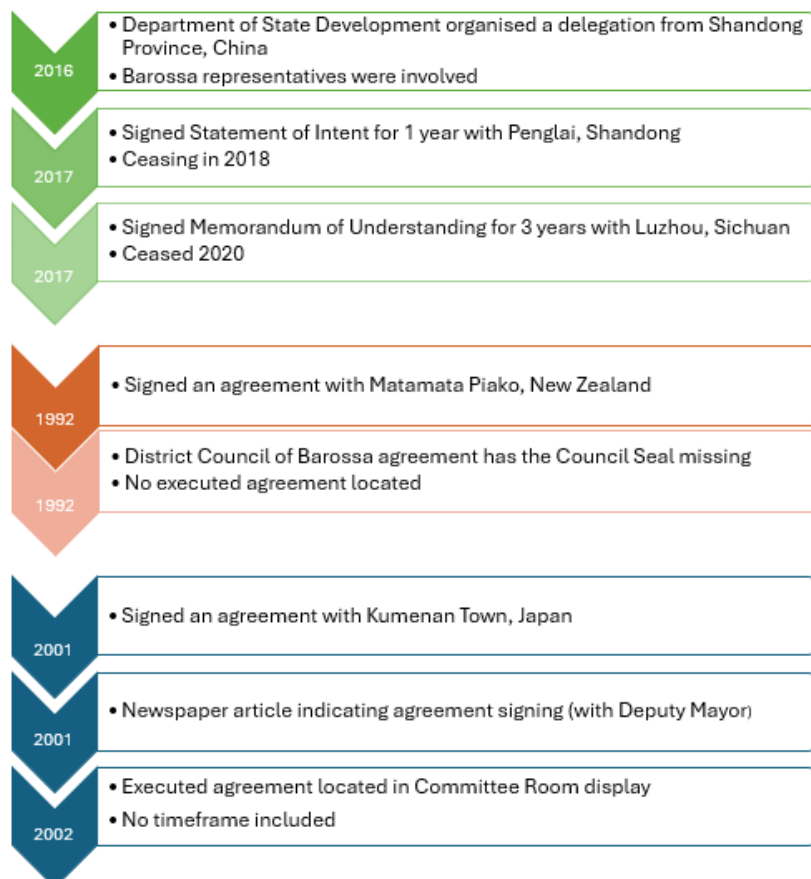
RECOMMENDATION

That the Council endorse the ceasing of the Sister City agreement between The Barossa Council and Kumenan Twon, Japan and formalise the end of the arrangement.

REPORT

Introduction

In undertaking research on The Barossa Council's Sister City arrangements, it is confirmed that the following relationships have taken place:



Background

Sister cities, or twin towns as it is also known in other countries, is an agreement to foster strong cultural and commercial ties between two cities or regions. These long term, formal agreements facilitate a wide range of opportunities for both cities to participate in international educational, community, cultural, technical and business exchanges.

Kumenan is a town located in Kume District, Okayama Prefecture, Japan with an estimated population of approximately 4483 and is known as the birthplace of Honen, the founder of the Jodo sect of Buddhism. The temple where he was born stands in Kumenan Town and is called Tanjoji. The temple has a massive and stunning ginkgo tree, a symbol for the town.

There are few flatlands, and most of the town consists of mountains, forests, and plateaus with the main industry in the area being agriculture. Crops include rice, fruit trees such as pears and grapes, leaf tobacco, and poultry farming.

Kumenan Town in Okayama in Japan entered into a Sister City relationship with The Barossa Council in 2002 by formally signing an agreement that did not stipulate a time period or end date of the agreement.

The relationship initially fostered a mutual understanding and friendship between citizens of the two Councils contributing to good relations between Australia and Japan. The relationship has seen student exchanges (Faith Lutheran College) in the early 2000's between the two towns, involving the sharing of cultures, education, sport, tourism, and economics.

Delegates, students and teachers from Kumenan, Japan visited the Barossa in 2006 and again in 2008.

Correspondence since then has been sparse and involved a Christmas greeting but nothing of substance until 2017, where we received a letter highlighting that it had been over 6 years with no contact and a suspension on the student exchange program.

According to a letter received from a representative from Kumenan Town late 2024 the homestay exchange program of the international sister-city relationship has been suspended since 2011 due in part to the decreasing number of students attending the three elementary schools and one junior high school in the town. Their wish is to have an international exchange project with cultures in the form of school textbooks/picture books between Barossa and Kumenan. No records show that this indeed took place.

Further to this, there has been no correspondence other than an annual Christmas Card greeting.

Discussion

The Barossa Council has now entered into another Sister City relationship with the City of Grapevine, Texas which was formalised in September 2023 and has seen a Section 41 Committee be established with members of the community, industry leaders and staff develop the relationship with a successful Study Tour and community benefits seeing the objectives of the agreement coming to fruition.

Acknowledging that fostering an international relationship and developing on ground benefits requires the Committee and in turn, the Council to commit to resourcing and planning, and as such, we are now seeking the Councils endorsement to cease the Sister City relationship with Kumenan Town, Japan, understanding that the relationship is no longer be producing outcomes for our community.

Summary and Conclusion

The Council is asked that the Sister City relationship with Kumenan Town, Japan be ceased.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references

[Sister-City-Relationships-and-Engagement-Policy.pdf](#)

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

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

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.

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.

As the arrangement has not been active since 2017, there is no risk to reputation.

COMMUNITY ENGAGEMENT

Engagement has been made with Barossa Australia, Regional Development Australia Barossa Gawler Light Adelaide Plains and Faith Lutheran College confirming no current communications or arrangements are being conducted. (Faith Lutheran College currently participate in Students Exchanges with Salesio Gakuin High School (Japan) and Charlotte-Paulsen-Gymnasium school (Hamburg, Germany)).

DEBATE REPORT

7.1 Office of the Mayor and CEO

7.1.2 UPDATED APPOINTMENT OF REPRESENTATIVES OF THE SISTER CITIES ADVISORY COMMITTEE

**Author: Executive Support Officer
26/20001**

PURPOSE

For Council to endorse the update of the representatives on the Sister Cities Advisory Committee.

RECOMMENDATION

That Council:

- (1) Appoints Lorna Schiller and Milly Hoffmann as community representatives to the Sister Cities Advisory Committee as per the Terms of Reference.
- (2) Endorse the updated the Sister Cities Advisory Committee's Terms of Reference as per Attachment 1.

REPORT

Background

On 21 November 2023, pursuant to Section 41 of the *Local Government Act 1999*, Council endorsed the establishment of the Sister Cities Advisory Committee including adoption of the Committee's Terms of Reference for the legislative operation of the Committee and its members.

Pursuant to Clause 1.2 of the ToR:

The Committee, in partnership with Council, industry and community, is established to support Council's strategic commitment to the development and maintenance of effective international relations via Sister City and Friendship City relationships and provide a framework for entering into, maintaining and assessing such relationships to ensure that maximum benefits can be realised by both parties.

Council then appointed member representatives to the Sister Cities Advisory Committee on 20 February 2024 and then endorsed the update of member representatives on 17 June 2025:

MOVED Cr Barrett

That Council:

- (1) Endorse the updated Sister Cities Advisory Committee's Terms of Reference (ToR), as per Attachment 1.
- (2) Appoints the following representatives to the Sister Cities Advisory Committee as per the updated Terms of Reference:
 - a. Council staff as nominated by the Chief Executive Officer of The Barossa Council pursuant to Clause 3.1.2 of the ToR.
 - b. Community representatives pursuant to Clause 3.1.3 of the ToR being Vanessa Lambert, Ingrid Day, Carol Dadds and Louise Hickinbotham.
 - c. Organisational representatives pursuant to Clause 3.1.4 of the ToR being Scott Hazeldine, Barossa Australia; Rolf Binder, RDA Barossa, Gawler, Light and Adelaide Plains; Sandie Simons, Rotary Club of Barossa Valley; Milly Hoffmann and Rick Lane, Nuriootpa High School, noting that if for any reason the Organisational representative is no longer available to sit on the committee, then the organisation will nominate a replacement for the remainder of the appointees term upon approval of the Sister Cities Advisory Committee.

SECONDED Cr Evans

CARRIED 2022-26/731

Discussion

Members of the Committee were appointed by Council on 20 February 2024 and updated on 17 June 2025 to reflect changes due to representation resignation and/or requested changes from the CEO and Organisational Representative Members. Due to representative resignations and/or requested changes from Organisational Representative Members, further changes are required as outlined below:

Committee Member	Who	Changes
Chairperson	Mayor	Remains unchanged
Council Staff	As appointed by the CEO	Limited to up to 4 Council Staff – includes the Sister City Program Manager
Community Members	- Vanessa Lambert - Louise Hickinbotham - Milly Hoffmann	Ingrid Day resigned. Carol Dadds resigned. Due to Milly Hoffmann's recent move from Nuriootpa High School, Milly has self-nominated as a Community Member. All other members remain unchanged
Organisational Members	- Scott Hazeldine – Barossa Australia - Rolf Binder - RDA, BGLAP	Remove Milly Hoffmann from Organisation Member and change to Community Member. All other members remain unchanged.

	• Sandie Simons - Rotary Club of Barossa Valley • Rick Lane - Nuriootpa High School	
--	--	--

Summary and Conclusion

Council is asked to endorse the appointment of Sister Cities Advisory Committee membership as outlined in the recommendation.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

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

Legislative Requirements

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.

By appointing current working members on the Committee demonstrates legislative compliance and transparency and allows the Committee to operate within the parameters of the meeting procedures as outlined.

COMMUNITY ENGAGEMENT

Not required.

DEBATE REPORT

7.1 Office of the Mayor and CEO

7.1.3 REVIEW OF THE POLICY GOVERNANCE FRAMEWORK

**Author: Manager Governance and OMCEO
26/19868**

PURPOSE

To seek Council endorsement for the Policy Governance Framework ensuring structured policy development protocols and guidance on the processes, references and plans to maintain a high quality, relevant policy suite for the organisation. As such Council is also asked to revoke the Policy and Process Development and Review Guidelines as they are now superseded by endorsing the Framework.

RECOMMENDATION

That Council:

- (1) Endorse the Policy Governance Framework as per Attachment 1; and
- (2) Revoke the Policy and Process Development and Review Guidelines as per Attachment 2 as they have now been superseded.

REPORT

Background

The reviewed Policy and Process Development and Review Guidelines as per Attachment 2 were endorsed on 28 July 2022 with the review cycle set for it to be reviewed by 28 July 2026.

Introduction

The Barossa Council is committed to ensuring all Policies and Processes, including any associated Policy documents, are contemporary, consistent and relevant to the organisation.

This Policy Governance Framework outlines the process for all stages of a policy lifecycle that guide the development of effective policies. Creation, approval, dissemination, revocation and review are key stages in the policy lifecycle. The framework provides guidance to ensure the following objectives are achieved:

- Transparent and evidence-based decision making
- Clarity of responsibility and acceptance of accountability
- Adherence to policy, with non-negotiable compliance paramount
- High quality policies that are to be critiqued, consistent and contemporary

All policies reviewed by the Executive Leadership Team (ELT) prior to final approval and endorsement by either the ELT or Council, ensures that all policies reflect Executive and Council expectations.

Discussion

The purpose of the Policy Governance Framework as per Attachment 1, is to provide structured policy development protocols and guidance on the processes, tools, systems, templates, references and plans to deliver a high quality, relevant policy suite for the organisation.

The Policy Governance Framework serves as the central repository for all policy management references to ensure that:

- Policies and processes meet the definitions
- Policies and processes are developed, reviewed and revoked in line with the fundamental criteria.
- Policy and processes stages proceed through the required quality assurance checks.
- Policies and processes are approved through the mandatory approval mechanisms.
- Consultation and implementation are pre-planned and delivered appropriately.
- Policy management using RelianSys Compliance and Monitor automated modules.
- Reporting compliance data to the Executive Leadership Team, Audit & Risk Committee and Council.
- Formal adherence to all policies and processes.

Summary and Conclusion

Council is asked to endorse the Policy Governance Framework and in doing so, revokes the Policy and Process Development and Review Guidelines, supporting the ongoing development of effective policies and processes, ensuring that they are relevant and easy to understand. This will assist in providing an environment where there is little ambiguity and assists those who have an obligation to adhere to the content.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Policy Governance Framework [↓](#) 

Attachment 2 Policy and Process Development and Review Guidelines [↓](#) 

Supporting references

Public Consultation Policy

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

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

Legislative Requirements

Local Government Act 1999, Section 59 –

(1) The role of a member of council is –

(vi) to keep the council's objectives and policies under review to ensure that they are appropriate and effective.

Local Government Act 1999, Section 99 –

(1) The functions of the chief executive officer include—

(a) to ensure that the policies and lawful decisions of the council are implemented in a timely and efficient manner.

South Australia Work Health and Safety Act 2012

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.

A Policy framework ensures legislative compliance and that the policies and lawful decisions of the council are implemented in a timely and efficient manner.

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.

Provides Council and Workers with the ability and direction to make decisions that are consistent with law and administrative practice. They also provide detail on the way Council undertakes, or requires others to undertake, certain works or activities.

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.



ADOPTED BY:	Executive Leadership Team
DATE ENDORSED:	xx/xx/xxxx
NEXT REVIEW DATE:	xx/xx/xxxx
POLICY OWNER:	Chief Executive Officer
POLICY AUTHOR:	Manager Governance & OMCEO
CM Doc No.	xx/xxxxxx

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Policy Governance Framework



1. Executive Commitment

The Barossa Council is committed to ensuring all Policies and Processes, including any associated Policy documents, are contemporary, consistent and relevant to the organisation.

This Policy Governance Framework outlines the process for all stages of a policy lifecycle that guide the development of effective policies. Creation, approval, dissemination, revocation and review are key stages in the policy lifecycle. The framework provides guidance to ensure the following objectives are achieved:

- Transparent and evidence-based decision making
- Clarity of responsibility and acceptance of accountability
- Adherence to policy, with non-negotiable compliance paramount
- High quality policies that are to be critiqued, consistent and contemporary

All policies will be reviewed by the Executive Leadership Team prior to final approval and endorsement by either the ELT or Council, ensuring that all policies reflect Executive expectations.

Policy Governance Framework



2. Purpose

The purpose of the Policy Governance Framework is to provide structured policy development protocols and guidance on the processes, tools, tools, systems, templates, references and plans to deliver a high quality, relevant policy suite for the organisation.

The Policy Governance Framework serves as the central repository for all policy management references to ensure that:

- Policies and processes meet the definition as set out in section 4 of this document
- Policies and processes are developed, reviewed and revoked in line with the fundamental criteria outlined in Section 5 of this document
- Policy and processes stages proceed through the required quality assurance checks
- Policies and processes are approved through the mandatory approval mechanisms – Governance, Director, ELT, CEO or Council
- Consultation and implementation are pre-planned and delivered appropriately
- Policy management using RelianSys Compliance and Monitor automated modules
- Reporting compliance data to ELT, Audit & Risk Committee and Council
- Formal adherence to all policies and processes

Policy Governance Framework



3. Roles and Responsibilities

To ensure success of the Policy Governance Framework it is important that all stakeholders understand their roles and responsibilities in relation to policy and processes.

Applicable body	Responsibility
Council (Elected Body)	- Review and provide feedback on Council endorsed policies - Approving draft policies for public consultation - Formally endorse policies requiring Council approval - Adhere to all policies
Chief Executive Officer (CEO)	- Review all policy requests and provide formal approval for the commencement of work on all policies and processes (recommended for creation, review or revocation) via the Policy Document Approval Form - Participating in the Executive Review of all policies - Formally endorse CEO approved policies and processes - Adhere to all policies and processes
Directors/Policy Owners	- Policy Owners for Council approved policies - Review the Policy Request and approve the commencement of work on all policies and processes (recommended for creation, review or revocation) via the Policy Document Approval Form, for ELT consideration and determination - Participating in the Executive Review of all policies and processes - Review draft policies and make recommendations regarding endorsement - Ensure that the Policy Review Schedule is adhered to - Adherent to all policies and processes - Delegate all policies and processes queries to Governance for policy improvement purposes - Report on non-adherence to policies and processes
Managers/Policy Authors	- Develop policies and processes that are clearly defined, contemporary and consistent - Follow the process and utilise this Framework to develop and review policies - Develop appropriate consultation, implementation and education strategies to be applied in respect of new or reviewed policies - Seeking guidance from Governance as required - Forward the final approved copy of a new or reviewed policy to Governance for management of data - Communicate with relevant stakeholders about the newly adopted policies or processes - Develop and provide access to any additional documents as required - Identifying and coordinating any training and education required

Policy Governance Framework



Applicable body	Responsibility
Governance	• Provide a coordinated quality assurance approach to the content of policies, analysing for consistency, legislative compliance and relevance. • Undertake all reviews in accordance with the Policy Governance Checklist • Manage the Policy Review Schedule using RelianSys Compliance and Monitor automated suite • Undertake extensive quality checks throughout the policy lifecycle • Maintain a central repository of all policies and policy reference documentation • Provide support to Policy Owners and Authors seeking guidance • Provide training for staff on the Policy Governance Framework • Undertake regular reviews of the Policy Review Schedule to ensure compliance and report to ELT. • Collation of policy and process queries for policy improvement purposes Governance to monitor and report on Policy Governance reporting data • Provide compliance reporting data to ELT, Audit & Risk Committee and Council
Risk and Work Health Safety (WHS) Team	• Provide support to Policy Owners and Authors seeking guidance regarding the Integrated Risk Management Framework and associated Risk Assessments
Marketing and Communications Team	• Provide support to Policy Owners and Authors seeking guidance regarding Policy Consultation and Implementation Plans
Work Health Safety (WHS) Committee	• Review and provide feedback and recommendations for administration policies related to Work Health and Safety for the organisation
Employees (including agency employees, contractors and Volunteers)	• Adhere to policies • Understand obligations as a public officer in regard to policies and processes

Policy Governance Framework



4. Policy and Process Definition

To ensure a high level, consistent policy suite is in place, it is essential that there is a clear understanding of what constitutes a policy or a procedure. There may be some instances where a policy can exist without a process, but a process cannot exist without a policy. A policy may have multiple associated processes.

Policies and Process

- Consistent, easy to understand language should be used and repetition avoided
- Be well researched and contemporary
- Meet legislative requirements
- Must be relevant to the work of the organisation
- Must clearly identify the allocation of responsibilities and the scope of the policy and process
- Definitions must be utilised from the Definition Glossary

Policy

A policy identifies and guides expected standards of conduct and decision making which must be adhered to and defines the requirements and objectives for the organisations commitment to the intent of the policy.

Policies must be concise, include a clear outline of requirements and objectives, articulate to who it applies and clearly define the discharge of responsibilities for a policy.

All policies must be consistently adhered to, and it is incumbent upon Executive Leadership Team and Managers to ensure a culture that promotes adherence.

A Policy contains:

- **Document Control** - Policy numbers, approval details and review dates
- **Statement of Intent** - Provides context for the requirement(s) and objective(s) of the policy
- **Policy Principle** – a high-level rule that guides decision-making, behaviour, and the development of specific, actionable procedures
- **Scope** – Specifies who the policy applies to and who must adhere to the content
- **Responsibilities** – Description of compliance and responsibilities
- **Definitions** - Use Definitions Glossary
- **Legislation and References** - Link to relevant legislation and references (cross references to related procedures)
- **Version History** - include brief summary of changes in each version
- **Further Information**

Policy Governance Framework



Process

A process articulates how the policy is applied by outlining the high-level steps required to perform a task to comply with the policy intent.

A Process contains:

- **Document Control** - Policy numbers, approval details and review dates
- **Purpose** - Provides context for the requirement(s) and objective(s) of the process and explains the application of the Policy in which it is linked
- **Scope** – Specifies who the policy applies to and who must adhere to the content
- **Process** – Structured rules that underpin the intent of the Policy
 - High-level steps to decision making
 - Clear boundaries and expectations
 - Clearly discharging responsibilities to appropriate positions
- **Definitions** - Use Definitions Glossary
- **Responsibilities** - – Description of compliance and responsibilities
- **Legislation and References** - Link to relevant legislation and references (cross references to related procedures)
- **Versions History** - include brief summary of changes in each version
- **Further Information**

Supporting Documents

All policies must be adhered to and as such careful consideration is needed as to whether there is genuine need for a policy or if another document is more suitable to achieve the required outcome.

Supporting documents are an alternative mechanism that can be used to support the delivery, enactment, review or audit of processes, where a policy or process is not required. Documentation may include but is not limited to:

- | | |
|---|--|
| ☐ Work Instructions | ☐ Templates/Forms/Checklists |
| ☐ Frameworks | ☐ Safe Work Method Statements (SWMS) |
| ☐ Guidelines | ☐ Standard Operating Procedures (SOP) |
| ☐ Business Rules | ☐ Surveys |
| ☐ Regulatory standards | ☐ Process maps |

Policy Governance Framework



5. Fundamental Policy Criteria

To develop effective policies and processes, it is essential that they are relevant and easy to understand. This assists in providing an environment where there is little ambiguity and assists staff who have an obligation to adhere to the content.

'A policy that is not understood, or whose existence is not known, stands little prospect of being adhered to.' (Deputy ICAC Commissioner, Michael Riches.)

CLARITY

Consistent, easy to understand policies and processes are imperative given the non-negotiable requirement for policy adherence. Policy and process content should be written in language that caters to those who will be required to adhere to it and avoid repetitious or irrelevant content. Policies should clearly identify the allocation of responsibilities and decision-making processes so that there is no ambiguity to the reader.

RELEVANCE

A policy and process that no longer represents contemporary practice or is largely devoid of relevant content is more likely to be ignored in favour of alternative processes. Policies and processes must be reviewed regularly to ensure content is up to date and relevant. Contemporary policies and processes are fundamental to the delivery of quality services and legislative compliance.

CONSISTENCY WITH OTHER POLICIES

Policies and processes which conflict or are inconsistent with each other cause confusion and can lead to non-adherence. The mandatory Governance review of all policies seeks to ensure all policies are consistent and no conflicting content exists. As a part of the Policy Governance Checklist, new or amended policies will be assessed against existing policies in order to remove potential inconsistencies or duplications.

COMMUNICATION

Policies and processes must be accessible to all staff – not all staff have access to electronic means, so in addition to a central electronic repository of policies, Governance will ensure a hard copy library is maintained and updated and provided to the Depot.

The implementation plan requires policy Authors and Owners to outline how consultation and implementation of a policy and process will be undertaken; including consideration of additional training sessions or workshops where changes may be significant.

Policy Governance Framework



6. Types of Policy and Process

There are two types of Policies and Processes:

Council Policies and Processes:

Council policies and processes are official, formally adopted statements of principles or positions that guide the decision-making, strategic direction, and operational actions of Council.

They set standards, ensure legal compliance, and outline expected conduct for both council staff and the community. These policies generally have a long-term focus, shaping how services are delivered and how resources are managed.

Policy Heading - Council



Process Heading - Council



Internal Policies and Processes:

Internal policies and processes are authorised, written guidelines, rules, and procedures established by an organisation to govern employee behavior, standardise operations, and ensure compliance with legal or ethical standards. They define the internal framework for decision-making, covering areas like human resources, WHS, and administration.

Policy Heading - Internal



Process Heading - Internal



Policy Governance Framework



7. Policy Lifecycle

The Governance Team provides support to facilitate the development of consistent, concise and considered policies and processes. Governance is available for advice at any stage during the policy development process.

NEW POLICY

Before commencing the development of any new policy, there are a few steps that Policy Authors must undertake.

Assess the Policy

Consideration must be given to whether a policy is the most applicable method of documenting the proposed content or if a policy already exists that covers or could be amended to cover the required content. The Policy Owner will need to determine whether a policy is required or whether another form of documentation may be more suitable. The Governance Team is available to discuss policy need if you are unsure.

The proposed new policy must be discussed with the relevant Director and if the need is supported.

Prior to a new policy proceeding for Executive Leadership Team approval, Policy Authors should have had the draft policy reviewed and supported by the relevant Director.

The Governance Team will liaise with the Policy Author regarding feedback and provide advice regarding any recommended improvements.

REVIEW POLICY

Drafting amendments to Policies

Policies should be written in accordance with the requirements and parameters outlined in the Policy and Process Templates. Further resources to assist Policy Authors include the Definition Glossary and the Policy Writing Style Guide. It is essential that Policy Authors utilise the tools and templates to ensure that policies across the organisation are consistent, easy to understand and relevant.

Reviews should consider:

- Assessing whether a policy refers to outdated or superseded legislation, regulation, systems or processes
- Are still relevant in light of the organisation's functions and activities
- Still represents the most efficient and effective way to conduct the organisations work
- Determines whether the wording of the policy can be further refined to reduce ambiguity and improve clarity.

Policy Governance Framework



Such reviews should be conducted in accordance with an approved policy review schedule which is routinely audited to ensure review compliance.

The Toolkit provides a suite of tools, templates and guides to assist Policy Authors to complete the requirements outlined above for the policy to proceed to the approval stage.

- Policy Stakeholder Analysis
- Consultation Assessment to be completed as per the Public Consultation Policy
- Implementation and Education Plan

Prior to a reviewed policy or process proceeding for Executive Leadership Team, Policy Authors should have had the draft policy reviewed and supported by the relevant Director.

The Governance Team will liaise with the Policy Author regarding feedback and provide advice regarding any recommended improvements.

Although Council endorsed policies, including policies requiring public consultation must proceed to Council for approval, the Policy Governance Framework provides that the policy must still obtain Executive Leadership Team and CEO approval to proceed to Council.

REVOKE POLICY

Policy Revocation

Policy Authors recommending a policy be revoked, must still be discussed with the relevant Director/Manager prior to proceeding for Executive Leadership Team approval.

Consultation is still required on policy revocation, unless the revocation is a direct result of a legislative change and will then proceed to Executive Leadership Team for review and approval.

Policy Governance Framework



8. Approval and Endorsement

Approval and review stages for policies and processes:

- 1) Initial review by Governance, Director/Manager or CEO to proceed with new policy, planned review or revocation.
- 2) Proposed policy (new or amended) and processes are presented to the Executive Leadership Team to review and approve to proceed to consultation.
- 3) Consultation and the sharing of views are crucial to obtaining stakeholder engagement and drive better decision making.
- 4) For Council Reports - Following the consultation, the Summary Document Template must be completed summarising changes recommended and included in the report to either ELT or Council.
- 5) After consultation is completed for non-council approved policies or processes, the Policy Author can submit the policy or process for Executive Leadership Team to review post feedback if changes have been significant.
- 6) If consultation has not resulted in significant changes to the draft policy, the Policy will be reviewed by the relevant Director/Manager and will be presented to Executive Leadership Team for final endorsement.
- 7) The Executive Leadership Team will not endorse Council policies but approve for them to proceed to Council for endorsement or approval to proceed to public consultation.

Monitor and Review

Ongoing monitoring of the Policy Review Schedule for compliance will be undertaken by Governance through RelianSys.

Policy reviews can be triggered by the following:

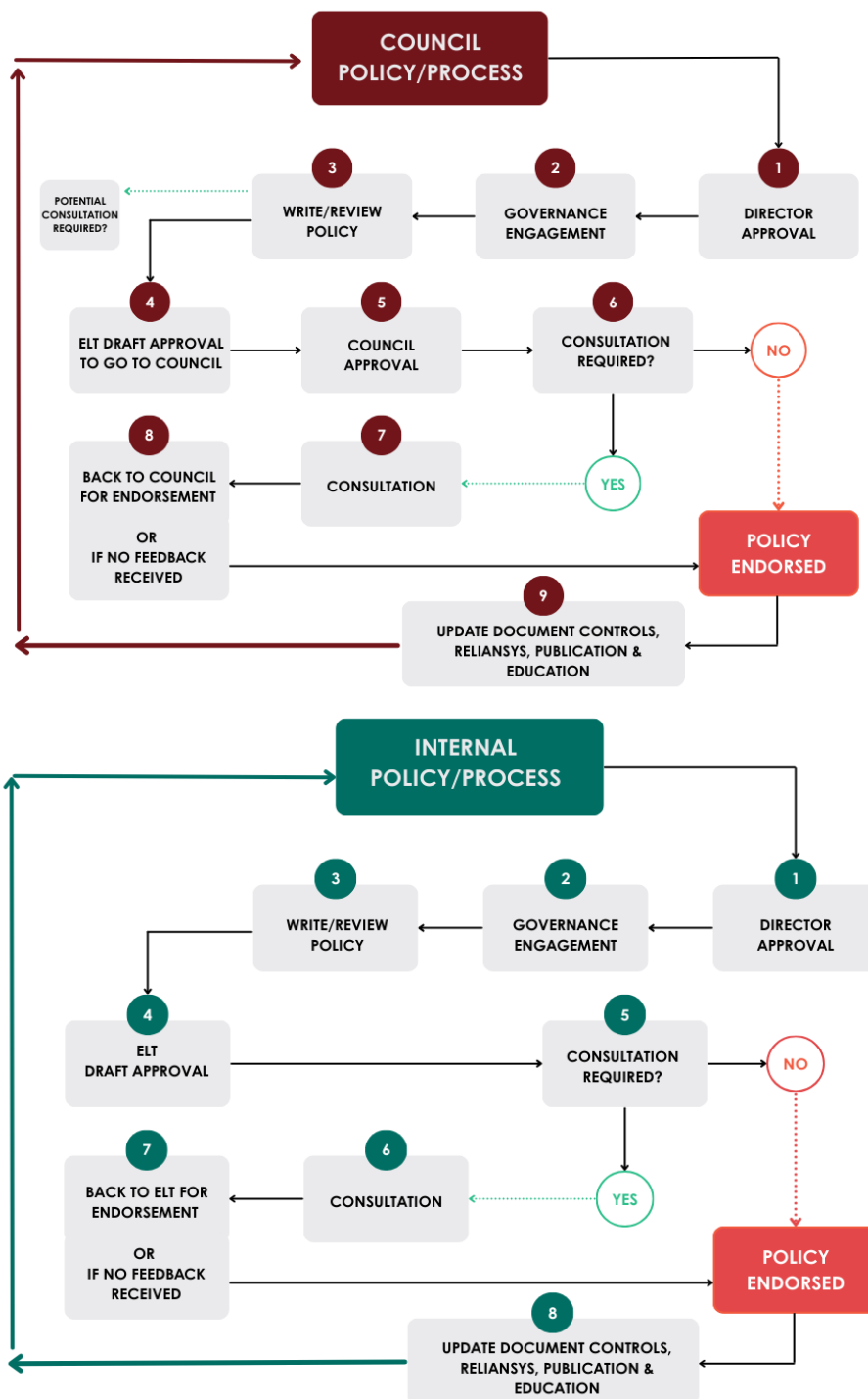
- Scheduled review
- Legislative change
- Best practice approach change
- Feedback provided on policy
- Policy is ineffective
- Significant or high instances of procedural adherence issues identified

All reviews, irrespective of the trigger, must proceed as per the Policy Lifecycle Process. Outcomes of a policy review include - Amendment to existing policy, Revocation of a policy or No update

Policy Governance Framework



9. Workflows



13

Policy Governance Framework



10. Timeframes

The approving body for policy and process endorsement or revocation will vary depending on the type of policy. If the community or Council Members have been identified as key stakeholders, then most likely the policy will need to be approved or revoked by Council. Legislative requirements can also prescribe if a policy and process need to be endorsed by Council. Governance can provide advice if the Policy Author is unsure.

All policies that do not require Council approval must be approved or revoked by the Executive Leadership Team.

Approximate timeframes required for Executive Leadership Team or Council endorsement of a policy are outlined in the table below (including consultation timeframes):

Type	Step 1	No. of Weeks	Step 2	No. of Weeks	Step 2	No. of Weeks	Total No. of Weeks
Council	ELT	4	Ordinary Council	4	--	--	8
Council (requires public consultation)	ELT	4	Ordinary Council	4	Public Consultation	4	12
Administration	ELT	4	Staff Consultation	2	--	--	6
Administration	ELT	4	WHS Committee	4	Staff Consultation	2	10

Policy Governance Framework



11. Implementation, communication and education

Once a policy or process is approved/endorsed, the Policy Author must act on their implementation plan to ensure that staff are aware of a new or amended policy and process including any obligations to adhere to the policy or process content.

Given non-negotiable adherence by staff to policies, it is imperative that the content is understood, and communication, training and education is provided as required. The Policy Consultation Policy and Checklist and Implementation Guide assist Policy Authors to determine their education approach and techniques.

Once a policy or process is formally endorsed by either the Executive Leadership Team or Council, the Policy Author is responsible for:

- Forwarding the final approved copy of a new or reviewed policy to Governance
- Communicating with relevant stakeholders about the newly adopted policies or procedure
- Developing and providing access to any additional documents as required
- Identifying and coordinating any training and education required.

Policy Governance Framework



12. Toolkit

The Toolkit is a set of documents created, developed and maintained to support the implementation of policy management activities. The documents available as part of the Toolkit include:

Name of document	Description	Link to Document
Policy and Process Templates - Council	A template that provides a defined structure for collection, organisation and/or presentation of information and assists the Policy Author by providing explanatory text for Council Policies and Processes.	25/92418 - Policy Template - Council 25/92419 - Process Template - Council
Policy and Process Templates - Internal	A template that provides a defined structure for collection, organisation and/or presentation of information and assists the Policy Author by providing explanatory text for Internal/Administrative Policies and Processes.	25/92420 - Policy Template - Internal 25/92421 - Process Template - Internal
Policy Writing Style Guide	Assists with style and tone along with grammar, spelling and punctuation. Conventions and rules in this guide apply to all policies and processes and Governance will utilise this guide when checking policies and processes for consistency.	26/15440
Definition Glossary	A set of definitions used within all policies and processes and listed in a separate document to ensure consistency.	26/15315
Public Consultation Policy	This Policy is used to assist in selecting what consultation activities should be used as part of staff, council or public engagement on a policy and will also assist in assessing the levels of engagement and timeframes that may be required.	Public Consultation Policy - 28-January-2025
Communications Brief	Provides the Marketing and Communications Team with Communication objectives and requirements. Officers will develop a comprehensive project specific communications plan based on information provided in this form.	26/15669
Policy Consultation Checklist	Guide for Policy Authors to ensure correct Teams and tasks have been undertaken for public and internal consultation.	26/14673

Policy Governance Framework



Implementation Guide	A guidance document on how to build awareness, document controls and education to staff, including recording in Tech 1 by OCP.	TBC
Policy Governance Checklist <i>(Governance use only)</i>	A Quality Checklist to be used by the Governance team when undertaking quality review of policies/procedures.	26/14422

**Policy Authors/ Owners are encouraged to provide feedback on any of the components of the Toolkit.*

13. Accessibility Strategy

A central electronic repository will be utilised for all policies and processes.

As a part of the policy development for new or amended policies, Policy Authors will be required to develop an Implementation Plan outlining the methods of communication and education that will be provided to staff or Council regarding the policy content. Policy Authors and Owners will need to consider what the most appropriate methods of explaining policy content are, such as workshops or training.

Ensuring a sound Implementation Plan and accessibility to policies for all staff, will lead to an enhanced understanding of the policy suite and promote adherence to policy.

THE BAROSSA COUNCIL

POLICY & PROCESS DEVELOPMENT & REVIEW GUIDELINES



1.	Purpose					
1.1	Policies and process provide Council and Workers with the ability and direction to make decisions that are consistent with law and administrative practice. They also provide detail on the way Council undertakes, or requires others to undertake, certain works or activities consistent with the Corporate Planning Framework.					
1.2	The Local Government Act 1999 (the "Act") stipulates various policies and procedures that are required to be kept by councils. The development, review, and maintenance of appropriate policies are embedded in Elected Members' and the Chief Executive Officer's (the "CEO") roles (section 59 and 99 respectively of the Act).					
1.3	These Policy and Process Development and Review Guidelines ("Guidelines") provide a structure and process for Workers, for the development, consultation, approval, review and implementation of Policy and Process Controlled Document types, that are approved by Council's Elected Body or the CEO.					
1.4	These Guidelines aim to ensure that: • Policies and Processes are developed, maintained, and controlled in a consistent manner and conform with legislation and in the absence of legislation, industry guidelines; • all relevant Stakeholders are consulted during Policy and Process development or review, in accordance with any legislative requirements; • approved Policies and Processes are communicated to all relevant Stakeholders; and • awareness and/or training is provided for relevant Stakeholders when new or significantly amended Policies and Processes are approved.					
2.	Scope					
2.1	These Guidelines apply to all Workers and to all Council Policies and Processes.					
2.2	The Council, CEO or relevant Director retains absolute discretion, where necessary to determine that a Policy or Process will be developed, consulted on, reviewed, and approved in an alternative manner or process, to these Guidelines.					
2.3	For WHS Policies and Processes, refer to clause 4.7, which must be followed in addition to the requirements of this Guideline. Where there is any overlap in process, clause 4.7 takes precedence over any other part of these Guidelines.					
3.	Guidelines					
3.1	Policy and Process Management					
	It is important that users can easily source the Policy or Process they require and be confident that it is the current approved version. To this end the following mechanism has been implemented:					
3.1.1	At minimum, all Policies and Processes must be registered within Council's Electronic Document Records Management System (EDRMS) as a Controlled Document and monitored within the Document Register (see clause 4.4 and refer to the supporting User Guide).					
<table><tr><td>Approval date: 28 July 2022</td><td>Review date: 28 July 2026</td><td>Approved by: CEO</td><td>Ref: 16/4734*</td><td>Page 1 of 10</td></tr></table> Uncontrolled once removed from webpage or Council's Record Management System. Before using a printed copy please verify that it is the current version. © The Barossa Council 2022		Approval date: 28 July 2022	Review date: 28 July 2026	Approved by: CEO	Ref: 16/4734*	Page 1 of 10
Approval date: 28 July 2022	Review date: 28 July 2026	Approved by: CEO	Ref: 16/4734*	Page 1 of 10		

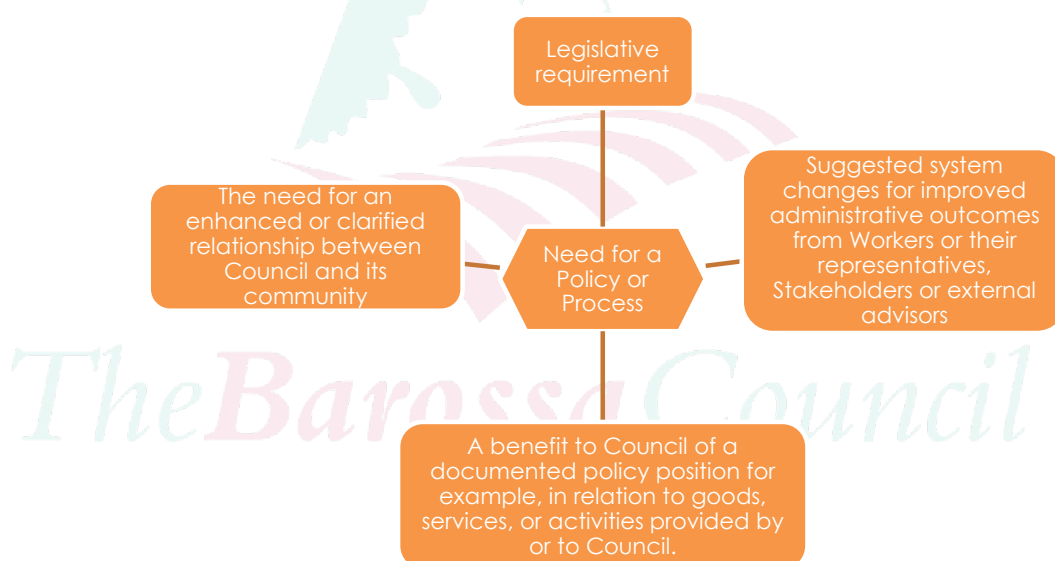
- 3.1.2 The Executive Leadership Team ("ELT") will facilitate the maintenance of a *Document Register* ("Register") that features all Policies and Processes and will ensure it is maintained by the Document Control Officers within their Directorates. The Corporate Governance and Information Services Team will provide assistance on request.
- 3.1.3 Policies and Processes must be developed, reviewed, approved, and implemented in accordance with the following guidelines.
- 3.1.4 Hard copies will be provided to Workers (and others upon request) who do not have access to the EDRMS or electronic devices.
- 3.1.5 Printed Policies and Processes are considered uncontrolled and are identified as such on all approved templates. It is the user's responsibility to verify that the printed copy is the current version.

3.2 Policy and Process Development

To ensure the effective, consistent, and efficient development of each Policy and Process, it is important to consider the need and resource implications for that document to be developed.

3.2.1 When to Develop a New Policy or Process

The need for a new Policy or Process can be based on any of the following:



The Elected Body of Council may also direct the CEO to prepare a Policy to formalise Council's position on a particular matter.

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3.2.2 Approval to Develop a Policy or Process

The development of all Policies and Processes must be approved in accordance with the table below unless the CEO or relevant director determines otherwise.

	Description	Approval to Develop
Council Policy	Sets out Elected Body's position and commitment on an issue. Includes a statement of intent and provides direction (or principal course of action) as opposed to a guiding process. May be required by legislation or has a significant impact on the community.	Council, CEO / Director
Administrative Policy	Sets out CEO's / delegate's position on an issue where the issue relates to Council administration; does not impact the community; or affects only its Workers and/or Elected Members. Compliance with Policies is mandatory.	CEO / Director
Process	Establishes specific rules, steps or actions required to apply or implement a Policy or Code. Must remain consistent with related policies. Compliance with Processes is mandatory for those persons to whom the activity relates.	CEO / Director

Requests to develop a Policy or Process should be made using the *Policy and Process Development or Repeal Form* which considers the following:

- resources required for development, training and implementation
- Document Owner tasked with responsibility for the Policy or Process (usually a member of ELT)
- Document Control Officer tasked to develop a draft Policy or Process, with a view to involve and develop other Workers' skills in this area wherever practicable
- timeframes for development identified including any legislatively required consultation
- relevant body or person identified to approve the final version (see section 4.4).

All decisions to approve the development of a Policy or Process must be recorded in the *Policy and Process Development or Repeal Form*, signed off by the relevant delegate, and registered within Council's EDRMS.

3.3 Policy and Process Consultation

An effective Policy or Process can be developed through considered Consultation with relevant Stakeholders. Consideration should be given to both internal stakeholder consultation requirements and any external or public consultation requirements.

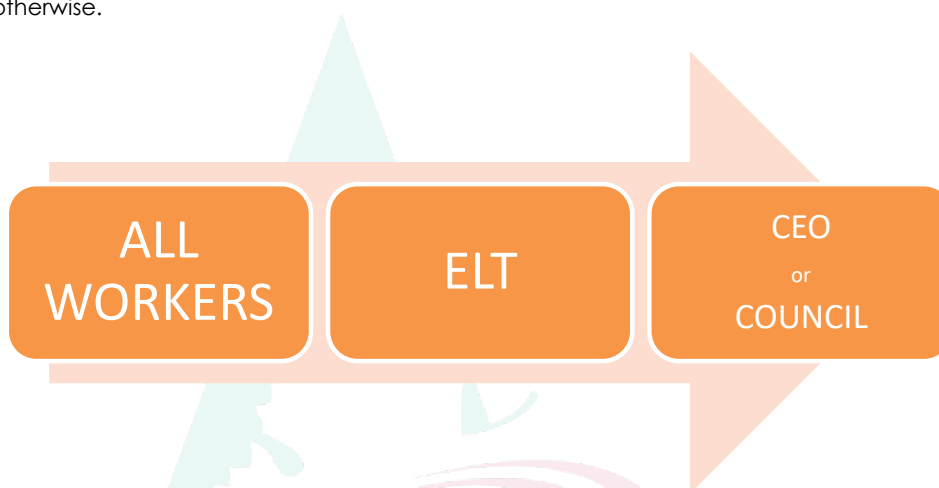
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3.3.1 Public Consultation Requirements

Where legislatively required or deemed appropriate due to community interest, the Policy or Process may need to undergo public consultation in accordance with Council's Public Consultation Policy and/or legislative requirements. Any public consultation will need to be undertaken in addition to internal Stakeholder consultation. A Council resolution approving the external public consultation of a Policy or Process must be obtained prior to any external public consultation being undertaken in accordance with the Public Consultation Policy.

3.3.2 Internal Stakeholder Consultation Requirements

Consultation with internal stakeholders is to be undertaken in accordance with the below minimum requirements unless the CEO or relevant director determines otherwise.



Where a Controlled Document applies to or is used by a group or class of Workers (eg. A business unit, only staff, only elected members), it is sufficient to consult with only that group or class, and not all Workers.

It should be noted that Policies and Processes that are reviewed and updated to incorporate legislative changes or where the document is required to include certain legislative provisions with little or no Council discretion may not always require consultation. In such cases, where there is no value to the organisation to consult internally, it may be appropriate for consultation processes to not follow the above diagram strictly.

Overriding the above, WHS Policies and Processes must be first referred to the WHS Committee for initial consultation and undergo all staff consultation in every instance, except where in the opinion of the CEO and Chair of the WHS Committee there is urgent and extreme need to address the welfare, safety or security of Workers a Policy or Process can be established without undertaking whole of staff consultation. Where the CEO and Chair make this determination the Policy and Process shall be established and communicated why this decision was taken and outline how engagement will be undertaken post implementation. In addition, even where consultation is not required due to one of the above circumstances, Workers must be informed of any changes following Policy or Process adoption to give effect to updated policy or process settings.

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3.3.3 Consultation with a Council Committee

A Council committee should be consulted on a Policy or Process by including the matter in a committee meeting agenda. Feedback may be provided by committee members by way of track changes made directly within the document, or by email to the Document Control Officer. Record of a committee's approval or consultation feedback with respect to a Policy or Process should be made in the Minutes of the Committee meeting.

3.3.4 Consultation Feedback

The Document Control Officer will register all Consultation feedback into the EDRMS and acknowledge all feedback received, providing responses where appropriate.

The Document Control Officer, in consultation with the Document Owner where appropriate, will consider all feedback and decide what information is to be incorporated, amended or deleted within the revised draft including where necessary further engagement with those making submissions. At the conclusion of the process, the Document Control Officer is also responsible for closing out any submissions received via the provision of feedback to contributors (see Controlled Document User Guide).

3.4 Policy and Process Approval

3.4.1 Referral to Approver

Once the Document Control Officer and Document Owner are satisfied with the final draft of the Policy or Process, they will refer the draft document to the approving body, in accordance with the below diagram for consideration and approval.



3.4.2 Record of Approval

- (a) Where the Elected Body is required to approve a Council Policy, approval must be sought via Council resolution by including the matter as a Council meeting debate agenda item. The Policy is approved only if the resolution is passed by the Elected Body.

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In order to ensure that any amendments to the Policy made by the Elected Body by resolution are incorporated to the Controlled Document, following the Council meeting the document should be updated and amendments approved by the CEO (via the Controlled Document type review process within the EDRMS - refer to supporting User Guide) in accordance with the minutes of Council's meeting.

Council meeting minutes provide the evidence of when the Controlled Document was approved. The minute reference page number and the date of the meeting must be recorded on the approved Controlled Document before publication on the Document Register (refer to supporting User Guide).

- (b) Where the CEO is required to approve the Policy or Process, approval shall be provided via the Controlled Document type review within the EDRMS (refer to supporting User Guide). The date the approval was provided must be recorded on the approved Policy or Process prior to publication on the Document Register.

3.4.3 Notification of Approval

- *Stakeholders within The Barossa Council* - the Document Control Officer, or Document Owner will advise all Stakeholders via an appropriate means of communication (eg. email and/or the Mark and/or letter, etc.) that the Policy or Process has been approved and provide a link to its location in Council's Document Register. The notification should be registered within the EDRMS. Progress updates on Policies and Processes may also be provided through the Mark or other form of notification, for example Directorate or business unit communications.

Where hard copy Policies and Processes are required, the relevant Supervisor or their delegate will ensure that obsolete documents are promptly removed from the site and/or vehicle and the current version of the document is available at all points of use.

- *Elected Members* - if the Policy or Process is relevant to Council or Elected Members, the Document Control Officer will upload the final published version to the Elected Member's G-drive and email the Elected Members of its approval and location.
- *Community* - all approved Council Policies, Administrative Policies and other Controlled Documents which directly affect the public must be uploaded by the Document Control Officer to Council's website at www.barossa.sa.gov.au to the "Policies and Processes" page, and if relevant to another page on the website, to that page as well. Any statutory notices in Government Gazette or papers circulating in the area need to be undertaken by the DCO in consultation with the Communication and Engagement team.

3.5 Policy and Process Review

- 3.5.1 Policies and Processes must be reviewed every 4 years at minimum, unless otherwise determined by the CEO or Director. A more frequent review may be triggered by legislative changes, organisational changes in terms of systems or resourcing, or continuous improvement outcomes. The review process will determine:

- Adequacy and effectiveness of content
- Legislative compliance

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- System and/or process failures reported during incident investigation or as a result of audit findings
- Suggested system and/or process changes for improved outcomes from Workers or their representatives, Stakeholders or other external advisors
- Whether legal or administrative circumstances have changed since the last approval date to the extent that the Policy or Process is no longer relevant and so should be repealed. See section 4.6 for the repeal process.

3.5.2 All Policies and Processes must be reviewed and updated using current Council templates sourced from the Document Register, in accordance with the supporting User Guide.

3.5.3 There is no requirement to obtain approval to review a Policy or Process. However, where the Document Owner determines that the anticipated changes will have new and/or a significant impact on Council resources, processes or operations, the CEO or Director may refer the Policy or Process to the person or body that approved the development of the document.

3.5.4 Once a draft review Policy or Process has been developed, the Document Control Officer will undertake Consultation on the following basis:

1. If the proposed changes are substantial, in accordance with clauses 4.3 above.
2. If the changes are grammatical and minor the Policy or Process can be tabled immediately with ELT or Council as the case maybe for approval, except for Work Health and Safety documents where 4.7 of these Guidelines shall be followed.
3. If the changes are as a result of legislative reform or new legislative requirements, or consultation would have minimal impact on the content of the Policy or Process due to the lack of discretion in the drafting of content, then the Policy or Process can be tabled immediately with ELT or Council as the case maybe for approval, except for Work Health and Safety documents where 4.7 of this Policy shall be followed.

3.6 Repealing a Controlled Document

3.6.1 During the review process, where considerations under clause 4.5.1 have over time made the Policy or Process irrelevant to Council's needs, the Policy or Process should be repealed. The Document Control Officer should make such recommendation to the approval body in writing explaining why the document is no longer relevant. Where appropriate, the *Policy and Process Development or Repeal Form* can be used for this purpose.

If they weren't the original approval body, Council shall be advised in the Consensus Agenda of repealed Policies or Processes relevant to them.

All decisions to repeal a Policy or Process must be recorded in the *Policy and Process Development or Repeal Form*, signed off by the relevant delegate and registered within Council's EDRMS.

NOTE – Policies and Processes must always be repealed by the person or body that initially approved it. For example, where a Policy or Process was approved by Council, it is appropriate for Council to repeal the document should this be necessary.

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The Document Control Officer should also place notes to this effect on the EDRMS record, including a copy of the written request to repeal the document and approval, and remove the Policy or Process from the active Document Register to ensure that users no longer rely on it.

3.7 Work Health and Safety Policies and Process Requirements

- 3.7.1 In order to ensure that Work Health and Safety (WHS) Policies and Processes comply with relevant legislation, the processes outlined in this clause must be followed when developing or reviewing a WHS Policy or Process. The requirements of this clause take precedence over any other part of these Guidelines where there is overlap. The accountabilities and responsibilities of the CEO, ELT, Supervisor, Workers and Health & Safety Representatives (HSRs) in relation to WHS Policies and Processes are listed in the *WHS Consultation and Communication Policy and Process*.
- 3.7.2 WHS Policy and Process Documents must go through consultation with the WHS Committee and relevant HSRs.
- 3.7.3 Council's Document Register and review schedule shall be monitored by the Corporate Services Team to ensure all WHS Policies and Processes are reviewed as required. The WHS Committee may refer the Policy and Process review schedule to ELT for direction when timeframes are not being met, including consultation and review timeframes.

4. Policy and Process Implementation and Training

- 4.1 Policy & Process Development & Review Guideline awareness training will be provided for Document Control Officers, Document Owners and other relevant Officers as identified.
- 4.2 Awareness training will be developed for each Policy and Process and deployed as relevant to key Stakeholder groups in accordance with Council's *Training Needs Analysis Process*.
- 4.3 Supervisors, Health and Safety Representatives and WHS Committee members shall be trained in WHS Policies and Processes. Council's Training Needs Analysis will be updated and a training plan developed for Workers and other relevant stakeholders when WHS documentation is developed or modified.

5. Documents to Implement Guideline

Policy Template
 Process Template
 Controlled Document User Guide
 Policy and Process Development or Repeal Form
 Public Consultation Policy
 Training needs analysis, training plans and training records
 Fact Sheet: How to create a record version in TRIM
 Fact Sheet: Working with Revisions in TRIM
 Fact Sheet: Difference between versions and revisions

6. Legislation and References

Local Government Act 1999 – Sections 59, 99 and 107
 South Australia Work Health and Safety Act 2012

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7. Review

This Guideline will be reviewed by the Document Control Officer in consultation with the relevant Stakeholders, within four years or more frequently if legislation or Council's need changes.

8. Document Control

Corporate Plan Link:		6.2 Ensure that Council's policy and process Guidelines are based on principles of sound governance and meet legislative requirements.		
Document Owner:	Chief Executive Officer		Document Control Officer:	Team Leader, Corporate Governance and Information Services
Consultation Rating:	B	Audience:	Internal	Next Review Date: 28/07/2026
Version history				
Version No.	Date		Description of Change	
3.0	28/07/2022		Policy updated to Policy and Process Development and Review Guideline to narrow focus to key governance documentation.	
2.0	5/11/2019		Policy updated to take into account the new Document Register and HPE Content Manager document review capabilities.	
1.0	28/03/2017		New Policy	

9. Definitions

Consultation	Consultation requires: - that relevant information about the matter is shared with Stakeholders - Stakeholders are given a reasonable opportunity to express their views and raise issues in relation to the matter - that the views of Stakeholders are considered - that Stakeholders are advised of the outcome of any consultation in a timely manner - if Stakeholders are represented by a HSR, the consultation includes the HSR. There may be specific consultation requirements under Council's <i>Public Consultation Policy</i> depending on the Controlled Document which is being developed.
Document Control Officer (DCO)	Responsible for the development or review of a Controlled Document and who has acquired through experience, qualification or training, the knowledge and skill to carry out the task.
Document Owner	Accountable for the development or review of a Controlled Document.
Electronic Document and Records Management System ("EDRMS")	An automated system used to manage the creation, use, management, storage and disposal of physical and electronic Documents and Records, for the purposes of supporting the creation, revision and management of digital Documents, improving Council's workflow, and providing evidence of business activities.
Health and Safety Representative ("HSR")	In relation to a Worker, means the HSR elected for the Work Group of which the Worker is a member.

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Administrative Policy	Sets out CEO's / delegate's position on an issue where the issue relates to Council administration; does not impact the community; or affects only its Workers and/or Elected Members. Compliance with Policies is mandatory.
Council Policy	Sets out Elected Body's position and commitment on an issue. Includes a statement of intent and provides direction (or principal course of action) as opposed to a guiding process. May be required by legislation or has a significant impact on the community.
Process	Establishes specific rules, steps or actions required to apply or implement a Policy or Code. Must remain consistent with related policies. Compliance with Processes is mandatory for those persons to whom the activity relates.
Stakeholders	Those who are directly impacted by or who are interested in a Controlled Document. Can include Employees, other Workers, Elected Members and members of the public.
Worker	A person who carries out work for Council, including work as: (a) an employee; or (b) a contractor or subcontractor; or (c) an employee of a contractor or subcontractor; or (d) an employee of a labour hire company who has been assigned to work in the person's business or undertaking; or (e) an outworker; or (f) an apprentice or trainee; or (g) a student gaining work experience; or (h) a volunteer; or (i) a person of a prescribed class.

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DEBATE REPORT

7.1 Office of the Mayor and CEO

7.1.4 VARIATION TO DELEGATIONS REGISTER - UPDATES TO LEGISLATION

**Author: Governance Officer
26/23188**

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.

RECOMMENDATION

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) *Dog and Cat Management Act 1995*
- (2) *Local Government Act 1999*
- (3) *Local Government (Elections) Act 1999*
- (4) *Local Government (Members Allowances and Benefits) Regulations 2025*
- (5) *Planning, Development and Infrastructure Act 2016*

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 delegate 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 five pieces of legislation being:

Dog and Cat Management Act 1999

New

- Power to notify the Dog and Cat Management Board of preparing or amending a management plan.
- Grants authorised officers powers to recover expenses.
- Sharing of information between Council, the Board or Department.

Deleted

- Power to amend a management plan and present to the Dog and Cat Management Board.

Local Government Act 1999New

- Community Engagement Charter provisions are now active.
- Public consultation required for land management plans and planting of vegetation

Changed

- Minor wording edits to align with new Community Engagement Charter.

Deleted

- Removal of former public consultation provisions.

Local Government (Elections) Act 1999New

- Requirement to conduct a public meeting for candidates unless otherwise stated in Council's caretaker policy.

Changed

- Inform electors to be enrolled in line with the Community Engagement Charter.

Deleted

- Nomination and removal of a deputy returning officer.
- Provision of voters roll to a candidate (not delegable – this is a candidate entitlement)

Local Government (Members Allowances and Benefits) Regulations 2025Changed

- Updated from 2010 legislation to 2025. This is the only delegation under this instrument.

Planning Development and Infrastructure Act 2016 – Instrument ANew

- Initiation of a scheme relating to a declared project area or designated growth area.
- Make a submission on a variation to a basic infrastructure scheme.
- Consultation regarding funding arrangements for infrastructure frameworks.
- In regard to a Local Area Plan:
 - Prepare a plan
 - Consult on the plan
 - Supply to the Minister for approval
 - Request an exemption
 - Publish a plan
- Allow a land owner access to plans, drawings etc, where not in contravention of other laws.

Changed

- Amendment under the regulations to adhere to building compliance.
- Renaming of tree canopy scheme.

Deleted

- Requirement to seek Commission authorisation for
 - civil penalties
 - enforceable voluntary undertakings

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 - April 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*.

DOG AND CAT MANAGEMENT ACT 1995
NEW Provisions

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
822354	Dog and Cat Management Act 1995	section 26A(2)	Notify Board on preparing or amending a plan of management		council
822355	Dog and Cat Management Act 1995	section 48(6)	Authorise a person to take any action required under the direction		council
822356	Dog and Cat Management Act 1995	section 48(7)	Recover reasonable costs and expenses as a debt		council
822358	Dog and Cat Management Act 1995	section 73(2)	Provide information and documents to another person or body		council
822359	Dog and Cat Management Act 1995	section 73(3)	Provide information or documents that do not directly or indirectly disclose the identity of any person to another person or body		council

DELETED Provisions

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
459884	Dog and Cat Management Act 1995	section 26A(3)	Present dog and cat management plan to Dog and Cat Management Board		council

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
459885	Dog and Cat Management Act 1995	section 26A(5)	Amend dog and cat management plan		council

LOCAL GOVERNMENT ACT 1999

NEW Provisions

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
822909	Local Government Act 1999	section 50A(1)	Prepare and adopt a community engagement policy	NOT DELEGATED TO THE CHIEF EXECUTIVE OFFICER	council
822910	Local Government Act 1999	section 50A(2)	Make additional provision not inconsistent with the charter and provide for community consultation and participation in relation to any other decision, activity or process		council
822911	Local Government Act 1999	section 50A(4)	Adopt a community engagement policy that: • is of general or limited application; and • varies in operation; and • provides for or for the granting of exemptions	NOT DELEGATED TO THE CHIEF EXECUTIVE OFFICER	council
822912	Local Government Act 1999	section 50A(5)	Alter a community engagement policy or substitute a new policy		council
822913	Local Government	section	Undertake public consultation before adopting, altering or		council

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	Act 1999	50A(6)	substituting a community engagement plan		
822915	Local Government Act 1999	section 76(12a)(b)	Determine requirements of the council		council
822919	Local Government Act 1999	section 197(1)	Undertake public consultation		council
822920	Local Government Act 1999	section 232(b)	Undertake public consultation		council
822921	Local Government Act 1999	section 246(4)	Give public notice of alteration		council

CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
460438	Local Government Act 1999	section 45(3)	Consult with public the local community consultation regarding the manner, places and times at which the council's offices will be open to the public and any significant changes to these arrangements		council
460446	Local Government Act 1999	section 48(6)	Take steps to prevent the disclosure of specific information <u>in a report under section 48(1) of the Local Government Act</u> in order to protect its commercial value or to avoid disclosing the financial		council

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			affairs of a person (other than the council)		
460458	Local Government Act 1999	section 50(8)	Provide Comply with the copy any of mandatory requirement policy and have the regard council to under and section seek 50 to of achieve the relevant Local principles Government or Act performance for inspection at the principal office of the council outcomes		council
460513	Local Government Act 1999	section 122(6)	Adopt a process to ensure that members of the Undertake public are consultation given in reasonable opportunity relation to be involved in the development and review of the council's strategic management plans		council
460516	Local Government Act 1999	sections <u>section</u> 123(3)(b)	Follow relevant steps in the Undertake public consultation policy in regard to the draft annual business plan		council
460563	Local Government Act 1999	section 151(5)(e)	Follow the relevant steps in the Undertake public consultation policy with respect to a proposed change to the basis of the rating any land, the valuation of land for the purpose of rating or imposition of rates on land		council
460569	Local Government Act 1999	section 151 <u>156</u> (14a)(b)	Follow the relevant steps in the Undertake public consultation policy with respect to a on a proposed change to the differentiating factor in relation to land		council
460594	Local Government Act 1999	section 170	Publish <u>Give a public</u> notice of the declaration of a rate or service charge in the Gazette and a newspaper circulating in the council		council

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
			area		
460633	Local Government Act 1999	section 184(4) (a) (c)	Place Give public notice of the notice sent to the principal ratepayer in a newspaper circulating throughout the State		council
460665	Local Government Act 1999	section 193(2)	Follow steps on Undertake public consultation policy in respect of a proposal to exclude land from classification as community land		council
460667	Local Government Act 1999	section 193(6)	Give <u>public</u> notice in the Gazette of a resolution to exclude land from classification as community land or to classify land as community land		council
460669	Local Government Act 1999	section 194(2)(b)	Follow steps on Undertake public consultation policy in respect of a proposal to revoke on the classification of land as community land <u>proposal</u>		council
460687	Local Government Act 1999	section 202(2)	Follow the relevant steps in the council's Undertake public consultation policy in regard to granting a lease or licence relating to community land		council
460732	Local Government Act 1999	section 219(7)	Publish Give public notice of the adopting or altering of a policy on the assigning of road name in the Gazette, in a newspaper circulating within the council area and on a website determined by the chief executive		council

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
460742	Local Government Act 1999	section 223(1)	Follow the relevant steps in the council's Undertake public consultation policy		council
460769	Local Government Act 1999	section 237(4)(b)	Notify the owner of a vehicle of the removal of the vehicle by public notice published in a newspaper circulating generally within the State		council
460780	Local Government Act 1999	section 246(4a)	Publish Give a public notice of a determination under section 246(3) (b)(e) in the Gazette and a newspaper circulating generally in the council area		council
460787	Local Government Act 1999	section 249(7)	Publish Give a public notice of making a by-law		council
460789	Local Government Act 1999	section 250(7)	Publish Give a public resolution notice adopting of the adoption of a model by-law in a newspaper circulating in the council area		council
460813	Local Government Act 1999	section 259(2)(b)	Give Undertake notice public in a newspaper circulating in the council area of the place or places where copies of the draft policy are available for inspection and purchase and invite written submissions consultation		council

DELETED Provisions

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
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#	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
460415	Local Government Act 1999	section 13(2)(ba)	Publish a copy of the public notice in a newspaper circulating within the council area		council
460452	Local Government Act 1999	section 50(1)	Prepare and adopt a public consultation policy		council
460453	Local Government Act 1999	section 50(5)	Alter or substitute the public consultation policy		council
460454	Local Government Act 1999	section 50(6)(c)	Prepare a document setting out the council's proposal to adopt a public consultation policy or to alter or substitute a public consultation policy		council
460455	Local Government Act 1999	section 50(6)(d)	Publish in a newspaper circulating within the area of the council a notice of the proposal inviting interested persons to make submissions		council
460456	Local Government Act 1999	section 50(6)(e)	Consider submissions		council
460457	Local Government Act 1999	section 50(7)	Determine that the alteration of a public consultation policy is of minor significance that would attract little (or no) community interest		council
460459	Local Government Act 1999	section 50(9)	Provide for the purchase of a copy of a policy of the council under section 50 of the Local Government Act		council

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
460517	Local Government Act 1999	section 123(5)	Ensure that copies of the draft annual business plan are available at the meeting under section 123(4)(a)(i) of the Local Government Act, and for inspection and purchase (at the principal office of the council and on the council's website		council
460518	Local Government Act 1999	section 123(5a)	Provide a facility for asking and answering questions and the receipt of submissions on the council's website		council
460564	Local Government Act 1999	section 151(8)	Provide copies of the report required by section 151(5)(d) of the Local Government Act at the meeting held under section 151(7)(a)(i) of the Local Government Act		council
460570	Local Government Act 1999	section 156(14e)	Provide copies of the report required by section 156(14a)(a) of the Local Government Act at the meeting held under section 156(14d)(a)(i) of the Local Government Act		council
460677	Local Government Act 1999	section 197(1)(b)	Follow the relevant steps in the council's public consultation policy		council

LOCAL GOVERNMENT (ELECTIONS) ACT 1999

NEW Provisions

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
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#	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
823255	Local Government (Elections) Act 1999	section 91B(1)	Hold at least 1 meeting involving candidates and members of the public		council
823256	Local Government (Elections) Act 1999	section 91B(2)	Hold a meeting remotely using audio visual technology or any other means determined appropriate by the delegate		council

CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
460345	Local Government (Elections) Act 1999	section 13A(2)(a)	Inform potential electors in the council area of the requirements to be enrolled on the voters roll <u>in accordance with the community engagement charter</u>		council

DELETED Provisions

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
460342	Local Government (Elections) Act 1999	section 10(3)	Nominate a person as a deputy returning officer of the council area		council
460343	Local Government	section	Participate in consultation with the Electoral Commissioner regarding the proposed removal of a deputy returning officer nominated by the		council

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
	(Elections) Act 1999	10(9)	council		
460348	Local Government (Elections) Act 1999	section 15(15)	Provide a copy of the voters roll to a nominated candidate for the election		council

LOCAL GOVERNMENT (MEMBERS ALLOWANCES AND BENEFITS) REGULATIONS 2025
CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations	Capacity of Council
460372	Local Government (Members Allowances and Benefits) Regulations 2010 2025	regulation 5(3)	Aggregate claims for reimbursement of expenses and pay the claim on a quarterly or monthly basis		council

INSTRUMENT A - INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING & DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A COUNCIL; A DESIGNATED AUTHORITY; A DESIGNATED ENTITY INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING & DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A COUNCIL; A DESIGNATED AUTHORITY; A DESIGNATED ENTITY

NEW Provisions

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations
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#	Delegation Source	Provision	Item Delegated	Conditions & Limitations
821667	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s163A(1)	35.Initiation of Scheme – Primary Infrastructure in Relation to Declared Project Area or Designated Growth Area 35.1 The power pursuant to Section 163A(1) of the PDI Act to initiate a scheme in relation to the provision of primary infrastructure in a declared project area or designated growth area.	
821668	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s163A(2)	35.Initiation of Scheme – Primary Infrastructure in Relation to Declared Project Area or Designated Growth Area 35.2The power pursuant to Section 163A(2) of the PDI Act to initiate a scheme by preparing a draft outline of the scheme that: 35.2.1provides detailed information about the nature and intended scope of the primary infrastructure; and 35.2.2identifies the proposed declared project area or designated growth area (as the case requires), being the area or areas that will benefit from the primary infrastructure to be provided under the proposed scheme; and 35.2.3provides information about the proposed timing or staging of the various elements of the scheme (to the extent such information is known); and 35.2.4outlines, so far as is reasonably practicable, a funding arrangement for the scheme, including whether it is proposed to impose a charge under Subdivision 7, Division 1, Part 13 of the PDI Act; and 35.2.5in the case of a scheme relating to a declared project—identifies any proposed amendments to the Planning and Design Code that may be made in connection with the declared project (including the provision of primary infrastructure under the scheme); and 43.35.2.6identifies (to the extent possible) any primary infrastructure that might be	

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			transferred to another entity when the scheme has been completed; and 35.2.7 provides such other information as the Minister, CGO or proponent thinks fit (as the case requires).	
821669	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s163A(3)	35. Initiation of Scheme – Primary Infrastructure in Relation to Declared Project Area or Designated Growth Area 35.3 The power pursuant to Section 163A(3) of the PDI Act to: 35.3.1 in all cases—take reasonable steps to consult on the draft outline with: 35.3.1.1 the owners of land within the proposed declared project area or designated growth area (as the case requires), except: (a) in a case where that area is the subject of a precinct master plan under the Urban Renewal Act 1995; or (b) in prescribed circumstances; and 35.3.1.2 if the scheme relates to a declared project – the person undertaking the declared project, and any other person or body the delegate thinks fit; and 35.3.2 submit the draft outline to the Minister or CGO (as determined by the Minister) for approval, together with: 35.3.2.1 a report to the Minister or CGO (as the case requires) setting out the outcome of the consultation required under paragraph (a); and 35.3.2.2 any other information required by the Minister or CGO (as the case requires).	
821670	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a	s163A(3)(a)(ii)	35. Initiation of Scheme – Primary Infrastructure in Relation to Declared Project Area or Designated Growth Area 35.4 The power pursuant to Section 163A(3)(a)(iii) of the PDI Act for the delegate to consult with the person or body responsible for preparing a draft outline.	

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
821671	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s163A(4)	35.Initiation of Scheme – Primary Infrastructure in Relation to Declared Project Area or Designated Growth Area 35.5The power pursuant to Section 163A(4) of the PDI Act, to after approval of a draft outline: 35.5.1publish it in the Gazette; and 35.5.2arrange for its publication on the SA planning portal.	
821672	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s167A(2)(a)(i)	39.Variation of Basic Infrastructure Scheme to Include Primary Infrastructure 39.1The power pursuant to Section 167A(2)(a)(i) of the PDI Act to make submissions on the proposed variation within a period specified by the scheme coordinator.	
821673	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated	s169(8)(a)(ii)	40.Funding Arrangements 40.2The power pursuant to Section 169(8)(a)(ii) of the PDI Act to, in relation to a funding arrangement that provides for or includes the collection of contributions under Part 13 Division 1 Subdivision 8 of the PDI Act in relation to prescribed infrastructure, consult with the Coordinator General's Office or the Chief	

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Authority; a Designated Entity (Instrument A)		Executive.	
821674	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s245A(1)	64.Local Area Plans 64.1The power pursuant to Section 245A(1) of the PDI Act, to, in accordance with the requirements of this section, prepare a report (a Local Area Plan) that: 64.1.1addresses the strategic planning issues within the area of the Council, with particular reference to: any regional plan that applies in respect of the area of the Council (a relevant regional plan); and 64.1.1.2any other policy or document prescribed by the regulations; and 64.1.2addresses appropriate amendments to the Planning Rules as they apply within the area of the Council; and 64.1.3contains such other material as may be: 64.1.3.1prescribed by the Regulations; or 64.1.3.2required by the Minister.	Not in the Act
821675	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s245(a)(2)	64.Local Area Plans 64.2The power pursuant to Section 245(A)(2) of the PDI Act, to review a Local Area Plan: 64.2.1within 12 months of being directed to do so by the Minister following an amendment to a relevant regional plan; and 64.2.2in any event, within 5 years after the completion or review of the last Local Area Plan under this section, and following a review to vary the Local Area Plan.	Not in the Act
821676	Instrument of Delegation under the Planning, Development and	s245A(3)	64.Local Area Plans 64.3The power pursuant to Section 245A(3) of the PDI Act, to in connection with	Not in the Act

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		the preparation of a Local Area Plan, or a review under Section 245A(2) of the PDI Act: 64.3.1consult with its community in accordance with any requirements prescribed by the regulations; and 64.3.2consult with any prescribed authority or body in the manner specified by the Regulations.	
821677	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s245A(4)	64.Local Area Plans 64.4The power pursuant to Section 245A(4) of the PDI Act, to furnish a Local Area Plan prepared, or varied, under Section 245A of the PDI Act to the Minister for Approval.	Not in the Act
821678	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s245A(5)	64.Local Area Plans 64.5The power pursuant to Section 245A(5) of the PDI Act, to request the Minister exempt the Council: 64.5.1from a requirement to prepare, or review, a Local Area Plan under Section 245A of the PDI Act ; or 64.5.2from a particular requirement with respect to a Local Area Plan under Section 245A of the PDI Act.	Not in the Act
821679	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations,	s245A(7)	64.Local Area Plans 64.6The power pursuant to Section 245A(7) of the PDI Act, to once approved by the Minister, publish the Council's Local Area Plan on a website maintained by	Not in the Act

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		the Council.	
821680	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s245A(8)	64.Local Area Plans 64.7The power pursuant to Section 245A(8) of the PDI Act to act jointly with another Council under Section 245A of the PDI Act and to act on behalf of or with the agreement of the other Council or Councils in undertaking any process or procedure under Section 245A of the PDI Act.	Not in the Act
821682	Planning, Development and Infrastructure (General) Regulations 2017	r116A(2)	91.Access to Documents 91.1 The power pursuant to Regulation 116A(2) of the General Regulations, to not make available any plans, drawings, specifications or other documents or information referred to in Regulation 116A(1) of the General Regulations for inspection or copying if to do so would: 91.1.1in the opinion of the delegate, unreasonably jeopardise the present or future security of a building; or 91.1.2involve an infringement of copyright in matter contained in a document; or 91.1.3constitute a breach of any other law.	
821681	Planning, Development and Infrastructure (General) Regulations	r116A(3)	91.Access to Documents 91.2The power pursuant to Regulation 116A(3) of the General Regulations to charge a reasonable fee for providing copies of documents or information,	

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	2017		unless the Minister sets a fee for that purpose by fee notice made for the purposes of the PDI Act..Access to Documents	

CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations
326059	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s153(2)	3024 31. Temporary Occupation 3024 31.2 The power pursuant to Section 153(2) of the PDI Act to grant an approval under Section 153(1) of the PDI Act; 31.2.1 <u>only if the delegate is satisfied that the relevant building complies with any requirements prescribed by a practice direction issued for the purposes of Section 153(2)(a) of the PDI Act;</u> 31.2.2 on such conditions (if any) as the delegate thinks fit to impose.	The sub-delegate must not exercise any powers and functions sub-delegated for which prescribed qualifications or accreditation is required unless the sub-delegate holds the prescribed qualification or accreditation, in accordance with legislative requirements.
503641	Urban Tree Canopy Off-set Set-Off Scheme	cl 9	83 107. Use of Money from Fund 83 107.1 The power pursuant to clause 9 of the Urban Tree Canopy Off-set Scheme (UTCOS) to use money distributed from the fund for any of the following purposes (and for no other purpose): 83 107.1.1 to provide for the planting, establishment and maintenance of trees within	

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			reserves or public land anywhere within a designated local government area; or 83 107.1.2 the purchase of land within a designated local government area to ensure: 83 107.1.2.1 the preservation of trees; or 83 107.1.2.2 that trees can be established in an area with a low urban tree canopy level or a demonstrated urban tree canopy loss.	

DELETED Provisions

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations
326156	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(17)	54.Civil Penalties 54.5The power pursuant to Section 225(17) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 225 of the PDI Act.	
326164	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(14)	59.Enforceable Voluntary Undertakings 59.6The power pursuant to Section 230(14) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 230 of the PDI Act.	

DEBATE REPORT

7.1 Office of the Mayor and CEO

7.1.5 EXECUTIVE LEADERSHIP TEAM PERFORMANCE REVIEW FRAMEWORK

**Author: Chief Executive Officer
26/24121**

PURPOSE

To review and endorse the Framework for Executive Staff that form the Executive Leadership Team (ELT).

RECOMMENDATION

That Council:

- (1) Authorise the Chief Executive Officer to continue to manage the Executive Leadership Team Performance Review Framework pursuant to Section 120(1)(b) of the *Local Government Act 1999*.
- (2) Endorses the Executive Leadership Team Performance Review Framework as presented at Attachment 1.

REPORT

Background

Council adopted a open and transparent framework for the management and review of executive level staff at its meeting of 21 February 2023.

The framework as is good practice has been updated and is tabled for review and endorsement.

Introduction

The Executive Leadership Team undertook a program in 2025, concluding late in 2025 on our leadership and what and how we will strive to improve and manage the organisation administratively for the foreseeable future.

Discussion

The Executive Leadership Team undertook a program in 2025, concluding late in 2025 on our leadership and what and how we will strive to improve and manage the organisation administratively for the foreseeable future.

This has led to a raft of future thinking and resetting our internal purpose, values and value proposition statements. In essence the lens in which we as the administrative leaders will view decision making, organisational culture, continuous improvement and drive the organisation forward as we continue to grow and grow at a rapid rate in the next decade. As part of implementation we have undertaken the following to date:

- Embedded this model into updated job role specifications.
- Updated the performance review framework.
- Communicated it to staff.
- Updated the performance review data collection processes (used for the first time for the Chief Executive Officers 2025-26 performance review).

Further work is planned to update visual displays and also realign our internal ELT monthly agenda. As internal planning documents are updated like the Corporate Plan the new purpose values and value propositions will be embedded.

Whilst there is no legislative need for a formal policy on an Executive Leadership Team Performance Review Framework this initiative is striving for open and transparent governance and striving for best practice human resources outcomes and processes. It is also sound practice to ensure the executive performance review processes are tailor to the needs of the organisation and strategic direction.

How performance review processes occur in the organisation is for the determination of the Chief Executive Officer, however as the Framework proposes alignment to the Chief Executive Officer review process it is appropriate for Council to review and approve the Framework rather than having two separate (but practically identical) documents.

The Framework has been determined and consulted upon with relevant staff and utilises existing processes in place to gather information and data. Further the policy aligns to the Local Government Act as they apply to the review of the Chief Executive Officer's performance.

The Framework is at [Attachment 1](#).

Any such framework clearly applies to the me, as Chief Executive Officer, however I am required to manage this framework. My performance review is conducted in accordance with the Local Government Act and this framework (which applies, in my view, a high-level test of accountability in any case), therefore I seek Council approval to ensure I can continue to manage this framework pursuant to Section

Summary and Conclusion

With the framework updated and align to recent thinking and purpose and values of the team, it is presented for endorsement.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Executive Leadership Team Performance Review Framework [↓](#) 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS7 Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and

- authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims
- BS10 People and Culture - Support to Managers and employees across the full employee lifecycle, including attraction, recruitment and selection, induction and on-boarding, training and performance development, performance management and offboarding.
- BS13 Strategic/Legislative Planning and Reporting - Provision of organisational performance report (outcomes), activity report (outputs), a range of statutory reporting (e.g. public health, tax, superannuation), financial reporting. Transparency and accountability regarding Council activity and expenditure provided

Legislative Requirements

Sections 102A, 107, and 120 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.

The ELT is responsible for translating Council policy and strategy to service delivery outcomes, the best practice management of performance is critical to service outcomes.

2. SUSTAINABILITY & ENVIRONMENT

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

The ELT is responsible for translating Council policy and strategy to service delivery outcomes, the best practice management of performance is critical to service outcomes.

3. FINANCIAL

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

The ELT is responsible for translating Council policy and strategy to service delivery outcomes, the best practice management of performance is critical to 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.

The ELT is responsible for translating Council policy and strategy to service delivery outcomes, the best practice management of performance is critical to a management of our human resources.

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 ELT is responsible for translating Council policy and strategy to service delivery outcomes, the best practice management of performance is critical to a management of our reputation.

COMMUNITY ENGAGEMENT

Nil required or recommended this is an internal human resource policy, but as it has application to the Chief Executive Officer an executive team it is best practice to ensure Council is overseeing and approving the framework.

Executive Leadership Team Performance Review Framework



1. Document control

Framework Number:	CD/23/14	Council Resolution Number:	
Document Owner:	Chief Executive Officer	Document Author:	Chief Executive Officer
Approval Date		Next Review Date:	

2. Statement of Intent

- 2.1. This Framework sets out The Barossa Council's standards for the performance review of Senior Executive Officers. It aims to:
- 2.1.1. strengthen Council's commitment to good governance by providing clarity of direction and a robust system of performance accountability in alignment with Local Government principles;
 - 2.1.2. ensure an inclusive, fair and reliable review and performance system for Senior Executive Officers; and
 - 2.1.3. achieve alignment of effort, results and accountability across the Executive Leadership Team.

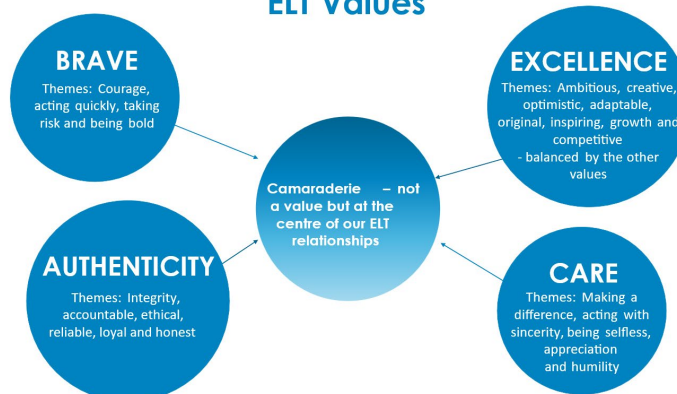
3. Framework Principles

- 3.1. The Executive Leadership Team and Council considers responsible performance review an essential ingredient of good governance. An effective system of review:
- 3.1.1. creates alignment of individual and team effort with organisational goals and objectives;
 - 3.1.2. reflects a shared vision of the organisation's strategic direction;
 - 3.1.3. facilitates discussions on performance expectations, standards and achievements;
 - 3.1.4. provides a mechanism for employees to receive regular feedback and guidance;
 - 3.1.5. helps to maintain high levels of performance and identify areas for improvement;
 - 3.1.6. empowers employees by encouraging input into goal and objective setting;
 - 3.1.7. provides a mechanism to both acknowledge exceptional performance and address under-performance;
 - 3.1.8. identifies learning and development needs;
 - 3.1.9. aids succession planning by identifying outstanding performers; and
 - 3.1.10. provides an avenue for employees to provide feedback on the effectiveness of workplace systems, processes and procedures.
- 3.2. The Framework is underpinned by the following principles:
- 3.2.1. A performance culture grounded in agreed Council values and behaviours.

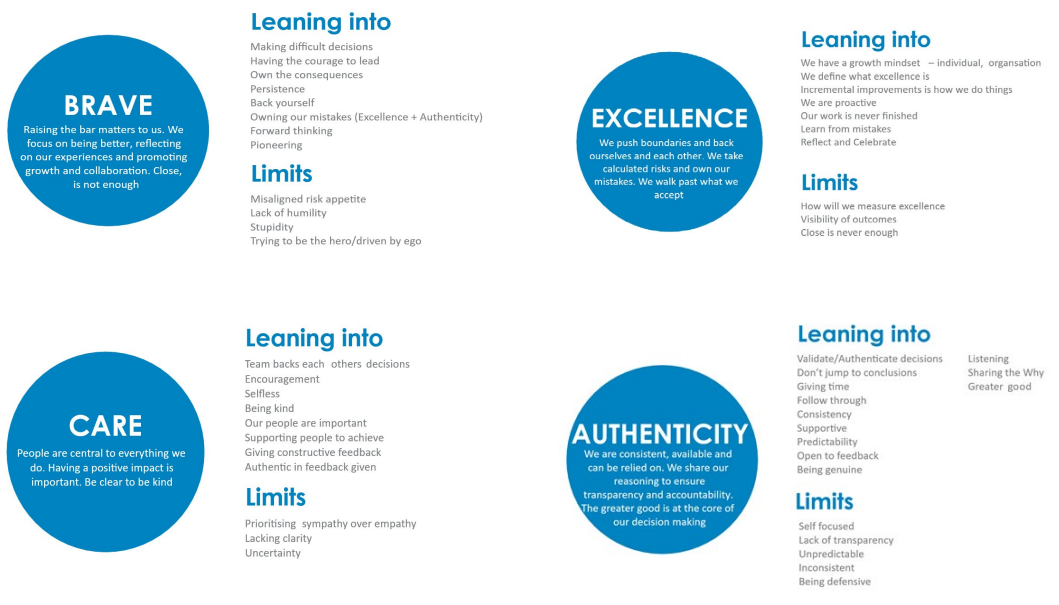
- 3.2.2. Multi-faceted communication involving the Senior Executive Officers, relevant staff and the Chief Executive Officer or the Chief Executive Officers Performance Review Committee and Council.
- 3.2.3. Continuous performance discussions extend beyond the annual evaluation.
- 3.2.4. Alignment of Senior Executive Officer skills, competency requirements, development plans and expectations with strategic objectives.
- 3.2.5. Assessment of outcomes against objective, outcome-related criteria, free from bias.
- 3.2.6. Setting objectives for future professional and personal development and leadership growth.
- 3.3. In the case where a Senior Executive Officers contract and this Framework are inconsistent the employment contract shall prevail giving regard to the intent and principles of this Framework.
- 3.4. The performance review framework is based on the following four competencies and leadership qualities.
 - 3.4.1. Part A – Culture and People
 - 3.4.2. Part B – Key Competencies, Strategies and Deliverables
 - 3.4.3. Part C – Professional and Personal Development
 - 3.4.4. Part D – Performance Report and Targets Agreement

Part A – Culture and People

- 3.5. The design of the framework will focus on the Senior Executive Officers achievement, alignment and development around the purpose, vision and values set by the Executive Leadership Team.



ELT How We Strive To Lead



Part B – Key Competencies and Strategies and Development

- 3.6. The design of the framework will focus on the Senior Executive Officers:
- 3.6.1. responsibilities in leadership, role specific requirements, corporate mission and vision and the corporate plan.
 - 3.6.2. achievement of previously agreed areas of annual deliverables (directorate service plan) the extent they were achieved and setting targets for the forthcoming annual performance review cycle.
- 3.7. The data source for annual review will be based on a report of the Senior Executive Officer against the prior agreed deliverables and an appropriate survey of relevant stakeholders.

Part C – Professional and Personal Development

- 3.8. The design of the framework will focus on the Senior Executive Officers achievement of previously agreed areas of development and set targets for the forthcoming annual performance review cycle.
- 3.9. Data source for review will be based on:
- 3.9.1. Prior performance and development targets.
 - 3.9.2. Training Needs Analysis completed by the Senior Executive Officers and reviewed by the Chief Executive Officer.
 - 3.9.3. Competency Assessments completed by the Senior Executive Officer and Review Officer.

Part D – Performance Report and Targets Agreement

- 3.10. At the conclusion of the review a Performance Report and Targets Agreement will be set for ensuring annual performance review cycle.

Annual Performance Review Cycle

3.11. The annual process is as follows:

Activity	Target Date
Annual review process	Completed by June
Monthly One on One Progress Meetings – Exception Based	Each Month
Quarterly review of progress against performance and development targets	September, December, March and June

Conduct Annual Review and Data Gathering

3.12. Reviews are conducted by:

- 3.12.1. The CEO Performance Review Committee and Council for the Chief Executive Officer in compliance with requirements of Section 102A of the Local Government Act including the appointment of a 'qualified independent person' who is not a member or employee of the Council.
- 3.12.2. The Chief Executive Officer and consultant (if mutually agreed) for the other Senior Executive Officers to comply with Section 107 of the Local Government Act.

3.13. 360-degree surveys

- 3.13.1. Surveys will be managed by the Senior Manager People and Culture, and issued to officers/members or other parties as agreed between the Senior Executive Officer and the Committee/CEO as the case maybe.
- 3.13.2. 360-degree surveys will be at least undertaken once every two years.

3.14. Managing Unsatisfactory Performance

- 3.14.1. Nothing in this Framework relates to the management of unsatisfactory performance, if this occurs it will be managed in accordance with individual contracts and relevant Council Policy.

4. Scope

- 4.1. This Framework applies to all Senior Executive Officers as the primary framework for performance measurement and review.
- 4.2. For the CEO, this Policy guides the CEO Performance Review Committee in conducting the annual review.

5. Responsibilities

5.1. The Council and the CEO Performance Review Committee

- 5.1.1. Conduct the annual CEO review in accordance with Section 102A of the *Local Government Act 1999*, including appointment of a qualified independent person.
- 5.1.2. Note outcomes of Senior Executive Officer reviews conducted by the CEO or consultant.
- 5.1.3. Endorse targets agreements arising from the annual review.

5.2. The Chief Executive Officer

- 5.2.1. Shall conduct annual reviews of Senior Executive Officers (other than their own).
- 5.2.2. Ensure performance expectations and key performance indicators are set and reviewed.
- 5.2.3. Promote an environment of open, honest, objective feedback.

5.3. Senior Executive Officers

- 5.3.1. Participate in setting key performance indicators, development plans and review discussions.
- 5.3.2. Report against deliverables and provide supporting evidence.
- 5.3.3. Complete training needs analysis and competency self-assessments.

5.4. Senior Manager People and Culture

- 5.4.1. Where necessary manage administration of 360-degree surveys except for the Chief Executive Officer unless instructed otherwise.
- 5.4.2. Coordinate data gathering for annual reviews and provide to relevant Senior Executive Officers.

6. Legislation and References

- Section 102A and 107 of the Local Government Act 1999
- South Australian Municipal Salaries Officers Award
- The Barossa Council Enterprise Agreement 2025
- Performance Appraisal Policy
- Training and Professional Development Policy

7. Definitions

Executive	refers to the organisations Executive team, comprised of the relevant Directors and Chief Executive Officer.
Senior Executive Officer	Officers appointed to executive positions of Council being the Chief Executive Officer or a Director of Council. It includes Officers Acting in these positions from time to time. However, this framework does not apply to those Acting as Senior Executive Officers unless it is for a period exceeding six (6) months in continuous duration and is so acting during a review period.
Senior Executive Officer Position Review Periods	For the Chief Executive Officer, that is driven by the anniversary of the contract of employment. For all other Senior Executive Officers, the review period commence shall commence as determined by the Chief Executive Officer (normally in early June of each year) but shall be concluded by 30 June of each year.

8. Version History

This Framework will be reviewed by the Document Author in consultation with the relevant stakeholders, within four years or more frequently if legislation or Council's need changes.

Version No.	Date.	Summary of Changes
1	21/2/2023	New Framework
2		Transferred to new corporate template.

		Update with revised work undertaken by the Executive Leadership Team on its purpose, vision and values and embed these into the policy framework.
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9. Further Information

This Framework is available on Council's website at www.barossa.sa.gov.au. It can also be viewed electronically at Council's principal office at 43-51 Tanunda Road, Nuriootpa during ordinary business hours. A printed copy of this Framework can be obtained upon payment of a fixed fee.

Feedback regarding this Framework or its application can be made to the Customer Service Team on 8563 8444 or barossa@barossa.sa.gov.au in first instance, who will refer you to the most appropriate officer.

DEBATE REPORT

7.1 Office of the Mayor and CEO

7.1.6 SOUTH AUSTRALIAN CIVIL AND ADMINISTRATIVE TRIBUNAL DISCIPLINARY ACTION AGAINST COUNCILLOR PREECE

**Author: Chief Executive Officer
26/24126**

PURPOSE

To receive, note and endorse the orders sought from the South Australian Civil and Administrative Tribunal pertaining to breaches of the *Local Government Act 1999*.

RECOMMENDATION

That Council having reviewed the Grounds of Complaint at Attachment 1 endorse the orders sought and instruct the Chief Executive Officer to provide ongoing update reports to Council on progress and outcomes as the matter proceeds.

REPORT

Background

This matter is well known to members and encases:

1. Six complaints determined in May 2025 against Cr Preece by Council requiring various actions be undertaken including training and apologies.
2. A further finding against Cr Preece by the independent Behavioural Standards Panel (BSP) requiring reimbursement of costs and a further apology.

Discussion

As part of Council's consideration of the BSP report the Council resolved, inter alia, to note my legal requirement to lodge an action against Cr Preece on Council's behalf if the actions stipulated by the BSP and Council were not completed within two ordinary meetings of the BSP report. The two meetings post the findings of where the January and February 2026 ordinary meetings.

Council Resolution of 27 January 2026

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

The Grounds of Complaint is provided at Attachment 1 and is supported by an extensive affidavit which reflects the past 2 years of activity pertaining to the complaints. The affidavit does not provide anything new, but should any member wish to review it, it will be forwarded, noting however that it is a 20-page document supported with over 800 pages of evidence.

The orders sought from the Tribunal are outlined in the complaint and are those established through legal advice and consultation with Mayor Lange OAM.

The lodgement was delayed due to the State Election process -until the election was concluded for the seat of Schubert, the documents could not be lodged.

The documents were fully lodged and served during week concluding 10 April 2026 and we now await dates for hearings.

Summary and Conclusion

With the State Election now resolved and as noted in Council's resolution of 27 January 2026, the necessary Grounds of Complaint and Affidavit have been lodged and are tabled for Council information and endorsement of the orders sought.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Grounds of Complaint [↓](#) 

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



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

Strategic Outcome

- We have a safe, healthy, and resilient workforce.

Corporate Plan

BS5 Enterprise Risk and Safety - The management of Council's Enterprise Risk profile including strategic and operational risk assessment, control and monitoring; internal control and audit; business continuity and disaster recovery planning; organisational emergency management; insurance portfolio management; and Work Health Safety system coordination

- BS7 Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims
- BS10 People and Culture - Support to Managers and employees across the full employee lifecycle, including attraction, recruitment and selection, induction and on-boarding, training and performance development, performance management and offboarding.

Legislative Requirements

Section 264 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.

Impacts delivery due to utilisation of resources and funds that can be devoted to higher productivity uses.

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.

Impacts financial outcomes due to utilisation of resources and funds that can be devoted to higher productivity uses.

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.

Has had real impacts on individuals, clubs and groups who have felt compelled to report behavioural matters to the Mayor.

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.

Has had real impacts on reputation due to the media and community exposure.

COMMUNITY ENGAGEMENT

Nil required or recommended, this is a legal matter now with the Tribunal.



**IN THE SOUTH AUSTRALIAN CIVIL AND
ADMINISTRATIVE TRIBUNAL**

The matter of a complaint pursuant to section 264 of the Local Government Act 1999

SACAT File No:

IN RELATION TO *the matter of a complaint pursuant to section 264*
UNDER THE *Local Government Act 1999*

MARTIN MCCARTHY

Applicant

and

BRUCE PREECE

Respondent

GROUND OF COMPLAINT

Filed on behalf of the Applicant, by Tracy Riddle

Kelley Jones Lawyers
Level 16, 19 Gilles Street
ADELAIDE SA 5000
L Code: 2233
P Code: 8919
Telephone: 8113 7100
Email: triddle@kelleyjones.com.au

Settled by: Tracy Riddle

Date of filing: 8 April 2026

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Rule 49

GROUNDS OF COMPLAINT

I, **MARTIN MCCARTHY** Chief Executive Officer of The Barossa Council (the **Council**), 43-51 Tanunda Road, NURIOOPTA, 5355, HEREBY MAKE A COMPLAINT against **BRUCE PREECE** (the **Respondent**) c/ of The Barossa Council, pursuant to sections 262W(4) and 264 of the *Local Government Act 1999*.

1. Particulars of the Complaint are as follows:

- 1.1 Between 19 January 2026 and 17 February 2026 in the Nuriootpa and other locations in the State of South Australia, you, as a member of The Barossa Council, a council constituted pursuant to the *Local Government Act 1999* (the **Act**), breached section 262W(1) of the Act.
- 1.2 In contravening section 262W of the Act, your behaviour has been found by the Behavioural Standards Panel (the **Panel**), established under the Act, to constitute **misbehaviour**, for the purposes of section 262E of the Act.
- 1.3 Accordingly, pursuant to section 262W(4) of the Act, the Panel has required the Council to lodge a complaint with the South Australian Civil and Administrative Tribunal against you for failing, within two (2) ordinary Council meetings to:
 - 1.3.1 issue six (6) public apologies for the breaches of the *Behavioural Standards for Council Members* (the **Behavioural Standards**) committed between February 2024 and April 2024, to have been found proved against you;
 - 1.3.2 issue the public apology in the manner determined by the Panel in accordance with section 262W(1)(c) of the Act;
 - 1.3.3 reimburse the Council the specified amount of \$810, as proportion of reimbursement of the costs to the Council in relation to dealing with the six (6) complaints made against you under the Behavioural Standards, in accordance with section 262W(1)(e) of the Act;with a view to obtaining an order under section 267(1) of the Act.
- 1.4 In my capacity as the Chief Executive Officer of the Council, I make this complaint against you in accordance with section 264(1)(b) of the Act.

2. Grounds of the Complaint are as follows:

- 2.1 Between February and April 2024, the Council received six (6) complaints (the **Complaints**) alleging the actions and behaviours of the Respondent breached certain clauses under the Behavioural Standards, as prescribed by the Minister in section 75E of the Act.
- 2.2 Each complaint was received and dealt with by the Mayor in accordance with the Council's *Elected Member Behavioural Management Policy*, later updated and

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adopted by the Council on 16 April 2024 as the *Elected Member Behavioural Management Process*.

- 2.3 It was found, following an Initial Assessment of each Complaint, and subsequent Investigation, during which, the Respondent was afforded procedural fairness at all times, that the Respondent breached the Behavioural Standards in the manner alleged.
- 2.4 At its Ordinary Meeting held on 20 May 2025, the Council received and considered the Investigation Reports, resolving to impose certain sanctions on the Respondent in accordance with section 262C of the Act.
- 2.5 On 22 May 2025, the Mayor wrote to the Respondent advising him of the outcome of the Council's decision making regarding the Complaints. The Mayor confirmed the required action to be undertaken by the Respondent for the breaches so found by the Council, and in giving effect to the sanctions imposed.
- 2.6 The Minutes of the next two (2) Ordinary Meetings of Council, held on 17 June 2025 and 15 July 2025, demonstrate the attendance of the Respondent, but his failure to tender the apologies as required of him in accordance with the resolutions of Council, made at its Meeting on 20 May 2025.

3. Referral to the Behavioural Standards Panel: Reference 25BSP-0007

- 3.1 On 24 July 2025, the Respondent having failed to give effect to the sanctions imposed by resolution by the Council at its Meeting of 20 May 2025, the Mayor referred the Complaints to the Panel under section 262Q of the Act.
- 3.2 On behalf of the Panel, in accordance with s262R(1) of the Act, the presiding member determined that the Panel would deal with the Complaints as one complaint of misbehaviour for the purposes of section 262E of the Act
- 3.3 The Panel noted the allegations in the six (6) Complaints and made Provisional Findings in a Provisional Report issued on 16 September 2025, including:

The Panel found that The Respondent failed to comply with council resolution 2022-26/703 and was in breach of section 262C of the Local Government Act 1999, and that The Respondent has therefore committed misbehaviour as defined by section 262E of the Act.

In relation to all allegations, the Panel was satisfied that Cr Preece has been give sufficient opportunity to comply with the actions determined by the council under section 262C(1) of the Act but had not done so.

4. The Panel's Findings and Orders

- 4.1 Having provided the Mayor and the Respondent an opportunity to make a submission on the Provisional Findings, by Final Report issued on 19 January 2026, the Panel determined that:

Cr Preece committed misbehaviour on five occasions as detailed above (see Provisional Findings).

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- 4.2 The five (5) occasions pertain to the fact that the first and second complaint were dealt with in a single report, raising substantially the same allegations, but involving two (2) separate complainants.
- 4.3 The Panel further Ordered that:
1. *It reprimands Cr Preece, by means of a public statement, in accordance with s262W(1)(a) of the Act.*
 2. *The Council is directed to pass a censure motion in respect of Cr Preece, in accordance with s262W(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 s262W(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 s262W(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.*
- 4.4 The Panel required the Respondent give effect to the above Orders within two (2) Ordinary Meetings of the Council following the date of publication of the Final Report, being 19 January 2026.
- 4.5 The Council considered the Findings and Orders of the Panel in its Final Report at its Ordinary Council Meeting held on 27 January 2026 and resolved as follows:

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 s262W(1)(b) of the Local Government Act 1999 (the Act).*
- (2) *Authorise the Chief Executive Officer to provide written confirmation to the Panel as to the completion or otherwise of the Orders.*
- (3) *Note that if Cr Preece does not comply with the Behavioural 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

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- 4.6 The next two (2) ordinary Meetings of Council, following the delivery of the Final Report of the Panel, were held on 27 January and 17 February 2026.
- 4.7 The Council issued an invoice to the Respondent for the payment of \$810 , made payable by 17 February 2026. That invoice remains outstanding at the date of the filing of this complaint.
- 4.8 The Minutes of the Ordinary Meetings of Council held on 27 January 2026 and 17 February 2026 demonstrate that whilst the Respondent was in attendance at both Meetings, no apologies were tendered in accordance with the Orders made by the Panel.
- 4.9 By letter dated 20 February 2025, the Mayor informed the Panel of the Council's resolution made at its Meeting of 27 January 2026, and the Respondent's failure to comply with its Orders.
- 4.10 Given the Respondent's failure to comply with the orders of the Panel, the Council is now required to take action under section 262W(1) of the Act.
- 4.11 This complaint satisfies the Council's requirements to lodge a complaint under section 262W(4) of the Act.

5. Orders sought

- 5.1 On the hearing of a complaint the Tribunal may, if satisfied that the grounds for complaint exist and there is proper cause for taking action against the person to whom the complaint relates, by an order or orders, do one or more of the matters set out under section 267 of the Act.
- 5.2 In this matter, the following Orders are sought:
 - 5.2.1 an order requiring the Respondent to reimburse the Council **\$62,277.86**, being the Council's costs relating to the investigation of the six (6) complaints and giving effect to the Orders made under the Act; and
 - 5.2.2 an order disqualifying the Respondent from holding any Office under the Act; and
 - 5.2.3 an order disqualifying the Respondent from becoming a member of a council, a council committee or a subsidiary of a council for five (5) years; and
 - 5.2.4 such further or other order as the Tribunal deems fit.

DATED this 8 April 2026

Signed by



Tracy Riddle

Solicitor on behalf of the Applicant

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DEBATE REPORT

7.1 Office of the Mayor and CEO

7.1.7 DEPARTMENT FOR EDUCATION MEMORANDUM OF UNDERSTANDING

**Author: Senior Strategy Advisor
26/24618**

PURPOSE

To review and approve the execution of the Draft Memorandum of Understanding between The Barossa Council and The Department for Education pertaining to the Concordia Growth Area and accompanying correspondence.

RECOMMENDATION

That Council having reviewed the Draft Letter and Memorandum of Understanding:

- (1) Authorise the Chief Executive Officer to proceed to sign the Memorandum of Understanding with the Department for Education as per Attachment 1.
- (2) Authorise the Chief Executive Officer to make immaterial and grammatical amendments to the Memorandum of Understanding.
- (3) Note the information provided regarding ongoing engagement with the Department for Education and its consultant groups.

REPORT

Background

As previously briefed and as per the reports to Council on 16 December 2025 and 1 April 2026, Council is aware of Concordia Growth Area development and its opportunities and challenges.

Introduction

Department for Education executives were invited to attend a meeting to discuss future opportunities for collaboration and conduct a site visit of Concordia Growth Area on 19 February 2026. The meeting was positively received with ongoing conversations leading to the drafting of a Memorandum of Understanding (MoU) as per Attachment 1, which was drafted by Norman Waterhouse lawyers.

Discussion

A formal letter has been drafted from the Chief Executive Officer of The Barossa Council to the Executive Director Infrastructure Division, Bill Glasgow, as per Attachment 2, to accompany the MoU. The MoU has been reviewed and approved by the Department for Education and the Department for Housing and Urban Development executive teams.

The MoU captures the intent to share information and pursue strategic opportunities for collocation of education facilities and council social infrastructure. The MoU operates as a statement of intent and is thereby non-binding. However, it does send a strong, positive signal to stakeholders and establishes the framework and intent for ongoing collaboration. The objective is to pursue positive planning and infrastructure outcomes for education, social infrastructure and open space provision for the benefit of the Concordia Growth Area and the Barossa community more broadly.

Further, through ongoing relationship building, Council staff have been invited to be a stakeholder in engagement sessions for the development of the business case for education provision for Concordia and potentially broader northern growth corridors. Key Council staff will participate in workshops later this month to be facilitated by KPMG as the Department's nominated consultant. Staff will be consulted on opportunities for coordination on land use, servicing and access to support timely delivery of new schools, as well as local development context, including local demand insights and community expectations for education infrastructure. Representatives include Natasha Weedon - Senior Strategy Advisor, Aaron Curtis – Senior Manager Development Services, and Tom Marshall – Senior Growth and Strategic Planner.

Summary and Conclusion

With progress made on negotiation of the Concordia Social Infrastructure Deed and related agreements, progressing opportunities with critical stakeholders such as the Department for Education may improve the position upon which a new community can be built, with appropriate levels of infrastructure and within a financially sustainable way.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Final Draft Memorandum of Understanding Dept for Education [↓](#) 
Attachment 2 Letter to Department for Education re MoU Concordia [↓](#) 

Supporting references

Nil.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



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

Strategic Outcome

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



Implementing economic development strategies to support future growth opportunities and a diversified and resilient economy showcasing the Barossa rural and regional character.

Strategic Outcome

- We look to maximize community economic return.



Our Places

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

Strategic Outcome

- We plan for and deliver infrastructure to enhance our places.

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.

Relates to collaboration and arrangements for the planning and servicing of the Concordia Growth Area development.

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.

As above.

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.

Relates to the financial modelling, principles and arrangements for servicing of the Concordia Growth Area development as captured in the Social Infrastructure Deed and related financial modelling.

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 proper planning and engagement of staff and qualified consultants and contractors is critical to the management of people risk.

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 proper management of the new development is critical to the management of reputation risk.

COMMUNITY ENGAGEMENT

Not required or recommended at this stage due to the nature of the matter.



Memorandum of Understanding

The Barossa Council

Department for Education

Concordia Growth Area – Social Infrastructure

Norman Waterhouse Lawyers Pty Ltd ACN 621 909 395

Level 11, 431 King William Street, Adelaide SA 5000

GPO Box 639, Adelaide SA 5001

www.normans.com.au

T +61 8 8210 1200



DATE**PARTIES**

The Barossa Council of PO Box 867, Nuriootpa SA 5355 (**Council**)

Department for Education of GPO Box 1152, Adelaide SA 5001 (**Department**)

BACKGROUND

- A. The Concordia Code Amendment has been finalised and adopted by the Minister for Planning.
- B. Council is planning for the delivery of open space and social infrastructure necessary to service significant population growth within and around the Concordia Growth Area.
- C. The Department is planning for the delivery of education facilities required to service significant population growth within and around the Concordia Growth Area.
- D. The parties have identified that there is mutual benefit in them:
 - (a) sharing information obtained during their respective planning processes; and
 - (b) exploring opportunities to collaborate to achieve co-location of social infrastructure, open space and education facilities within the Concordia Growth Area.
- E. Council and the Department have agreed to enter into this agreement to provide a framework for their ongoing discussions and collaboration.

AGREED TERMS**1. DEFINED TERMS**

In this agreement:

Business Day means a day that is not a Saturday, Sunday or a public holiday in Adelaide, South Australia.

Concept Plan means the concept plan attached at Annexure B.

Concordia Code Amendment means Code Amendment ID: 10014 adopted by the Minister for Planning on 29 September 2025.

Concordia Growth Area means the area outlined in red on the plan attached at Annexure A.

Department means the South Australian Department for Education.

Expiry Date means the last to occur of the date upon which:

- all contributions have been paid;

- all social infrastructure works have been completed; and
- all money has been expended,

under any social infrastructure deed between Council and a developer within the Concordia Growth Area, or as otherwise agreed between the parties.

Legislation includes any Statute or Act of Parliament (whether State or Federal) and any regulation or by-law including by-laws issued by any local government body or authority.

Representative has the meaning given to it in clause 4.1.

Social Infrastructure Principles means the principles contained in Schedule 1.

Statutory Authorities means any government or semi-government authorities and authorities created by or under Legislation (including Council in its separate capacity as a relevant Statutory Authority).

2. STATUS OF AGREEMENT

- 2.1 This agreement is not legally enforceable or binding on the parties but is intended to be a statement of the parties' commitment to collaboration and cooperation to achieve co-location and/or shared use of and/or co-investment in educational facilities, open space and social infrastructure within the Concordia Growth Area, where suitable.
- 2.2 The parties acknowledge and agree that neither party is bound to enter formal documentation. Any in-principle agreement reached by the parties in accordance with or pursuant to this agreement will not be legally binding on the parties unless and until recorded in formal documentation that has been executed by both parties.

3. PURPOSE AND OBJECTIVES

3.1 Objectives

Council and the Department will use their reasonable endeavours and act in good faith to:

- 3.1.1 share information and knowledge that may be of mutual interest or benefit to them;
- 3.1.2 maintain regular dialogue and facilitate regular meetings between their Representatives;
- 3.1.3 commit to joint research and/or feasibility analysis where appropriate;
- 3.1.4 engage in strategic planning and site identification well ahead of anticipated demand to allow for timely delivery of open space, social infrastructure and education facilities;
- 3.1.5 align investigations, planning and delivery of shared community and education infrastructure having regard to the Social Infrastructure Principles; and



- 3.1.6 encourage participation of third parties with an interest in the delivery of open space, social infrastructure and education facilities within the Concordia Growth Area and/or the objectives of this agreement.

3.2 **No fetter**

Nothing in this agreement obliges either party in the performance of their respective obligations under this agreement to act in a manner that may fetter any legislative obligation or discretion of that party.

4. **REPRESENTATIVES**

- 4.1 Each of Council and the Department must appoint a representative or representatives at executive or senior level to be the key contact(s) for discussions held pursuant to this agreement (each, a **Representative** and together **Representatives**).

- 4.2 As at the date of this agreement, the parties' Representatives are:

4.2.1 **Council**

Martin McCarthy, Chief Executive Officer

Natasha Weedon, Senior Strategy Advisor

Tom Marshall, Senior Growth and Strategic Planner

4.2.2 **Department**

Bill Glasgow, Executive Director of Infrastructure

Helen Doyle, Director Capital Projects and Technical Services

Danielle Chadwick, Director New Schools Delivery

- 4.3 A party may vary one or more of its Representatives by notice in writing to the other party.

5. **RELATIONSHIP**

- 5.1 The relationship between the parties is limited to the purposes of this agreement and is not to be construed as a partnership, joint venture, principal and agent, trust, fiduciary or any other special relationship.
- 5.2 Neither party may assume or create any obligation on behalf of the other party.

6. **CONFIDENTIALITY AND PUBLIC ANNOUNCEMENTS**

6.1 **To keep confidential**

It is acknowledged that by virtue of this agreement, each party may be afforded access to and acquire knowledge of the other party's proprietary information of a confidential nature. The party receiving that other party's proprietary information agrees that information is confidential and will not be disclosed to others for use without authorisation from the disclosing party.

6.2 Consultation

The parties agree to consult in good faith before publicly releasing any information (including making any public announcements) in relation to this agreement.

6.3 Auditor General

Nothing in this agreement derogates the powers of the Auditor-General under the *Public Finance and Audit Act 1987* (SA).

7. TERM**7.1 Expiry**

Subject to earlier termination in accordance with clause 7.2, this agreement commences on the date of signing and expires on the earliest of:

7.1.1 the date upon which the parties agree to end this agreement; or

7.1.2 the Expiry Date.

7.2 Termination

A party may terminate this agreement with immediate effect by giving written notice to the other party if:

7.2.1 the other party breaches a term of this agreement and fails to remedy the breach after being requested in writing to do so; or

7.2.2 the other party agrees in writing to the termination.

8. GENERAL**8.1 Assignment**

A party must not assign any of its rights or obligations under this agreement without the prior written consent of the other party.

8.2 Governing law and jurisdiction

This agreement is governed by the laws of South Australia, and the parties irrevocably submit to the non-exclusive jurisdiction of the courts of South Australia.

8.3 Costs

8.3.1 The parties will bear their own costs of this agreement and any further documentation or processes required by this agreement.

8.3.2 Each party enters into all discussions and takes all actions in connection with this agreement at its own risk and expense.

8.4 Notices

- 8.4.1 Any notice required or permitted to be given or served under this agreement must be in writing and will, without prejudice to any other form of service, be treated as being duly given or served if it is:
- 8.4.1.1 left at the recipient party's address; or
 - 8.4.1.2 sent by pre-paid mail to the recipient party's address appearing in this agreement or nominated by that party in writing from time to time.
- 8.4.2 A notice given in accordance with this agreement will be deemed to be received as follows:
- 8.4.2.1 in the case of personal delivery or by courier, when delivered;
 - 8.4.2.2 if sent by prepaid mail, five Business Days after posting (or seven Business Days after posting if posting to or from a place outside Australia); and
 - 8.4.2.3 if sent by electronic mail, on the day after the day the message is showing on the sender's electronic mail system as having been properly transferred or transmitted,
- however if the notice is deemed to be received on a day that is not a Business Day or after 5:00pm, the Notice is deemed to be received at 9:00am on the next Business Day.

8.5 Variation

No variation or waiver of, or any consent to any departure by either party from, a provision of this agreement is of any force or effect unless it is confirmed in writing, signed by the parties and then that variation, waiver or consent is effective only to the extent to which it is made or given.

8.6 Counterparts

This agreement may be executed in counterparts and all executed counterparts constitute one document.

EXECUTED as an agreement

Council

Signed for The Barossa Council by its authorised delegate in the presence of:

..... Signature of witness	 Signature of authorised delegate
..... Name of witness (print)	 Name of authorised delegate (print)
	 Position of authorised delegate

Department

Signed for Department for Education by its authorised delegate in the presence of:

..... Signature of witness	 Signature of authorised delegate
..... Name of witness (print)	 Name of authorised delegate (print)
	 Position of authorised delegate



Schedule 1 Social Infrastructure Principles**1. CONCEPT PLAN**

Development of the Concordia Growth Area will occur generally in accordance with the Concept Plan.

2. GENERAL PRINCIPLES

The provision of social infrastructure should:

- be fit-for-purpose
- be sufficient to serve the needs of the existing and anticipated population
- be multi-use and flexible to ensure adaptability for multiple uses and ability to expand or evolve to meet future demands
- be co-located with a range of other facilities, services and uses where appropriate to maximise use, minimise construction and operational cost, and increase opportunities for community connection
- foster social cohesion by creating shared spaces that encourage interaction, collaboration, and a sense of belonging
- be accessible and inclusive, designed with universal design principles and provide equitable access and a positive experience for all
- be consistent with relevant building, design and community standards from time to time.

3. URBAN DESIGN OBJECTIVES

Where land is to be vested or developed for the purposes of social infrastructure, it should:

- be located and designed in accordance with the Concept Plan, and with regard to the current and anticipated future population
- be located with regard to and future land uses
- be located with regard to Aboriginal cultural heritage
- be located so as to avoid unreasonable constraints on future development and use including contamination, geological instability and flooding risk
- be co-located with schools and other education facilities wherever possible
- be easy to access and prominently located adjacent to activity centres and accessible by road, public transport and active travel networks
- be appropriately located within a road hierarchy that creates visual connections to community facilities and activity centres, and that makes provision for the



orderly and efficient movement of vehicles (including buses) through the development

- not be subject to regular flooding and be designed with integrated mitigation works developed within an overall landscape treatment
- optimise a variety of compatible uses within existing and planned electrical transmission easements.

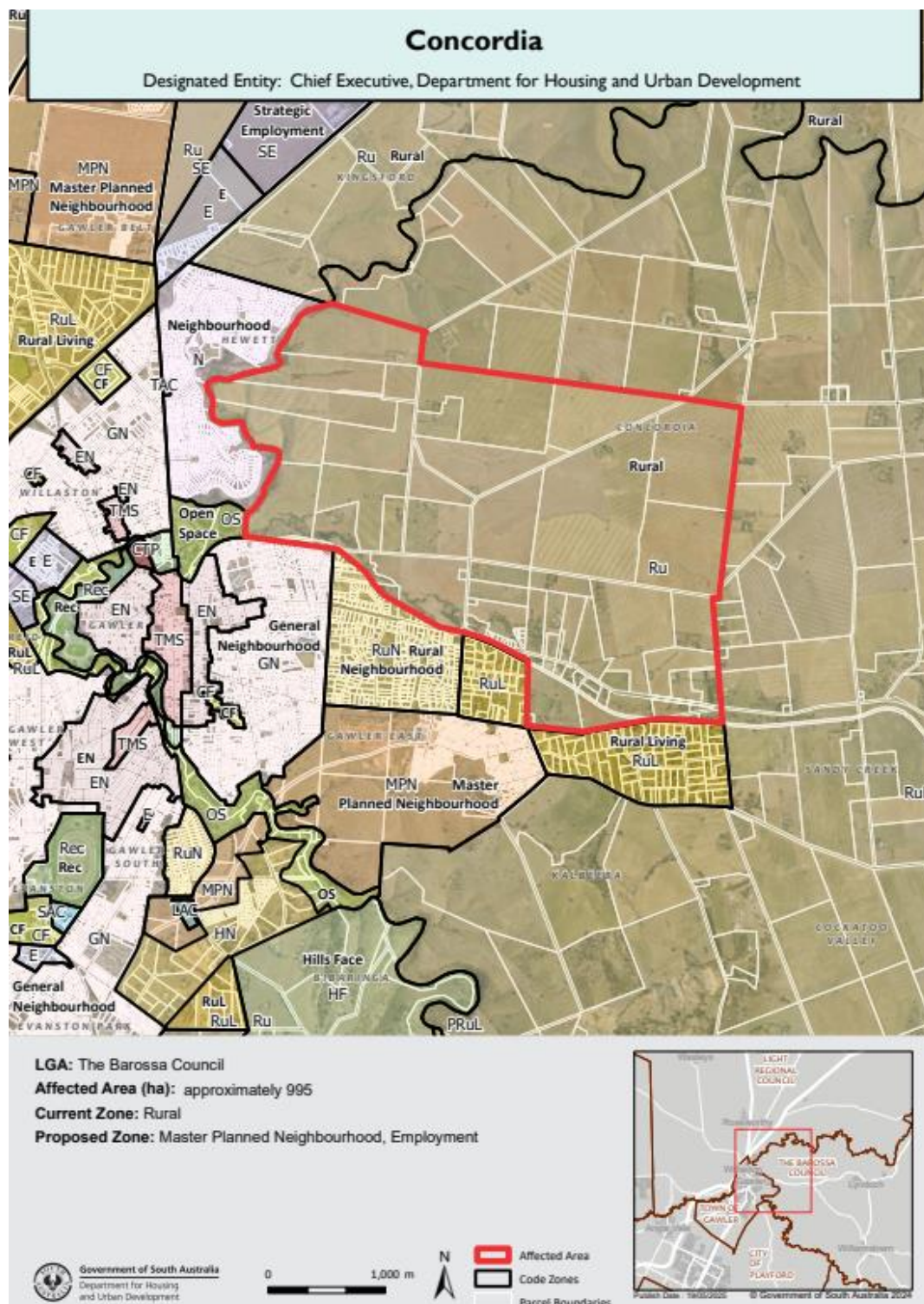
4. TIMING

The timing of social infrastructure delivery should:

- ensure that sites are identified early, ahead of anticipated demand, and aligned with the Concept Plan
- generally align with estimated population growth commensurate with the creation of residential allotments and, in any case, should respond to evolving community needs while not being financially unsustainable or resulting in underutilised infrastructure
- be subject to adequate funding being available, having regard to other requirements and competing priorities
- aim to maximise cost-effectiveness, achieved through the considered staging of development across the Concordia Growth Area and within specific sites.



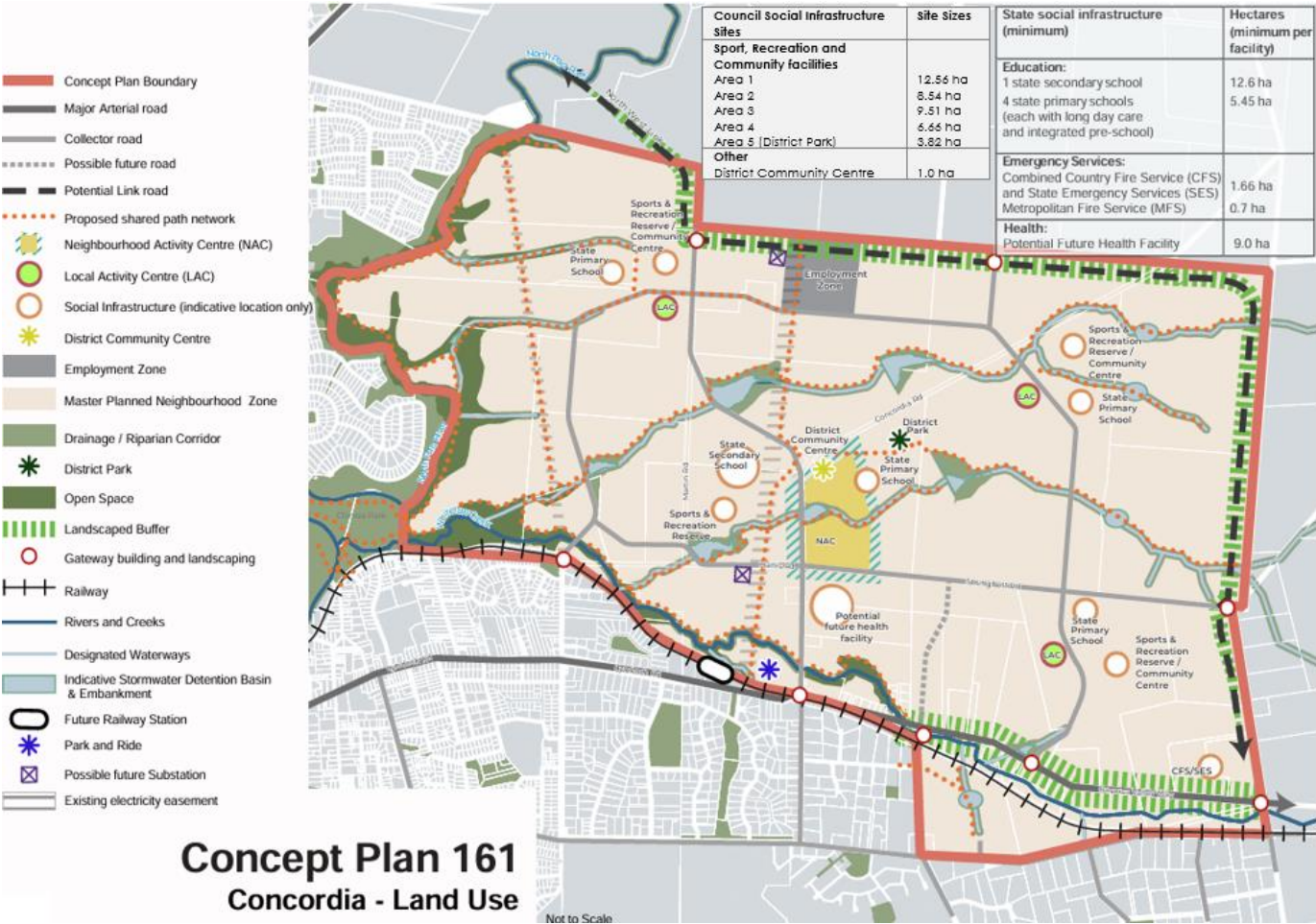
Annexure A Concordia Growth Area



YXM/516919



Annexure B Concept Plan



YXM/516919



Reference: TRIM

13 April 2026

Mr Bill Glasgow

Executive Director Infrastructure Division, Department for Education
GPO Box 1152
Adelaide SA 5001

Dear Mr Glasgow,

Thank you once again to you and your team for your continued engagement on Concordia Growth Area.

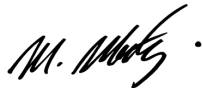
I am pleased to enclose a copy of the Memorandum of Understanding between the Department for Education and The Barossa Council for your review and execution.

Upon receipt of your signature on the attached copy, I will duly sign and return a final executed copy for your records.

On behalf of my team, I look forward to continuing to share information and exploring strategic opportunities for the provision of infrastructure in Concordia, for the benefit of the community.

In the interim, please do not hesitate to contact me at mmccarthy@barossa.sa.gov.au or on 08 8563 8444.

Yours sincerely,



Martin McCarthy
Chief Executive Officer

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



DEBATE REPORT

7.2 Corporate Services, Strategy and Innovation

7.2.1 MONTHLY FINANCE REPORT AS AT 31 MARCH 2026

**Author: Senior Accountant
26/23050**

PURPOSE

The monthly finance report update as at 31 March 2026 provides information on the financial position and performance of the Council, including notes on material trends and transactions.

RECOMMENDATION

That Council receives and notes the monthly finance update report as at 31 March 2026, as provided at Attachment 1.

REPORT

Background

The monthly finance report as at 31 March 2026 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 Q2 budget, as approved at the February 2026 Council meeting.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Monthly Finance Report Council March 2026 [!\[\]\(fbf6d37999da70d13c3a70574a194b09_img.jpg\) !\[\]\(387e3e9ae9ef65d7904975369fbc6fc6_img.jpg\)](#)

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.

MONTHLY FINANCE REPORT

AS AT 31 March 2026

For Year Ending 30 June 2026

	Notes	% Actual Expenditure to Revised Budget	Original Budget (Full-Year) \$'000	Revised Budget (Q2) (Full-Year) \$'000	Actual Result (Year-to-Date) \$'000
Uniform Presentation of Finances					
OPERATING ACTIVITIES:					
		<i>Operating</i>			
Operating revenue			52,900	52,959	49,281
Less: Operating expenses		72.52%	(53,078)	(54,489)	(39,517)
Operating Surplus / (Deficit)			(178)	(1,530)	9,764
CAPITAL ACTIVITIES:					
Net Outlays on Existing Assets					
		<i>Capital</i>			
Capital expenditure on renewal and replacement of existing	1	33.07%	(14,808)	(12,194)	(4,033)
Add back: Depreciation, amortisation & impairment			11,615	12,451	9,338
Add back: Proceeds from sale of replaced assets			344	344	79
Subtotal			(2,849)	601	5,384
Net Outlays on New and Upgraded Assets					
Capital Expenditure on new and upgraded assets	1	48.19%	(18,446)	(8,141)	(3,923)
Add back: Amounts received specifically for new and upgraded assets			5,673	1,387	1,855
Subtotal			(12,773)	(6,754)	(2,068)
Net Lending/(Borrowing) for the Financial Year					
			(15,800)	(7,683)	13,080
Total % Capital Budget Spent					
			39.12%		

NOTES

1) 2025-2026 capital expenditure to end of March 2026 includes:

	\$
-Nuriootpa Waste Water Treatment Plant	1,146,639
-Barossa Park Redevelopment	527,986
-Creative Industries Centre - The Big Project	373,181
-Computer Hardware Refresh - Replacement	346,704
-Computer Hardware Refresh - completion of prior contract	272,791
-NCPA Main Oval Lighting Upgrade	219,236
-Angaston Ovals Lighting Upgrade	209,321
-Enterprise Resource Planning (ERP) project	165,828
-Springton Oval - Play Equipment	164,097
-Eden Valley Playground	139,601
-Road Resealing	1,741,334
-Bridges	129,832
-Footpath Renewal	265,923
-Minor Plant Renewal	55,852
-Public Conveniences	35,783
-Road Pavement	1,324,093
-Stormwater and Drainage	57,147
-Streetscaping	72,787
-CWMS Network Pump Stations	41,955

DEBATE REPORT

7.2 Corporate Services, Strategy and Innovation

7.2.2 TANUNDA HERITAGE TRAIL

**Author: Economic Development and Strategy Lead
26/24011**

PURPOSE

This report seeks Council approval to proceed with renewal of the Tanunda Heritage Trail Markers, as requested by the former Section 41 Tanunda Town Committee representatives, utilising funds retained in the Tanunda Town Reserve Fund.

RECOMMENDATION

That Council approve utilisation of Tanunda Town Reserve Funds as per the budget provided in this report for the renewal and expansion of the Tanunda Heritage Trail to meet contemporary interpretive signage standards.

REPORT

Background

At the April 2025 Council meeting Council considered a request from Patsy Biscoe on behalf of the now defunct Tanunda Town Committee to allocate funds from Tanunda Town Reserve Fund to the renewal of the Tanunda Heritage Trail markers.

This request is consistent with the desire of Council to distribute funding from town reserves and close the accounts.

7.1.3 REQUEST FUNDS FROM TANUNDA TOWN RESERVE - RSL SIGNAGE **25/25507**

MOVED Cr Hurn

That Council:

- (1) Approve the allocation of \$1,000 from the Tanunda Town Reserve as requested at Attachment 1, to be invoiced to Council by the Tanunda RSL.
- (2) Support the investigation into the replacement and repair of the Tanunda Heritage Trail markers to be funded from the Tanunda Town Reserve, pending final approval from Council in due course.

SECONDED Cr Lane

CARRIED 2022-26/666

Since this request was made, \$5000 from the Town Reserve was allocated to the 2025 Tanunda Christmas Parade, leaving a balance of \$94,684 in the Fund.

Council is now in receipt of indicative quotes, and Officers seek approval to proceed with the refresh of the Tanunda Heritage Trail markers.

Introduction

The Tanunda Heritage Trail was an initiative of the former Tanunda Town Committee in 2010. The trail features six markers located at intervals along Murray Street and at Goat Square and is the only substantive example of interpretive signage in the town centre.

It is widely acknowledged that many of the current markers on the Tanunda Heritage Trail are dated and/or in a state of disrepair, creating a less than desirable visitor experience.

Whilst the existing markers are largely focused on European settlement and early pioneer life, Officers see an opportunity to elevate the trail and create a more engaging cultural tourism experience. The introduction of contemporary stories, photography and digital content via integration with the new Barossa Creative Industries Centre (BCIC) Storybank, Barossa Heritage Trails App and Barossa.com website, can extend accessibility, reach, engagement and visitor dispersal, repositioning the Trail as a significant tourism asset.

Discussion

While the markers remain an excellent example of interpretive signage, user expectations of trail signage have changed considerably in 15 years with the introduction of digital storytelling, use of QR codes and other digital integrations.

This project presents an exciting opportunity to restructure and redevelop the content to move beyond European settlement and architecture, providing a more contemporary representation of Tanunda identity and lifestyle. Themes have loosely been identified around food culture, events and festivals and contemporary local landmarks. The positioning of the markers should also be reviewed to create a more logical pedestrian route and provide cues to surrounding attractions and improve wayfinding.

Separately, Council has received SA History Fund funding of \$17,250 for additional markers depicting First Nations (Ngadjuri) heritage, recognising the importance of indigenous storytelling to the Barossa Story. This will be carried out concurrently to achieve efficiencies and this grant funding will offset expenditure of Tanunda Town Reserve funds for this element of the project.

Subject to finalisation of budget, new markers may be located at Barossa Visitor Centre, Barossa Creative Industries Centre and/or Tanunda Recreation Park. The Barossa Visitor Centre, which attracts approximately 55,000 visitors annually, presents a strong opportunity as a key starting point, noting that it does not currently have a dedicated marker. A refresh and reprint of the existing Town Walk of Tanunda brochure, which complements the trail, is also desirable.

The timing of the project is strategically aligned with the delivery of the Barossa Creative Industries Centre to create a precinct that supports visitor wayfinding and cultural storytelling. Council's engagement of an Aboriginal consultant will be critical in supporting the integrity of content. The Barossa Storybank within the BCIC will also provide new opportunities for audio storytelling that can be linked to the markers through the use of QR codes.

Internal advice indicates the markers are considered street furniture and therefore development approval is not required. Costings provided below are based on quotes but subject to price variations based on final detailed requirements. While Director Infrastructure and Environmental Services has given in-principle support for in-kind installation, provision has been made in the budget for civil works associated with excavating and remediating the surface treatment. This is indicative only and subject to a formalised quote.

Item	Cost (ex GST)
Research and content development – internal fixed term contract (Level 3, 128 hours))	\$6,313
Graphic design	\$9,000
Editing (x 10 hours)	\$1,250
3 x frames	\$1,756
Fabrication of panels	\$51,750
Civil works	\$10,000
Brochure design & printing (print run 2000)	\$2,141
Heritage Trail App updates	\$2,000
Sub total	\$84,210
Contingency 10%	\$8,421
Total	\$92,631

The project will be carried out by an internal working group and the work of the former Tanunda Town Centre Committee will be acknowledged.

Any unspent funds will remain in the Tanunda Town Reserve Fund for future projects aligned with the purpose and intent of the former town group.

Summary and Conclusion

This project represents an opportunity to not only refresh existing content on the Tanunda Heritage Trail but create a more engaging visitor experience through the integration of contemporary new content, digital integrations, improved wayfinding and inclusion of First Nations storytelling.

The refresh aligns with new opportunities at the Barossa Creative Industries Centre to uplift the heritage tourism experience and strengthen the cultural depth of this Heritage Trail.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS**Corporate Plan**

- CS10 Economic Development - Facilitating the economic well-being and quality of life of the local businesses and the community
- CS21 Tourism - Provision of a range of tourism services, including; managing the nationally accredited Barossa Visitor Centre, development and maintenance of tourism resources both digital and printed, customer service delivery encouraging longer stays, dispersal throughout the region, and maximising visitor yield and investment in our region, Tourism Business Support, capacity building, training, product development, marketing and events.

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.

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.

The project can be funded within Tanunda Town Reserve Funds and the SA History Fund grant. This reserve is already a provision on Council Statement of Financial Position. The utilisation of the reserve will impact the net financial liabilities increasing it from 80.1% to 80.3% but will not impact the operating statement as it a asset investment. The asset renewal funding ratio with increase from 104.8% to 105.7%. All financial indicators remaining with the target ranges.

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

No community engagement is required, however stakeholder engagement will occur with representatives of the former Tanunda Town Committee as the original instigator of the project.

DEBATE REPORT

7.3 Infrastructure and Environmental Services

7.3.1 THE REX - LEVEL 2 - CONDITION REPORT

**Author: Manager Assets and Capital Delivery
26/18792**

PURPOSE

The Rex - Barossa Aquatic and Fitness Centre expansion works were completed in 2013 and has seen a considerable uptake in community utilisation since this major upgrade was completed (15,000 users to over 200,000 per year). With the building and services approaching lifecycle milestones a level 2 building condition audit (building and services) is required to investigate the current asset condition and assist in the strategic planning and ongoing management for this facility now and into the future.

RECOMMENDATION

That Council endorses approves the engagement to undertake a level 2 services condition audit to investigate the current asset condition and assist in the strategic planning and ongoing management of The Rex – Barossa Aquatic and Fitness Centre being a condition audit totalling \$102,000 ex GST, includes specialist service engineering only, includes 10% project contingency with the budget adjustments outlined in the report to the 2025-26 financial year.

REPORT

Background

The Rex - Barossa Aquatic and Fitness Centre expansion works were completed in 2013 and has seen a considerable uptake in community utilisation since this major upgrade was completed (15,000 users to over 200,000 per year).

Introduction

With the building and services approaching lifecycle milestones a level 2 building condition audit (building and services) is required to investigate the current asset condition and assist in the strategic planning and ongoing management for this facility now and into the future.

Discussion

A level 2 building condition audit is a detailed inspection and assessment of a buildings structure, fabric and services to determine their current condition, remaining life, risks and maintenance requirements.

This level of audit is commonly used in asset management, facility planning, capital works forecasting and due diligence. This type of review is especially linked to the nature of this building given its complexity and cost to ensure the most efficient and best use of long term financial resources to ensure the appropriate service levels are maintained. It includes a systematic on-site inspection of all accessible areas of the

building and services, plant and equipment including; electrical, energy efficiency and sustainability, fire, hydraulic, mechanical and asset management renewal recommendations.

Experienced services engineers, Lucid Consulting was recently engaged in 2022/23 for the pool water heater replacement engineering services at The Rex facility. Having an existing knowledge of the site and systems creates efficiencies in delivering a services review scope of works. Lucid offers a complete level of services engineering that Council requires and have demonstrated confidence with Council as they have been the lead services engineers in many of the recently completed projects including – Barossa Park at Lyndoch, Barossa Rugby Precinct in Tanunda and Barossa United Football Club in Nuriootpa Centennial Park.

A fee proposal was received from Lucid Consulting Group totals \$92,600 ex GST to undertake the services audit.

DASH Architects were the architects that were involved in the design and construction of the expansion works completed in 2013. With that previous relationship there is understood efficiencies with plans and building specifications/records at their disposal which creates cost efficiencies.

A fee proposal received from Dash Architects totals \$42,000 ex GST, to undertake the building condition audit.

In addition to the condition audit, Officers are also seeking to investigate some future expansion planning incorporating the existing building, plant and equipment that quietly explores opportunities and the viability of increasing capacity and services at this facility. Since the major upgrade, utilisation has jumped significantly from 15,000 annually to 200,000 so there is real demand for expansion. Fee proposal received from DASH Architects totals \$6,000 ex GST for this service.

The recommendation proposed will undertake the review of the services and not the buildings structure as that considered exposes Council to the greater service and cost risk. Should Council wish to undertake a full audit, an alternative resolution is:

That Council endorses approves the engagement to undertake a level 2 building and service condition audit to investigate the current asset condition and assist in the strategic planning and ongoing management of The Rex – Barossa Aquatic and Fitness Centre being a condition audit totalling \$135,000 ex GST, includes specialist service engineering only, includes 10% project contingency with the budget adjustments outlined in the report to the 2025-26 financial year.

2025-26	Budget	Estimate	Budget Amendment
Service Audit	\$52,540	\$102,000	\$49,460
Full Audit	\$52,540	\$135,000	\$88,460

Summary and Conclusion

The Rex – Barossa Aquatic and Fitness Centre provides an essential service. Undertaking a Level 2 Services Condition audit will investigate the current asset condition and assist in the strategic planning and ongoing management of the services within the facility whilst aligning required future capital expenditure with the Long Term Financial Plan.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

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.

The Rex – Barossa Aquatic and Fitness Centre is an important asset servicing the community, any significant critical failure of key plant and equipment will have an impact to service delivery. Understanding how the asset condition is tracking against its lifecycle enables ongoing reliability and maintained service delivery. There is no expected impact to existing users while the condition audit is 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.

The existing equipment and plant is approaching lifecycle milestones and end of use, this condition audit will identify opportunities for improved energy efficiency and sustainability enabling Council to plan and operate the facility responsibly and with confidence.

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.

Undertaking a detailed audit of The Rex will confirm the current asset condition and assist in the strategic planning, ongoing management and alignment for this facility with the Long Term Financial Plan.

Council will use the remaining existing operating budgets within the 4275-61140 and 4275-61165 with additional budget of \$49,460 will be required to be added to the budget.

Should the alternative resolution be preferred an additional \$88,460 will be required to be added to the budget.

Service Audit impact on the budget based in the quarter 1 budget review:

- Operating surplus over 3 year rolling period from (2.05%) to (2.09%).
- Net financial liabilities from 80.13% to 80.22%.
- No change to the asset renewal ratio remains at 104.8%.
- The results are minor in nature, with operating surplus being marginally outside the indicator of (2%).

Full Audit impact on the budget based in the quarter 1 budget review:

- Operating surplus over 3 year rolling period from (2.05%) to (2.11%).
- Net financial liabilities from 80.13% to 80.30%.
- No change to the asset renewal ratio remains at 104.8%.
- The results are minor in nature, with operating surplus being marginally outside the indicator of (2%).

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 performance and management of the existing services, plant and equipment at The Rex has a direct and immediate impact on the wellbeing and safety of all users, employees and volunteers.

5. REPUTATION

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

There is significant reputational risk with lifecycle management of critical service infrastructure that supports the regular everyday activities and services that the community utilise at The Rex. Identifying the asset risks and upgrade requirements enable informed capital planning and expenditure.

COMMUNITY ENGAGEMENT

The has been no community consultation undertaken thus far, however discussions with existing key stakeholders and community may be required moving forward.

DEBATE REPORT

7.3 Infrastructure and Environmental Services

7.3.2 KRIEG ROAD LYNDOKH - REQUEST TO SEAL PART OF ROAD

**Author: Principal Engineer and Director Infrastructure and Environmental Services
26/22009**

PURPOSE

To seek Council's consideration and approval for the upgrade of Krieg Road, Lyndoch.

RECOMMENDATION

That Council approves that an unsealed section of Krieg Road, Lyndoch, for a distance of approximately 350 metres west of St Jakobi Primary School, be treated with the structural treatment product as a regional trial, with a capital cost of \$80,000 funded from the 26/27 Road Resheet Program.

REPORT

Background

Numerous requests to upgrade an unsealed section of Krieg Road past the St. Jakobi Primary School at Lyndoch with a bitumen sealed surface have been received from various representatives of the St Jakobi Lutheran School community over the years, the most recent being:

- Letter to Council from Mr Ken Semmler, dated 25 January 2025 - refer attached,
- Letter to Council from the St Jakobi School Principal, Ms Petrea Booth, dated 17 March 2025 – refer attached,
- Deputation by the St Jakobi School Business Manager, Mr Graeme Ruwoldt, to the 18 November 2025 Council Meeting.

Introduction

The first 80 metre section of Krieg Road, from Lyndoch Valley Road to the first creek culvert crossing adjacent the St Jakobi School is already a Sealed Rural Road. The section west of this to Pimpala Road is an Unsealed Rural Road.

The Barossa Council "Infrastructure Asset Management Plan (IAMP), Transport" outlines service level classifications for all roads across the Council area, defined in terms of Community Levels of Service and Technical Levels of Service. The maintenance interventions of Council roads are determined from the rated score on the measures of road assessment:

- Road Commercial Priority
- Road Social Priority
- Road Tourist Priority

- Road Hierarchy

Council's road asset management database currently identifies the section of Krieg Road as a rural unsealed road with:

- No Commercial Priority
- Medium/High Social Priority
- No Tourist Priority.

The road's existing Medium/High Social Priority is because of its access function to the adjacent Primary school precinct. Any change to the existing road asset classification or level of service requires approval of the Elected Members.

Discussion

The unsealed section of Krieg Road is currently graded as required to maintain a road surface that provides a safe operational Level of Service in accordance with Councils Transport Infrastructure Asset Management Plan.

The various requests from the school community have all been in terms of upgrading the unsealed section of Krieg Road with a bitumen sealed surface. A notional distance of 350 metres has been suggested, from the existing seal end at the first creek culvert to the second creek culvert crossing. Refer attached general locality plan.

The reasons outlined for the road upgrade include the perceived low level of service provided by the unsealed road as a result of the dust issues, including:

- the impact on health and well-being of students and staff, particularly those with respiratory conditions,
- the impact on outside learning areas,
- the compromised amenity,
- the high level of air conditioner maintenance required,
- the negative environmental impact.

Council records indicate that Krieg Road was last re-sheeted with compacted rubble in 2007, with numerous grading maintenance interventions since, and its current condition recorded as Fair.

Council measured traffic counts on Krieg Road near Lyndoch Valley Road in September 2025 has the following data recorded:

Average Daily Traffic Count	September 2025
• 5 day (Monday to Friday)	81 vehicles
• 7 day	66 vehicles
• Morning peak - 8am – 9am	16 vehicles
• Afternoon peak - 3pm – 4pm	13 vehicles

Over the past 3 years (since 2023) the Average Daily Traffic Count has remained relatively stable with similar traffic numbers. The overall traffic count is considered very low.

The State Government Location SA Map Viewer identifies road crash data from 2020 to end of 2024 on the State Roads. There are no road crashes recorded on Krieg Road.

In accordance with Council's Transport Infrastructure Asset Management Plan, the issue of dust, whilst noted on all of Council's unsealed road network, is not a determinant for asset management classification and has not, nor will be taken into account for any future requests for road upgrade.

Summary and Conclusion

With consideration to the above data, road hierarchy allocation and expected level of service, there is no identifiable warrant to upgrade Krieg Road with a bitumen sealed pavement surface.

Notwithstanding, it is recognised that dust generated from unsealed roads is an enduring issue across The Barossa Council region, with associated challenges for both the community and Council alike. Commercial dust suppression technology has come a long way in recent years, including the development of innovative non-corrosive, environmentally friendly and cost-effective dust suppression solutions such as the "MasterDust-S" product by "Hiway" and their research partners. This product works by drawing moisture from the air to bind fine soil particles to larger aggregates, dramatically reducing dust, and strengthening road surfaces in dry conditions. Trials to date have also demonstrated a reduction in the need for maintenance grading on roads treated with the product.

Mindful of Council's Asset Management Policy to not seal roads for only dust amenity reasons, it may however be appropriate to engage in a regional trial of the above mentioned "MasterDust-S" product on Krieg Road – for a distance of 350 metres from the end of seal to culvert crossing – as a maintenance intervention measure to reduce the costs associated with annual road grading on this section of road.

The treatment of approximately 350 metres of unsealed Krieg Road with "MasterDust-S" product will cost approximately \$80,000. The majority of the cost would be required to resurface the road in any case for sealing.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

- | | |
|--------------|--|
| Attachment 1 | Concerns - Sealing Krieg Road - Ken Semmler - 25 January 2025 ↓  |
| Attachment 2 | Deputation - Letter Support of Road Upgrade to council - St Jakobi Lutheran School ↓  |
| Attachment 3 | Krieg Road Lyndoch - General Layout Plan ↓  |

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.

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.

The application of a road surface treatment to Krieg Road for a distance of approximately 350 metres will have an estimated road maintenance budget cost of approximately \$80,000 and is to be funded from the 26/27 Road Resheeting Budget

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

Nil

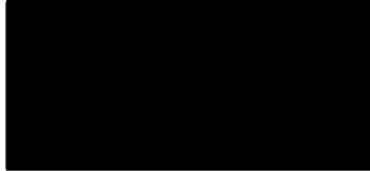
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RECEIVED

31 JAN 2025

THE BAROSSA COUNCIL

Ken Semmler



25 Jan 2025

Mayor Bim Lange OAM
The Barossa Council
PO Box 867
NURIOOTPA SA 5355

Re: Krieg Rd

Dear Mayor Bim,

once again 'tis time to hit the keys re the need to seal part of Krieg Rd. It was a while ago, 18 Apr 2016, that along with the St Jakobi School Principal, Helen and I met with Council to discuss the matter. Subsequently there has been more correspondence. I refer to the 1 Aug 2016 reply from the Manager Engineering Services and quote '... Council's road Asset Management Plan classifies Krieg Road as a local access road with low commercial and tourist activity...its level of service is deemed appropriate for its intended use...'. Sadly it appears that Council has done nought to update that and address the problem of powdery dust from the oft WSW winds blowing over the school. To fail to address the situation is, to put it mildly, a disgrace. I have occasionally discussed this with the School Business Manager and, last week, with the Principal. As you'd know, two major vineyard companies use the road as main access, as well as school traffic, in addition to us lesser mortals. Appropriate action would be appreciated before taking the issue further.

In the hope of receiving good news. Regards,

A handwritten signature in blue ink, likely belonging to Ken Semmler.



17/3/25

Dear Mr. Clark,

RE: Request for Road Infrastructure Upgrade

I am writing to you as the Principal of St Jakobi Lutheran School, located on the corner of Krieg Road and Lyndoch Valley Rd, to express my strong support for the urgent sealing of a section of Krieg Road. The current condition of the road is having a significant and ongoing negative impact on our students, staff and the broader school community, and we request that this matter be prioritised as an essential infrastructure upgrade.

As you are aware, Krieg Road is frequently used by local and commercial vineyard traffic, and the continuous movement of motor vehicles, farming machinery, and semi-trailers on the unsealed road has a huge environmental impact on the school and directly affects our students' health and well-being, particularly those with asthma, allergies, and other respiratory conditions. The level is so severe that we are often forced to keep classroom doors and windows closed, limiting natural ventilation and impacting the overall learning environment.

We have installed expensive air conditioners to maintain a good working environment in all classrooms, expelling CO2 and flooding the room with clean fresh air through a triple filtration system. The air conditioning systems have been significantly affected. Our maintenance contractors have reported damage to our filtration systems, resulting in an increase in the frequency of maintenance required and reduced efficiency. The blocked filtration not only compromises air quality within classrooms but also places an unnecessary financial burden on the school. Attached to this letter are photos provided showing the extent of the problem.

One of the most concerning impacts is on our outdoor learning areas, veranda's and play spaces. We place great importance on providing students with opportunities for outdoor learning, physical activity, and play. However, there are many occasions when we are unable to use these spaces, limiting our students' ability to fully engage in outdoor activities and making our school environment less conducive to health and learning. Our four classrooms and deck areas next to the creek are the closest to the unsealed road and are constantly covered by airborne road surface.

Given these significant issues, I urge Barossa Council to prioritise the sealing of a section of Krieg Road as an urgent infrastructure project. The health and well-being of our students and staff must be a primary consideration, and upgrading this road will provide immediate and long-term benefits to our school and the wider community.

Furthermore, with the potential sealing of a section of Krieg Road, I respectfully request the installation of a zebra crossing near the school main exit/entrance gate on Krieg Road. This crossing would improve the safety of our students, staff and families who use this route as the main throughfare to the carpark. It is crucial that we provide a safer environment for pedestrians, especially in a busy area with significant vehicle traffic.

Additionally, I would like to request the implementation of improved speed signage along Krieg Road. We believe that clearer and more visible signage and speed limit signs would be an important step towards reducing the risk of accidents in this busy area. Ensuring that drivers are aware of the speed limits near the school is essential to safeguarding the children, staff and families who use this road daily.

I appreciate your attention to this matter and welcome the opportunity to discuss these issues further. Please do not hesitate to contact myself or Graeme Ruwoldt should you require additional information or wish to arrange a site visit to witness firsthand the challenges we are facing.

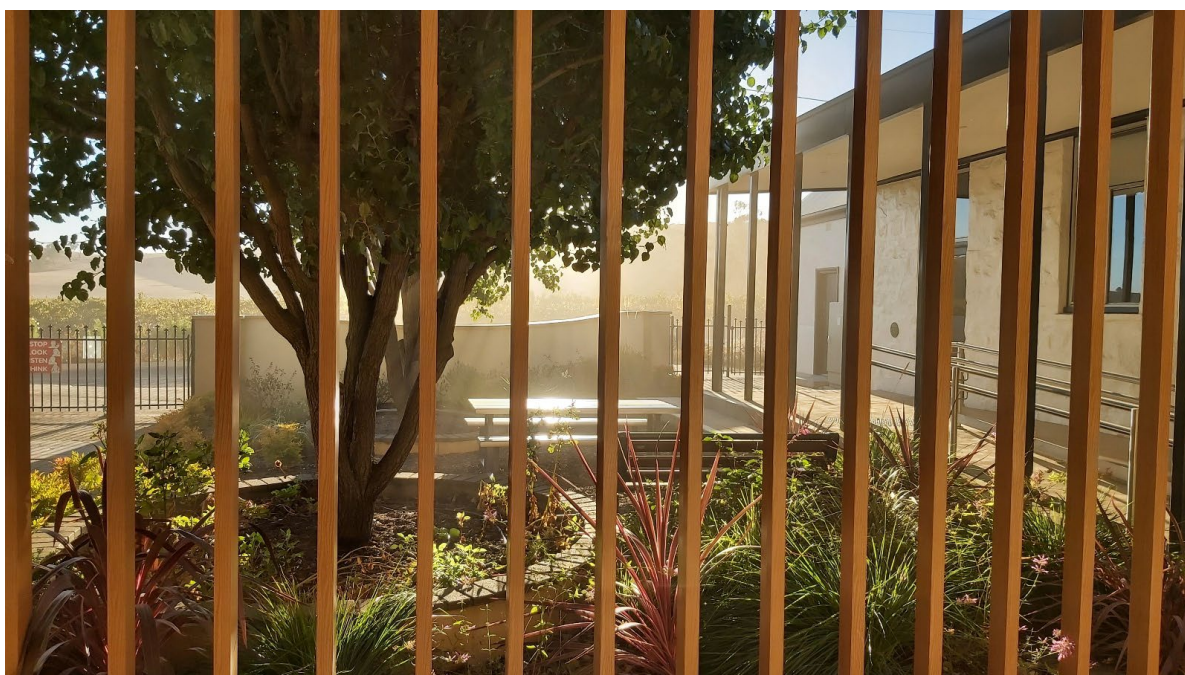
Thank you for your time and consideration.

Yours sincerely,

A handwritten signature in black ink, appearing to be "M. Smith", written in a cursive style.

Principal, St Jakobi Lutheran School

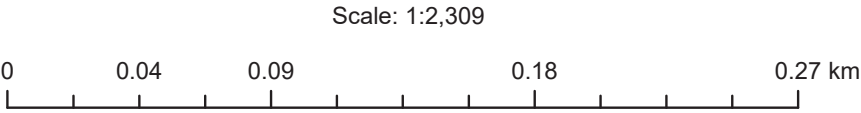




Current Time: 10/04/2026 2:07 PM

Kreig Road, Lyndoch

While every effort has been made to ensure the accuracy of the product, location and attribute data can not be guaranteed. Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated.



Legend		
Boundaries - Local Government Area	<Null>	Barossa Roads
Signs	Formed non built up (FNBU)	Property
Roads - DPI Roads	Sealed non built up (SNBU)	Owner Details



DEBATE REPORT

7.3 Infrastructure and Environmental Services

7.3.3 TABOR CEMETERY COMMITTEE INC - REQUEST TO REINSTATE FUNDING AGREEMENT

**Author: Director Infrastructure and Environmental Services
26/22842**

PURPOSE

To consider an application from the Tabor Cemetery Committee Inc (*attached*) to reinstate the funding agreement that expired 30 June 2024 with Tabor Cemetery Inc for Cemetery on ground maintenance and improvements at Tabor Cemetery.

RECOMMENDATION

That Council enters into agreement with Tabor Cemetery Inc stating:

- (1) 3 Year Funding agreement from 1 July 2026 to 30 June 2029 with an annual allocation of \$4,000(excluding GST).
- (2) Annual contributions to be indexed by the annual movement in the Adelaide Consumer Price Index (CPI) as at the 31 March for the preceding financial year.
- (3) Funds provided being only used towards the on-ground maintenance and improvements at the Tabor Cemetery.
- (4) Annual payment being made subject to receipt of a completed acquittal statement relating to the previous financial year's operations.
- (5) If the financial operations statement review reports an increase in cash balance from the previous year the actual funding allocation may be reduced.

REPORT

Background

Tabor Cemetery is a privately owned Cemetery located at 135 Murray Street, Tanunda.

Since 2005 Council has made 12 payments to the Tabor Cemetery Committee to provide funding towards the Cemetery costs to offset their maintenance costs while permitting the public access for burials, as there is no Council owned cemetery in Tanunda. The most recent agreement expired on 30 June 2024.

The previous agreement conditions were:-

- 3 Year Funding agreement from 1 July 2021 to 30 June 2024 with an annual allocation of \$4,000(excluding GST).

- Annual contributions to be indexed by the annual movement in the Adelaide Consumer Price Index (CPI) as at the 31 March for the preceding financial year.
- Funds provided being only used towards the on-ground maintenance and improvements at the Tabor Cemetery.
- Annual payment being made subject to receipt of a completed acquittal statement relating to the previous financial year's operations.
- If the financial operations statement review reports an increase in cash balance from the previous year the actual funding allocation may be reduced.

Summary and Conclusion

Tabor Cemetery is the only private Cemetery that Council makes any contribution towards its operating costs. Within the Council area there are a number of Cemeteries which are not Council owned and are privately managed.

Since 2002 there have been irregular 3 yearly funding agreements with the Tabor Cemetery Committee, the Committee have not claimed each year and there has been occasions when Council declined to contribute as the provided acquittal statements indicated an increase in cash balance from the previous year.

Since 2005 Council has made contributions to the Tabor Cemetery Committee totaling \$44,397.30.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Tabor Cemetery Committee Inc - Funding Agreement - request for reinstatement [!\[\]\(cb42b94356f8d2714d58d2bf15d636f1_img.jpg\)](#) 

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.

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.

Budget annually of \$4,000 required. This will have no material impact on the financial operations and sustainability of Council.

4. PEOPLE

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

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

Nil

Tabor Cemetery Committee Inc



22 March ,2026

Barossa Council
PO Box 867
Nuriootpa SA 5355

Dear Sir/Madam,

Re: Request to Reinstate Funding Agreement – Tabor Cemetery

On behalf of the Tabor Cemetery Committee Inc, I am writing to formally request the reinstatement of the funding agreement previously in place between Barossa Council and the Committee for the ongoing maintenance and improvement of Tabor Cemetery.

We understand that a three-year funding agreement was in place until 30 June 2024, which provided valuable support for the upkeep of the cemetery grounds. This funding has played an important role in ensuring that Tabor Cemetery is maintained to a respectful and appropriate standard for the community.

The Committee is seeking Council's approval to enter into a new funding agreement to continue this important work. Ongoing financial support will enable us to maintain the cemetery grounds, undertake necessary improvements, and preserve the site for current and future generations.

We would appreciate Council's consideration of this request and are happy to provide any further information required to support the application.

Thank you for your time and consideration.

Yours sincerely,

A black rectangular redaction box covering the signature of the Treasurer/Secretary.

Treasurer/Secretary
Tabor Cemetery Committee Inc

A black rectangular redaction box covering the contact information of the Tabor Cemetery Committee Inc.

DEBATE REPORT

7.4 Development and Community Services

7.4.1 DOG REGISTRATION FEES - 2026-2027

**Author: Manager Health Services and Community Safety
26/19215**

PURPOSE

For Elected Members to consider and determine the annual dog registration fees for the 2026/2027 financial year.

RECOMMENDATION

That Council:

Approves the proposed dog registration fees for the 2026/2027 financial year, as follows.

Non-Standard Dog (Not desexed and not Microchipped)	\$94.00
Standard Dog	\$47.00
Working Dog	\$27.00
Racing Greyhound (Registered with Greyhound Racing SA)	\$27.00
Assistance Dogs (No charge, per legislation)	Free
Late Registration Renewal fee (if paid after 31 August)	\$27.00
Standard Dog Rebate	50%
Concession Rebate	50%
Puppy Training Rebate (first year of registration only)	10%
Partial Year Rebate (New Registrations - 1 January to 31 May)	50%

REPORT

Introduction

Dog registration fees are set by Council, at its discretion, under the *Dog and Cat Management Act 1995 (the Act)*. An annual review is undertaken to consider a schedule of dog registration fees, as part of the annual budget processes.

Discussion

In accordance with *the Act* all dogs in South Australia must be registered at 3 months of age in Dogs and Cats Online (DACO).

It is a requirement for Council to set dog registration fees as per *the Act*.

Legislation mandates all dogs to be microchipped by three months of age, and all dogs born after 1 July 2018 to be desexed by six months of age, unless the dog is eligible for an exemption.

To provide consistency across councils, the Dog and Cat Management Board introduced and adopted a 'standard' and a 'non-standard' registration category. This forms the basis of Council's registration fees.

Due to Council needing to continue to meet its requirement to administer *the Act*, and animal management in general, it is recommended that the fees for the 2026/27 financial year need to be increased. The proposed increase of 2.7% reflects CPI and is consistent with other fee increases that will be considered by Council.

It should be noted that all fees have been rounded to the nearest dollar.

Proposed Dog Registration Fees, Rebates and Charges 2026/2027

Registration Category	Fee description	2024-2025	2025 – 2026	2026 - 2027
Non-Standard Dog	Not desexed and not microchipped	\$88.00	\$91.00	\$94.00
Standard Dog	desexed and microchipped	\$44.00	\$45.50	\$47.00
Working Dog	Working livestock dog	\$25.00	\$26.00	\$27.00
Racing Greyhound	Greyhound registered with GRSA	\$25.00	\$26.00	\$27.00
Assistance Dogs	Free per legislation	\$0	\$0	\$0
Late Registration Renewal fee	If renewed after 31 August	\$25.00	\$26.00	\$27.00

	Rebates
Standard dog (both desexed and microchipped)	50% - to the nearest dollar
Puppy Training (applies to first year registration only)	10% - to the nearest dollar
Concession	50% - to the nearest dollar
Partial year (1 January to 31 May)	50% - to the nearest dollar

Comparisons to neighbouring councils 2025-2026 dog registration fees tabled below.

	Non Standard Dog	Standard Dog
Adelaide Hills Council	\$112.00	\$56.00
Town of Gawler	\$100.00	\$54.00
The Barossa Council	\$91.00	\$45.50
City of Playford	\$90.00	\$45.00
Mid Murray Council	\$86.00	\$43.00
Light Regional Council	\$81.00	\$40.50

Standard Dog

Council is required to provide a rebate off of the 'non-standard' fee for a 'standard' dog registration. The Dog and Cat Management Board (the Board) recommends that this rebate be set at 50%.

A standard dog is a dog that is both desexed and microchipped. Councils are obliged to provide a percentage rebate (deducted from the non-standard dog fee) for a dog that is both desexed and microchipped.

Non-Standard Dog

A non-standard dog is a dog that is neither desexed or microchipped, or a dog that is only desexed (and not microchipped) or only microchipped (and not desexed) is classed as a non-standard dog. The full registration fee applies to this category.

The desexing requirement applies to new generations of dogs and does not apply to dog born before 1 July 2018.

This is designed to encourage and incentivise dog owners to have their dogs desexed and microchipped in line with the requirements of the State Government.

Concession Card Holders

The Barossa Council have historically offered a further 50% reduction in fees to concession card holders. This rebate shall be applied after other rebates have been calculated as is the present case. DACO has the ability to verify the status of a concession instantly through an interface with Federal Government databases.

In line with the recommendations of the Board, the holder of the following concession cards will be eligible for the concession discount:

- Department of Veteran Affairs – Gold or White Card
- Pensioner Card
- Senior Health Care Card
- Health Care Card

All concessions, except the Health Care Card, will be a permanent concession. The Health Care Card is a temporary concession and will be required to be validated each registration year.

Training Rebate

The Board no longer provides a recommendation or guidance about the training rebate for dog registrations and has left it open for individual councils to consider. Traditionally, a training rebate has been provided to encourage responsible dog ownership via a 10% rebate off the dog registration fee to owners who train their dogs.

As in previous years, it is recommended that this remains to encourage dog owners to attend obedience training by providing a discount on the registration fee. The rebate is calculated as a percentage of the maximum fee.

To encourage attendance at puppy pre-school classes, it is proposed that Council will continue to provide a training rebate for the first year of registration to owners that have completed puppy pre-school.

A total of 178 dogs received this training rebate this financial year.

Working Livestock Dog

Working livestock dogs are those that are kept *primarily* for the purpose of herding, droving, protecting, tending or working stock. It is proposed to continue to provide a set fee for registering working livestock dogs. No other rebates apply.

Working Livestock Dogs are exempt from the desexing requirements. DACO provides a process to validate a working dog's status.

Partial Year Registration Rebate

A partial year rebate is currently offered for new registrations received after 1 January. This rebate acknowledges new ownership and provides incentive to new owners registering their recently acquired dogs during the second half of the registration year.

This rebate is applied after all other applicable rebates have been applied and is currently set at 50% of the fee otherwise payable. It is proposed that this rebate remains at 50% for 2026/27 and does not apply to registration renewals.

Late renewal fee

Currently a \$26 late registration renewal fee per dog was applied mid-September, this fee is to cover costs associated with ensuring that all known dogs are registered in DACO and to encourage owners to register their dogs within the renewal period of July and August. Staff recommend this fee be increased to \$27.00 for the 26/27 period.

Dog Management Fund

All South Australian councils are required to pay to the State Government, via The Board, a percentage of every dog registration received. For rural councils, which includes The Barossa Council, this contribution is set at 12%. The contribution is 24% for metropolitan councils.

Council's contribution to The Board to date is \$29,099.

Exemptions

The legislation enables veterinarians to exempt a dog from microchipping or desexing requirements for reasons which relate to the health, well-being, growth and development of a dog. Council must accept these exemptions.

Other Revenue

Council collects revenue for expiation notices, fines recovered by Fines Enforcement and Recovery Unit and pound fees under the provisions of the Act. These are variable revenue sources and dependent on animals impounded and offences being committed.

Summary and Conclusion

It is recommended that the fees for dog registrations and associated activities be marginally increased to reflect the increase in costs for Council to conduct its business.

On average, the fees have increased by 2.7% which is considered to be appropriate in the current economic climate.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

CS1 Animals - Management of animal issues including attacks, harassment, complaints, lost companion animals, registration, cage hire and collection, wandering animals, breeders

Legislative Requirements

Dog and Cat Management Act 1995

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.

The table below highlights dog management revenue, expenditure and registration numbers since 2023-2024.

	2023-2024 Actual	2024-2025 Actual	2025-2026 As at 19 March 2026
Registrations Numbers	5859	5793	5792
Registration Revenue (100%)	(\$273,090)	(272,792)	(267,344)
Other Revenue (Dog Pound, expiations)	(\$7,688)	(9,592)	(4,840)
Total Revenue	(\$280,778)	(282,382)	(272,184)

Operational Expenses	\$389,392	\$288,014	161,709.75
Net	\$108,614	\$62,094	\$101,475
Included in above:			

State Government Contribution (12%)	\$32,770	32,375	\$29,099

Resourcing

Council's Community Safety team continues to receive animal related requests for service.

Risk Considerations

Increasing registration fees raises the risk of adding to financial hardship for some dog owners and an increased possibility of dog owners choosing too not renew their dog registration, this has potential for additional pressure on resources to follow up compliance, and therefore additional compliance costs.

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.

COVER SHEET

CONFIDENTIAL REPORT

21 April 2026

Council Meeting

8.1 Infrastructure and Environmental Services

8.1.1 THE REX POOL HEATER REPLACEMENT TENDER

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

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that it is assessing tender outcomes.

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

RECOMMENDATION

That Council:

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

consider in confidence a report relating to being information that must be considered in confidence pursuant to:

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

tenders for the supply of goods, the provision of services or the carrying out of works;

- (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 is assessing tender outcomes

COVER SHEET

CONFIDENTIAL REPORT

21 April 2026

Council Meeting

8.1 Infrastructure and Environmental Services

8.1.2 TANUNDA KEGEL CLUBROOMS AND TOILET TENDER

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

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that it is considering pricing and service information.

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

RECOMMENDATION

That Council:

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

consider in confidence a report relating to being information that must be considered in confidence pursuant to:

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

tenders for the supply of goods, the provision of services or the carrying out of works;

- (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 is considering pricing and service information.