MINUTES OF THE MEETING OF THE BAROSSA COUNCIL
held on Tuesday 19 May 2026 commencing at 5:30pm
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa.

M I N U T E S

Welcome by Mayor Bim Lange declared the meeting open at 5:30pm.

1. ATTENDANCE RECORD

1.1 Members Present

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

Apologies

Nil

Not Present

Crs Jess Greatwich and Rick Lane

Leave of Absence

Nil

2. CONFIRMATION OF MINUTES

2.1 Minutes of previous meetings – for confirmation:

MOVED Cr Evans

That the Minutes of the Council meeting held on Tuesday 21 April 2026 at 5:30pm and the Special Council meeting held on Wednesday 13 May 2026 at 5.30pm, as circulated, be confirmed as true and correct records of the proceedings of those meetings.

SECONDED Cr Hurn **CARRIED 2022-26/965**

2.2 Matters arising from previous minutes

2.2.1 <u>UPDATE ON TALUNGA PARK CONSULTATION</u>
26/38658

As Council are aware the Talunga Park consultation processes has been recently undertaken and submissions closed on Friday 8 May2026.

At the time of writing this update 28 submissions have been received and will now be reviewed and analysed. Based on initial high-level review of the submissions it is likely that further discussion will be required at a future Council workshop, whilst I am aiming to do that at the June workshop the sheer volume of information may delay this until July. Thereafter and depending on Council feedback which may require additional policy investigation prior to presenting to a future Council meeting, likely July 2026.

SUPPORTING REFERENCES

Nil

3. PROCEDURAL ITEMS

3.1 Petitions

Nil

3.2 Deputations/Visitors to the meeting

Nil

3.3 Notice of Motion

3.3.1 <u>REQUEST BY COUNCILLOR PREECE - FUNDING LEGAL FEES RELATED TO THE SOUTH AUSTRALIAN CIVIL AND ADMINISTRATIVE TRIBUNAL ACTION</u>
26/38704

Cr Preece withdrew his Notice of Motion seeking Council to pay his legal fees.

NOTICE OF MOTION WITHDRAWN

The Council approve Cr Preece request for legal cost support related to the South Australian Civil and Administrative Tribunal action against Cr Preece pursuant to Section 39 of the Local Government Act upon the presentation of invoicing and receipts of actual costs incurred.

Cr Preece stated that he would leave the meeting but did not state why.

Cr Preece left the meeting at 5:33 pm.

MOVED Cr Angas

That the legal advice circulated to Council Members and referenced under CEO Comments within report 3.3.1 be tabled and attached to the Public Minutes in accordance with Regulation 8(4)(k)and(l) of the *Local Government (Procedures at Meeting) Regulations 2013*.

SECONDED Cr de Vries **CARRIED 2022-26/966**

Cr Preece returned to the meeting at 5:39 pm.

PURPOSE

To debate the notice of motion put forward by Cr Preece to have his legal fees paid by Council related to the disciplinary action in the South Australian Civil and Administrative Tribunal.

REPORT

<u>Rationale</u>

As outlined in the Attachment.

<u>CEO Comments</u>

Legal interpretation has been checked as to the operation of Section 39 of the *Local Government Act 1999* to aid Councillors in considering this request. The advice has been sent pursuant to Section 61 of the *Local Government Act 1999* under separate cover and is confidential, as it forms legal advice pursuant to Section 61(3) of the *Local Government Act 1999*.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Notice of Motion

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS7 Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims
BS6 Finance - Provision of financial and budgetary accounting services, treasury and investment services, management reporting, reconciliation and taxation services, asset accounting, internal control, accounts payable and receivable services

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.

This expenditure is not budgeted for and no estimates have been provided.

4. **PEOPLE**

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

Nil

5. REPUTATION

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

The payment of such fees if approved could be a reputational risk to Council.

COMMUNITY ENGAGEMENT

Nil required or recommended.

3.4 Questions with Notice

Nil

4. MAYOR

4.1 Mayor's Report

MOVED Cr de Vries

That the Mayor's report be received.

SECONDED Cr Hurn **CARRIED 2022-26/967**

5. COUNCILLORS' REPORTS

5.1 COUNCILLOR BARRETT REPORT TO COUNCIL

MOVED Cr Evans

That Councillor Barrett's report be received.

SECONDED Cr de Vries **CARRIED 2022-26/968**

6. MATTERS FOR INFORMATION

6.1 Gawler River Flood Management Business Case Update

6.2 Gawler River Floodplain Management Authority - Minutes of Meeting
6.3 Williamstown & Lyndoch Landcare Group Inc. - Minutes of Meeting
6.4 Development Applications Report - Quarter 1 - January 2026 to March 2026
6.5 Southern Barossa Winery and Tourist Accommodation Project

7. DEBATE REPORTS

7.1 Office of the Mayor and CEO

Nil

7.2 Corporate Services, Strategy and Innovation

7.2.1 OFFICE CLOSURE - ALL STAFF MID YEAR EVENT
26/38242

MOVED Cr Barrett

That Council:

(1) Pursuant to Section 45(2) of the *Local Government Act 1999*, approves the Principal Office and other offices of the Council to open at 10:30am on Tuesday 23 June 2026.

(2) Makes the following alternative arrangements to enable the local community to access the services of the Council which are ordinarily available at the Principal Office of the Council:
Email: barossa@barossa.sa.gov.au
After hours service: Answering Adelaide 8563 8444

Website (online services and Make a Payment): barossa.sa.gov.au

SECONDED Cr Troup **CARRIED 2022-26/969**

PURPOSE

To consider and adopt a proposal for late Council office opening in order to facilitate all staff access and inclusion in an organisation-wide professional development event. Specifically, to consider and adopt the following late opening times for Tuesday 23 June 2026:

- 10:15am opening for the Lyndoch Library and Williamstown Depot.
- 10:30am opening for Council workplaces that provide direct service to the public.

REPORT

Background
Twice per annum organisation-wide professional development events are held in support of Council's ongoing commitment to the implementation of modern people and culture strategies and the development and retention of staff, with a strong aim

to continuously improve the quality of services to our community through the professional development of our staff.

Introduction
An all-staff professional development event is scheduled to be held on Tuesday 23 June 2026 from 8:00am to 10:00am, to allow as many staff as possible to attend and return to the workplace. The timing of the event will commence at 8am, before normal working hours, and will run to approximately 10:00am. To facilitate this timeframe, support is being sought to allow Council workplaces providing direct services to the public to open 75/90 minutes later than normal at 10:15/30am, allowing staff to attend the event in its entirety.

Discussion
This event has been designed to provide professional development to staff who serve the Council and community and to form connection of staff from various departments and work sites. It also provides a pivotal opportunity for new and existing staff alike to broaden their understanding and appreciation for the positive impacts that Council makes within our community.

Whilst face to face service delivery will be impacted for 75/90 minutes due to the delayed opening of Council workplaces, online services will continue to be available, along with email enquiries and Council's after-hours telephone contact service.

Summary and Conclusion
Council support is being sought to approve the amendment of the opening times of Council's Principal Office and other offices to 10.15/30am to support staff attendance at an organisation-wide professional development event on Tuesday 23 June 2026.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

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
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.

Whilst face to face service delivery will be impacted for 75/90 minutes due to the delayed opening of Council workplaces, online services will continue to be available, along with email enquiries and Council's after-hours telephone contact 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.

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.

Council's professional development and staff service recognition events are designed to facilitate the retention of employees and celebrate success along with ongoing skills and knowledge development.

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 staff event will be held early morning to ensure as little disruption to service delivery as possible and we will promote the late opening to mitigate any inconvenience to community.

COMMUNITY ENGAGEMENT

No consultation required given the amendment is minor in nature, although promotion and awareness to the community of the late opening will occur via social media, public notices and signage at relevant sites.

7.2.2 ARTIFICIAL INTELLIGENCE POLICY
26/38223

MOVED Cr de Vries

That Council endorse the Draft Artificial Intelligence Policy as provided at Attachment 1.

SECONDED Cr Preece **CARRIED 2022-26/970**

PURPOSE

Council endorsement is sought for the Draft Artificial Intelligence Policy as presented at Attachment 1.

REPORT

Background

With the increasing availability and use of open AI technologies across the local government sector and workplaces more broadly, Officers have identified the need to establish policy principles for the ethical, transparent, responsible and secure use of Artificial Intelligence (AI), including Generative AI (GenAI), within The Barossa Council.

Introduction
A new policy has been drafted (see Attachment 1) to guide the safe and appropriate use of Artificial Tools within the Council environment. The draft policy supports the responsible use of AI to improve service delivery, support innovation, enhance accessibility, strengthen decision-making, and improve productivity where it can be used safely and appropriately.

Discussion
The AI policy is designed to enable safe innovative use of advanced technology tools to assist with service design and delivery, work efficiency and advanced analytics for Council data, systems and processes. It is an advanced technology that can enhance decision making for the Council.

AI must be used in a way that protects Council data, community and resident information, privacy, confidentiality, public trust and organisational reputation. This policy is intended to enable safe use, not prevent useful innovation.

While no specific legislation governing the use of AI tools exists, the policy has been written in review of current best practice and published guidelines within local government, state and federal government and wider industry to ensure best practice.

Summary and Conclusion
The policy is designed to encourage best practice, ensure privacy and safety of data and develop innovative use cases within the Council. Council is now asked to endorse the policy to establish appropriate policy settings for staff.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Draft Artificial Intelligence Policy

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS1 Business Technology - IT Service Management, including Operations (infrastructure, assets, applications, service desk, vendor management, security) and Business services (business analytics, Project Management Office, data analytics, dashboards)
BS2 Business Improvement - Growing the efficiency of the processes and systems we use to deliver services and outcomes through innovation and continuous improvement

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 policy settings within the draft Artificial Intelligence Policy are designed to enhance service delivery whilst mitigating risks associated with access to AI technologies.

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

   Nil

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

   Nil

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

Nil

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

Nil

COMMUNITY ENGAGEMENT

Not Required

7.2.3 REVIEW OF KNOWLEDGE MANAGEMENT POLICY AND KNOWLEDGE MANAGEMENT PROCESS - ELECTED MEMBERS
26/14967

MOVED Cr Evans

That Council:

(1) Endorse the Knowledge Management Policy as at Attachment 1; and

(2) Endorse the Knowledge Management Process – Elected Members as at Attachment 2.

SECONDED Cr Barrett **CARRIED 2022-26/971**

PURPOSE

To ensure organisational compliance of Records Management pursuant to the *State Records Act 1997*. Council is presented with a reviewed Knowledge Management Policy (the Policy) and Knowledge Management Process for Elected Members (the Process) for endorsement.

REPORT

Background
The purpose of the Policy is to ensure organisational compliance of Records Management in The Barossa Council pursuant to the *State Records Act 1997*.

The purpose of the Process is to provide Elected Members with guidelines to compliantly maintain Official Council Records according to Council's obligations under the *State Records Act 1997* and other relevant legislation.

Introduction
The administration has made it a priority to ensure that Knowledge Management policies and processes align with best practice in records management, reflect Council's commitment to continuous improvement, and provide a strong and reliable foundation for effective records management.

Discussion
The Knowledge Management Policy outlines the responsibilities and practices of Council's Information Assets, as a defined "agency" under the *State Records Act 1997* (the Act), as well as for all persons employed or engaged by The Barossa Council. The Policy and associated documents ensure continuous improvement in information and records management practices, and compliance with relevant legislation and standards.

The Policy requires that all information and records created and required to be retained by Council in conducting Council business should be captured, managed, retained and disposed of in accordance with relevant legislation and standards.

The Policy, which is applicable to both staff and Elected Members, promotes legislative compliance, good practice, the transfer, retention and sharing of information and knowledge and establishes a complete and accurate history of Council's activities.

The Process is designed to provide specific guidance to Elected Members in managing documents and records created and received in the course of Council business in compliance with the legislation above.

A review of both the Policy and Process has been completed, and a summary of changes is provided below:

Knowledge Management Policy (CD/22/6)

Clause No.	Topic	Summary of change
SECTION No.	**Section name**	**Summary of change**
All throughout	All throughout	Minor formatting throughout the document
Item 3.7	Knowledge Management and Generative AI	Added record responsibilities when using Generative AI
Item 6	Supporting Processes and Documents	Added supporting processes and documents
Item 7	Definitions	Added definition of Elected Members
Item 8	Version History	Updated version history

Knowledge Management Process – Elected Members (16/23143[v4])

Clause No.	Topic	Summary of change
SECTION No.	**Section name**	**Summary of change**
All throughout	All throughout	Put into new template
All throughout	All throughout	Minor formatting and review throughout the document
Item 6	Legislation and References	Added all relevant Legislation and References
Item 10	Definitions	Added definition of Elected Members and removed and refined Definitions table as per the Definitions glossary

Summary and Conclusion

The Knowledge Management Policy and Knowledge Management Process for Elected Members have been reviewed and updated to ensure alignment with legislation and guidelines.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Draft Knowledge Management Policy
Attachment 2 Draft Knowledge Management Process - Elected Members

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

BS9 Information - Management and maintenance of corporate records (both physical and electronic) held by Council, and providing support to the organisation to ensure organisational compliance with record keeping obligations under the State Records Act and other relevant legislation.

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

BS9 Information - Management and maintenance of corporate records (both physical and electronic) held by Council, and providing support to the

organisation to ensure organisational compliance with record keeping obligations under the State Records Act and other relevant legislation.

Legislative Requirements
State Records Act 1997

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.

   The Knowledge Management Policy and Knowledge Management Process – Elected Members are critical for ensuring transparency and compliance with *State Records Act 1997* requirements, with non-compliance potentially resulting in reputational damage and loss of credibility.

COMMUNITY ENGAGEMENT

Not required.

7.2.4 EVENT SPONSORSHIP FRAMEWORK
26/37388

MOVED Cr Schilling

That Council:

(1) Endorse the Draft Event Sponsorship Framework as provided at Attachment 1; with the following amendment:

- Amend clause 5 Ineligible Events on page 4 of the attachment to include the word *direct* at the start of the second line.

(2) Endorse the ongoing allocation of funds from the Visitor Economy and Events operating budget to support an annual Event Sponsorship Program, subject to Council endorsement of Council's annual operating budget each year, and note the amount proposed to be allocated for the 2026/27 financial year is $30,000; and

(3) Approve Council Officers to commence implementation of the 2026/27 financial year Event Sponsorship Program in May 2026.

SECONDED Cr de Vries **CARRIED 2022-26/972**

PURPOSE

To seek Council endorsement of the Draft Event Sponsorship Framework to enable implementation of a sponsorship program for events occurring over the 2026/27 financial year.

REPORT

Background
At its Ordinary Council Meeting of 28 January 2025, Council approved a temporary pause of the Community Assistance Scheme (CAS) which was the mechanism by which community groups and organisations could access Council assistance through funding to support community led initiatives, including events. The scheme was managed by the Community Development business unit.

Introduction
With the commencement of the Economic Activation and Strategy business unit, who's remit includes event attraction and delivery, Officers have identified an opportunity to provide a seamless experience for event organisers and community groups in the provision of event-based advice, approvals, logistics support and financial assistance. As part of this model, the Economic Activation and Strategy business unit has developed a draft Event Sponsorship Framework (see Attachment 1) to set out Council's well-defined approach and process when considering the

provision of financial sponsorship to events (in addition to any in-kind support). Council's Community Development team will continue to manage other Council funding initiatives implemented to replace the CAS program under reforms being developed by that group.

Discussion

An Event Sponsorship Program delivered in alignment with the Event Sponsorship Framework will provide the following benefits for community and Council:

- A managed, equitable and transparent process;
- A consistent approach to the funding of events by applying criteria;
- Community visibility of program timelines and steps; and
- Better measurement and understanding of event outcomes through an event funding acquittal process.

It is envisaged that the Event Sponsorship Program will provide financial support to regular events organised by local community groups (eg township Christmas parades) which are of significant importance to local communities. These types of events have previously received funding through the CAS program. The Event funding program will also provide opportunity for other Event organisers to apply for financial assistance to either bolster delivery of existing events or deliver new events. Please note that Council also provides in-kind support to events which has a monetary value that is absorbed within Council business as usual budgets (eg road closure management, promotion of events through existing Council channels, waste management services).

For the 2026/27 financial year, $30,000 has been proposed to be allocated from the draft budget to deliver the Event Funding program. This amount is subject to Council's adoption of the 2026/27 operating budget.

The Draft Event Sponsorship Framework provided at Attachment 1 further explains the application and assessment process, tiering of events, eligibility and criteria. Note: the Appendices have not been attached as they are operational documents, however will be made available to sponsorship applicants.

Once applications have been assessed by Officers in accordance with the approved criteria, a report will be presented to Council for approval of recommended sponsorship recipients (including details of the event and value of sponsorship to be provided).

Program proposed timelines:

- Promotion of program and applications open – late May 2026
- Applications close – late June 2026
- Assessment undertaken – July 2026
- Council Report – seek Council endorsement of funding recommendations made - August 2026 Ordinary Council Meeting
- Notifications to Event organisers – August 2026.

Summary and Conclusion

The Draft Event Sponsorship Framework provides a set of principles for Council to engage and manage an annual Event Sponsorship Program and guidance for community groups or organisations wishing to seek financial support from Council to deliver their events.

It is recommended that Council endorse the Event Sponsorship Framework, endorse the allocation of operating budget to support the Event Sponsorship Program, and approve Council Officers to commence implementation of the 2026/27 Event Sponsorship Program in May 2026.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Events Sponsorship Framework_DRAFT

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Our Economy

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.
- We strive to support income and job stability and growth for the future in support of quality of life outcomes.

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 Events Sponsorship Program will have direct benefits to the community in providing a transparent framework to seek financial support for events to ensure the sustainability and success of events across the Council area that foster participation, align with Council's strategic objectives across community wellbeing, cultural vitality, economic development, environmental sustainability and capacity building, and bring visitors to the region.

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.

Environmental sustainability measures have been embedded in the Draft Events Sponsorship Framework and broader event management program.

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 program is proposed to be funded within existing annual operating budget provisions for events within the Economic Activation and Strategy business unit.

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.

N/A

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 Draft Events Sponsorship Framework is designed to increase, transparency, equity and parity in the provision of financial support to event organisers, including community groups who have historically had unclear or uncertain access to funding support for town-based events on an ongoing basis. It is anticipated that the new Framework will improve relationships, trust and overall event success by coordinating financial assistance early in the event planning cycle.

COMMUNITY ENGAGEMENT

Upon Council endorsement of the Event Sponsorship Framework and Council approval to commence rolling out of the Event Sponsorship Program for 2026/27 financial year, Council Officers will engage with township community groups as well as promote the Program through the traditional and various promotional methods available to Council.

7.2.5 MONTHLY FINANCE REPORT AS AT 30 APRIL 2026
26/37653

MOVED Cr de Vries

That Council receives and notes the monthly finance update report as at 30 April 2026, as provided at Attachment 1.

SECONDED Cr Hurn **CARRIED 2022-26/973**

PURPOSE

The monthly finance report update as at 30 April 2026 provides information on the financial position and performance of the Council, including notes on material trends and transactions.

REPORT

Background

The monthly finance report as at 30 April 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 April 2026

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

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

Legislative Requirements

Nil

RISK MANAGEMENT CONSIDERATIONS

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

1. SERVICE DELIVERY

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

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

2. SUSTAINABILITY & ENVIRONMENT

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

Nil

3. FINANCIAL

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

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

4. PEOPLE

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

Nil

5. REPUTATION

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

Nil

COMMUNITY ENGAGEMENT

Community consultation was undertaken as part of the original budget adoption process for 2025-26, as required by the relevant legislation. This report is advising Council of the monthly finance position compared to that budget.

7.2.6 2025-26 ANNUAL BUDGET AND BUSINESS PLAN - QUARTER 3 BUDGET REVIEW AS AT 31 MARCH 2026
26/38106

MOVED Cr de Vries

That Council, having reviewed the Q3 budget update for 2025-26 (as at 31 March 2026) at Attachment 1, notes the budget update report and approves the budget adjustments.

SECONDED Cr Troup **CARRIED 2022-26/974**

PURPOSE

The quarter 3 (Q3) budget update for 2025-26 (as at 31 March 2026) is attached for Council consideration and adoption of budget adjustments.

REPORT

Background

On a quarterly basis the budgets of Council are reviewed in accordance with the *Local Government Act 1999* and associated regulations.

Budget managers undertake a review of all budget lines and make adjustments where budgets are trending over or under budget and where changes are required for capital programs or new or changed funding conditions. The quarterly budget review process also captures prior decisions of Council involving funding changes so these are reflected in the updated budget forecasts for the year.

All budget adjustments are approved by the relevant member of the Executive team, and then reviewed by the Chief Executive Officer and Manager Financial Services prior to being included in the report at Attachment 1 as a proposed budget adjustment.

Discussion

A detailed list of all proposed Q3 budget adjustments, and updated financial reports to reflect those adjustments, is included at Attachment 1.

Proposed Q3 operating budget adjustments result in Council's consolidated operating deficit increasing by $552,000, from $1.530 million to $2.082 million. This is due to a $36,000 reduction in budgeted income along with $516,000 in additional budgeted expenses. Refer to page 2 of Attachment 1 for the significant adjustments to the budget contributing to this and pages 6-13 for a detailed summary of all proposed operating budget adjustments.

Proposed Q3 capital budget adjustments result in a decrease of $4.414 million in budgeted capital expenditure. Refer to pages 2-3 of Attachment 1 for the significant capital adjustments to the budget contributing to this and pages 14-16 for a detailed summary of all proposed capital budget adjustments.

Summary and Conclusion

The Q3 budget update for 2025-26 as at 31 March 2026 has been completed and is ready for Council consideration and approval of budget adjustments.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 2025-26 Quarter 3 (Q3) Budget Update - as at 31 March 2026 - To Council

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

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

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

Legislative Requirements

Section 122 and 123 of the Local Government Act 1999
Regulation 9 of the Local Government (Financial Management) Regulations 2011

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.

Detailed quarterly reviews of the annual budget ensure that the budget and expenditure/revenue 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.

Detailed quarterly reviews of the annual budget ensure that the budget and expenditure/revenue are aligned to meet approved levels of service.

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 2025-26 budget adoption process in June 2025.

7.2.7 DRAFT WORK HEALTH AND SAFETY STRATEGY - 2026-2028
26/38255

MOVED Cr de Vries

That Council endorse the Draft Work Health and Safety Strategy 2026-2028 presented at Attachment 1.

SECONDED Cr Evans **CARRIED 2022-26/975**

PURPOSE

A Draft Work Health and Safety Strategy 2026-2028 has been prepared and is presented for Council review and endorsement.

REPORT

Background

The Work Health and Safety Act 2012 (SA), supported by the Work Health and Safety Regulations 2012, is based on the national model WHS laws and applies to all workplaces in South Australia, including local government. The ReturnToWorkSA WHS

Performance Standards for Self-Insurers (PSSI), set the benchmark requirements for effective WHS and injury management systems and continuous improvement, including a requirement to set performance targets and demonstrate commitment to continuous improvement.

Introduction
The Draft WHS Strategy 2026-2028 provided for review and endorsement at Attachment 1 has been developed to provide additional performance targets and granular strategic intent beyond Council's Community and Corporate Plans to satisfy ReturnToWorkSA WHS Performance Standards for Self-Insurers and drive an ongoing focus on continuous improvement in safety practices to ensure the health and safety of our workers.

Discussion
The Draft WHS Strategy builds on Council's core principles by setting clear priorities for strengthening leadership, improving systems, fostering wellbeing, and managing high-risk environments. It defines the high-level objectives, targets, and indicators that will guide Council's approach to Work Health and Safety over the next three years, outlining both the direction and the outcomes we aim to achieve. The operational detail required to deliver these objectives, including specific actions, responsibilities, and quarterly milestones is captured separately in the annual WHS Improvement Plan.

The Strategy has been developed based on insights from;

- Findings from the WHS High-Risk Depot Review.
- Review of both strategic and operational risk registers.
- Analysis of incident and hazard reporting trends.
- Consultation with Health and Safety Representatives, the WHS Committee, managers, and workers.
- Guidance from SafeWork Australia and SafeWork SA and the Local Government Risk Scheme (LGRS), with emphasis on psychosocial hazards.
- Alignment with the annual LGRS WHS Improvement Plan.

In accordance with Council's WHS governance requirements for development and review of core documents within the WHS framework, following broader consultation during the drafting process, the Draft WHS Strategy 2026-2028 was reviewed by the WHS Committee at its meeting of 17 February 2026 and officially endorsed by the Executive Leadership Team at its meeting of 23 April 2026.

Audit and Risk Committee review, feedback and endorsement of the final draft was sought at its meeting of 11 May 2026 to inform the final document for presentation to Council.

Summary and Conclusion
Following extensive internal consultation and input, the Draft WHS Strategy 2026-2028 is provided for review and endorsement at Attachment 1.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 DRAFT WHS Strategy 2026-2028

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Our Council

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

Strategic Outcome
- We have 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

Legislative Requirements
- Work Health and Safety Act 2012
- Work Health and Safety Regulations 2012
- Return To Work SA Work Health and Safety Standards for self-insured employers

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 cost of implementing strategies and targets within the WHS Strategy 2026-2028 will be absorbed within existing operating budgets.

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 WHS Strategy 2026-2028 set performance targets and objectives to improve the wellbeing and safety of all workers, including employees, volunteers and contractors.

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 engagement is not required.

7.3 Infrastructure and Environmental Services

Nil

7.4 Development and Community Services

7.4.1 EXPRESSIONS OF INTEREST SOUGHT - NOMINATION FOR APPOINTMENT TO GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY AUDIT AND RISK COMMITTEE
26/38215

MOVED Cr Angas

That Council receives this report, notes its contents and does not provide a nomination on this occasion.

SECONDED Cr Troup **CARRIED 2022-26/976**

PURPOSE

Correspondence has been received from The Executive Officer, Gawler River Floodplain Management Authority (GRFMA), seeking registrations of interest from constituent council members for nomination for appointment to the GRFMA Audit and Risk Committee (refer Attachment 1.) The term of appointment would commence from 1 July 2026 until the end of the Local Government elections in November 2026. Members may be eligible for reappointment after their terms conclude.

REPORT

Background
The GRFMA Audit and Risk Committee was established in accordance with Section 30 Schedule 2, Part 2, of the Local Government Act 1999. The Committee has key responsibilities in overseeing and monitoring the GRFMA's financial reporting processes, corporate and financial governance and risk responsibilities and legal compliance. The Committee provides an important role between the Authority, its management and its constituent councils.

Introduction
Members of the Audit and Risk Committee must as far as practicable have recent and relevant financial, risk management or internal audit experience relevant to the functions of the Audit and Risk Committee as determined by the Authority.

Discussion
The functions of the Audit and Risk Committee include:

- Reviewing annual Financial Statements of the Authority to ensure they provide a timely and fair view of the state of affairs of the Board;
- Liaising with the external auditors of the Authority;
- Reviewing the adequacy of the accounting, internal auditing, reporting, internal control
- Other financial management systems and practices of the Authority on a regular basis; Considering and advising the Authority on risk management

Meetings are held at least four (4) times per year, or at other times as determined by the Committee, and are subject to the Gawler River Floodplain Management Authority Audit and Risk Committee Terms of Reference (Attachment 2).

The majority of the meetings are conducted electronically.

Summary and Conclusion
Staff with relevant financial experience, either from the GRFMA Board or constituent council, are invited to nominate for appointment to the GRFMA Audit and Risk Committee.

Nominations are to be forwarded to GRFMA by 5:00pm, Monday 15 June 2026, using the Nomination Form as included as Attachment 3.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1	Letter to Councils GRFMA Audit and Risk Committee Staff Nominations TBC 20260504
Attachment 2	Gawler River Floodplain Management Authority Audit and Risk Committee Terms of Reference
Attachment 3	Gawler River Floodplain Management Authority Audit Committee Registrations of Interest

Supporting references
Nil.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Our Environment

Supporting a sustainable Barossa.

Strategic Outcome

- We support actions that manage our environment for future generations.

Corporate Plan

CS7 Community Emergency, Hazard Planning and Management - Response to emergency management situations, from prevention through to emergency response and recovery, as well as building the resilience of communities to respond to emergencies.

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.

   Current memberships costs are included within Council's 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

There is no requirement to consult with the community.

7.4.2 DEVELOPMENT APPLICATION FEES POLICY
26/23883

MOVED Cr de Vries

That Council:

(1) Endorse the updated Development Application Fees Policy contained in Attachment 1 and authorise the Chief Executive Officer to approve and implement the final Policy.

SECONDED Cr Hurn **CARRIED 2022-26/977**

PURPOSE

To endorse the updated Development Applications Fees Policy.

REPORT

Background
The Development Application Fees Policy was approved by Council on 19th April 2022. The 2002 update authorised changes to the Development Fee Exemptions for Community Organisations endorsed by Council on 15 June 2010.

The 2022 update included the following changes:

- Waiver of hard copy lodgement fee (then $81.50) for ratepayers who lodge development applications directly with Council.
- Provide a transparent process for the refunding of development application fees in prescribed circumstances as follows:
    - Where an error has been made in the calculation of fees or an overpayment has been made;
    - Where the application has been withdrawn and the fees paid have not been expended during the course of assessment;

- In all other instances, requests for refund shall be determined by the CEO or Director – Development and Community Services, subject to financial delegation limits.

The 2022 Policy also retained Council financial assistance to Community Organisations undertaking development on Council land by waiving application fees, other than fees which Council does not retain (lodgement and referral fees).

Introduction
The Development Application Fees Policy is now due for review.

The Development Application Fees Policy seeks:

2.1 To provide financial assistance to Community Service Organisations by waiving development application fees for development on Council owned land.

2.2 To waive the hard copy lodgement fee for residents who submit development applications directly with Council.

2.3 To document a transparent process for the refunding of development application fees in prescribed circumstances.

It is proposed to retain the substantive contents of the Policy within the new update as presented in *Attachment 1*, subject to inclusion of a new definition of 'community services organisation' to provide clarity what organisations are eligible for the fee waiver.

Discussion
A key component of the Development Application Fees Policy is that it provides for the waiver of development application fees where development is proposed by a community organisation on land owned by Council. The policy recognises that Council derives benefit from investment in its land while at the same time reduces costs for community organisations in undertaking development.

The Policy exempts payment of development application fees for community organisations except in relation to fees that are not retained by Council including:

- Lodgement Fee;
- Agency referral fees;
- Construction Industry Training Fund Act 1993 Levy.

Since start of 2025, there have been three development applications by community organisations subject to development application fee waiver and the total value of such waiver has totalled $2,534.00.

It is recommended the fee waiver continue under the updated Policy.

A limitation of the Policy is that it does not provide an equivalent waiver for community organisations undertaking development on land not owned by Council. While some Councils provide a waiver for community organisations, it is not proposed to open up the Policy further.

Observations are that the current waiver settings are appropriate and evidence from development activity in 2025 suggests only two community organisations may have been eligible for a waiver if the policy were applied more broadly.

It is proposed to include a new definition of community services organisation within the Policy to provide clarity what organisations are eligible for the fee waiver.

Summary and Conclusion
The Development Application Fees Policy is presented to Council for endorsement in a largely unchanged format to that which was authorised in 2022, subject to a new definition of 'community services organisation' to provide clarity what organisations are eligible for the fee waiver.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Development Application Fees Policy - 2026 Draft - May 2026 Council

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

CS15 Land Use and Development - Assessment of development applications for construction, alteration or demolition of buildings, and the division of land and changes in land use.

Legislative Requirements
Planning, Development and Infrastructure Act 2016

RISK MANAGEMENT CONSIDERATIONS

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

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

   Nil

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

   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 budget impact of the Policy is limited (three development applications were eligible for fee waiver in 2025 totalling $2,534.00) and accommodated within the approved 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.

The policy supports sound management of fee refunds associated with development applications that builds credibility with customers and the community.

COMMUNITY ENGAGEMENT

The Policy does not require public consultation as the amendments are minor in nature and do not alter the original intent of the Policy.

7.4.3 ENGINEERING REQUIREMENTS FOR LAND DIVISION - STAGE 2 CONSULTATION 26/24152

MOVED Cr Preece

That Council endorses the draft submission to the State Planning Commission as contained at Attachment 1.

SECONDED Cr Barrett **CARRIED 2022-26/978**

PURPOSE

To endorse the draft submission to the State Planning Commission in respect to the draft Design Standard 1 – Engineering Requirements for Land Division.

REPORT

Background

The State Government released an earlier version of the Design Standard for consultation in mid 2025. A draft submission was presented to Council at the meeting of 15 July 2025 and the endorsed submission highlighted a number of concerns including proposed removal of right to refuse the vesting of land and infrastructure.

More than 90 submissions were received during the 2025 consultation period from Councils, state government agencies, planning professionals and the community. As a result of the substantive feedback received, the Design Standard was reviewed, and a number of major changes are now proposed in Stage 2 consultation as follows:

- Streamlining the draft engineering design standard to only specify requirements for matters assessed during land division consent and removing references to the Technical Manual;
- Updating Practice Direction 12 – Conditions to introduce mandatory conditions to land division consents;
- Introduce draft *PDI (General)(Land Division Design Standard) Amendment Regulations* to make the design standard's role in land division assessment clearer;
- Revising the draft Technical Manual and Standard Drawings, limiting their role in the assessment process to that of providing one of the ways to satisfy the mandatory conditions.

Due to the extent of changes proposed, new consultation has been initiated seeking feedback on the revised proposal.

Introduction

The State Planning Commission has released draft Design Standard 1 – Engineering Requirements for Land Division for a second round of consultation which closes 21 May 2026. A copy of the draft Design Standard is contained at Attachment 2.

Discussion

The *Engineering Requirements for Land Division* set out the technical requirements / specifications for the construction of infrastructure such as roads, stormwater systems, street trees etc. for land division in Master Planned Zones. The engineering requirements are comprised of three main parts:

- **Design Standard** – this is the statutory mechanism under the Act that prescribes the standard requirements for land division;
- **Technical Manual** – establishes baseline standards that reflect best practice engineering infrastructure for growth areas;
- **Standard Drawings** – provides detailed specifications for the construction of infrastructure class and includes dimensions, materials and construction methods.

In addition, to support the proposed draft Design Standard, there will be:

- **Changes to Practice Direction 12** – Conditions to establish mandatory engineering-related conditions that must be applied to land division consents

where the engineering design standard applies, thus making the state's technical design requirements legally enforceable;
- **Amendments to the *Planning, Development and Infrastructure (General) Regulations 2017*** to clarify how the Design Standard will apply to land division and introduce new requirements for open space and street lighting.

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

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

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

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

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

Broadly, the draft Design Standard is considered to be an improvement on the earlier Design Standard and in principle could work. However, there are a number of questions highlighted in the submission in relation to areas that need to be clarified or are unclear. The key areas for consideration are highlighted under headings below:

Mandatory conditions

Practice Direction 12 is proposed to be amended to establish mandatory engineering-related conditions that must be applied to land division consents where the engineering design standard applies, thus making the state's technical design requirements legally enforceable.

It is unclear to what extent the conditions can be modified to provide flexibility according to the specific circumstances. The implication of having standard mandatory conditions imposed is that there may be inadequate flexibility available to facilitate solutions that differ to the mandatory conditions.

Vesting decision on open space

The proposed amendment of Regulation 3A will remove Council's right to consent to vesting of land in circumstances in which a design standard prepared for the purposes of Section 102(1)(c)(ii) of the Act applies. This change presents a significant risk for all councils in that substandard infrastructure or assets that councils have not approved could be vested to councils without their consent.

It is noted that existing Regulation 84(1)-(5) inclusive will remain and such provides assurance that Council must authorise and consent to all constructed infrastructure before clearing a land division.

It is understood that the proposed Regulation 3A is not intended to apply to open space, in which case this should be clarified. It is also noted however, that proposed Regulation 84A will introduce a new Regulation that requires the development of any land held as open space to be approved by, and developed to, the satisfaction of the Council for the area. This new regulation is supported.

Structures on Open Space

A key issue for Council not contemplated in the Design Standard or the Technical Manual is the lack of detail regarding assets that may be proposed on road reserves or reserves that Council may not wish to inherit as future assets. For example, entry statements, pad mount transformers and retaining walls are common infrastructure assets requested by developers for their developments which are pushed into open space or roads. Retaining walls are a common asset needed on reserves to facilitate reduced sizes of detention basins and they represent a substantive asset of value that councils end up having to maintain. Councils should maintain discretion to refuse consent to such assets.

Merit based assessment

The Design Standard provides a standard list of engineering design requirements for land division. While this is noted, many critical elements of the engineering design for a land division are not contemplated for within the Design Standard. Greater detail is provided for within the Technical Manual and the Standard Drawings, although these are not part of the Design Standard and do not form part of the statutory requirements applicable to the land division consent process.

It is considered the proposed Design Standard should be able to provide an ‘opt in’ set of standards that can be applied as an ‘off the shelf’ solution should a developer wish to use these standards, similar in respects to that of a ‘Deemed to Satisfy’ solution. To extent that alternate solutions are proposed, a merit based assessment should be undertaken which supports negotiation between the proponent and council. While the Technical Manual and Standard Drawings provide a sound basis for what is appropriate, Councils should have ability to apply their own infrastructure standards where there is a void of guidance within the Technical Manual or Standard Drawings.

In this way, councils can continue to apply their own standards, where it is appropriate to do so, provided that its own standard or guidelines does not conflict with the Design Standard or the Technical Manual/Standard Drawings. This will also enable local engineering requirements to be applied that are specific to the individual council area/circumstance.

Scalability and density

The Design Standard as well as the Technical Manual and the Standard Drawings do provide some level of hierarchy in terms of road types but they do not appear to be easily scalable for different urban environments. For example, in town centres and main streets, the road sections are not easily applied. A greater number of road sections/transects should be contemplated to support the broader number of urban environments contemplated in the Master Planned Neighbourhood Zone such as the Emerging Main Street Subzone.

New regulation for street lighting and installation

A new regulation 84B is proposed to require the installation and design of street lighting and any landscaping on or within a road reserve to be approved by, and developed to, the satisfaction of the council for the area. This new regulation is supported. It is suggested that the draft Regulation be amended to:

- Reference landscaping within the title of the Regulation 84B – currently it only refers to street lighting and installation.
- Include irrigation within the meaning of landscaping.

Schedule 8, PDI (General) Regulations 2017 - requirements

It is noted that work is underway to prepare additional regulations regarding mandatory information requirements for the Design Standard, which are to be consulted on as part of a broader package of proposed planning regulation changes relating to mandatory information requirements mid year. We look forward to taking opportunity to provide input into the proposed information requirements.

Summary and Conclusion
The draft Design Standard is proposed to be applied to new growth areas in the Greater Adelaide Region.

Following substantive consultation in relation to the first draft in 2025, a second version of the draft Design Standard has been released for consultation. The revised draft is an improvement on the earlier draft. While Council does not object to the draft Design Standard, a number of areas of the proposal need to be clarified. Technical comments are also provided within the draft submission.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1	Draft Submission to State Planning Commission - Engineering Requirements for Land Division
Attachment 2	Design Standard 1 - Engineering requirements for land divisions

Supporting references
https://yoursay.sa.gov.au/engineering-design-standard-stage-2

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

CS15 Land Use and Development - Assessment of development applications for construction, alteration or demolition of buildings, and the division of land and changes in land use.

Legislative Requirements
Planning, Development and Infrastructure Act 2016

RISK MANAGEMENT CONSIDERATIONS

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

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

There are common requirements between councils that can be adopted within the draft Design Standard, Technical Manual and Standard Drawings. In principle, it is agreed with the direction to better align engineering requirements. However, flexibility and local considerations should be accommodated for within the framework.

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 draft Technical Manual incorporates sustainability principles which are applied to water quality, tree canopy and construction techniques.

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

The proposal to remove the right of councils to consent to vesting of land is a significant risk for all councils. It is noted that existing and proposed regulations will provide that councils must authorise and consent to all infrastructure construction before a land division can be approved. This provides some protection for councils from risk of inheriting substandard infrastructure.

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.

Councils will be afforded ability under the proposed framework to undertake quality control checks in relation to construction of infrastructure prior to acceptance/clearance of the land division, thus maintaining integrity in the asset handover process.

COMMUNITY ENGAGEMENT

The draft Design Standard is open for consultation until 21 May 2026.

8. CONFIDENTIAL REPORTS

8.1 Office of the Mayor and CEO

8.1.1 <u>CEO PERFORMANCE REVIEW 2026</u>
26/36362

Pursuant to Section 120(1) of the Local Government Act 1999, Mr Martin McCarthy as Chief Executive Officer, disclosed a Conflict of Interest in the matter 8.1.1 - CEO Performance Review 2026 Outcomes as it pertains to his employment contract, conditions and remuneration.

Mr Martin McCarthy advised that he will stay in the room to answer any questions, and then leave the meeting before any debate commences.

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

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that it contains information relating to the performance and employment contract of the CEO

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

MOVED Cr Hurn

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 Council Members, in order to consider in confidence a report relating to being information that must be considered in confidence pursuant to:

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

information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);

(2) Accordingly, on this basis, Council is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential in order that it contains information relating to the performance and employment contract of the CEO

SECONDED Cr Evans **CARRIED 2022-26/979**

The meeting moved into confidence at 6:05 pm.

Mr McCarthy left the meeting at 6:06pm.

MOVED Cr de Vries

That Council:

(1) Council resolution

(2) Council resolution

(3) Council resolution

(4) Council resolution

(5) Having considered this matter in confidence under Sections 90(2) and 90(3)(a) of the *Local Government Act 1999,* makes an order pursuant to Section 91(7), that the minutes, agenda report and attachments other than the minutes relating to this confidentiality order of the Confidential CEO Performance Review Committee Meeting held on 21 April 2026 in relation to item 8.1.1 CEO Performance Review 2026 be kept confidential and not available for public inspection until annual review of confidential orders.

SECONDED Cr Troup **CARRIED CO 2022-26/980**

Resumption of open council meeting at 6:11 pm.

8.2 Corporate Services, Strategy and Innovation

8.2.1 TOUR DOWN UNDER - 2027
26/37634

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 Council have signed a Confidentiality Agreement with the Tour Down Under Event organisers in relation to this matter.

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

MOVED Cr Angas

That Council:

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

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

information the disclosure of which-
(i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
(ii) would, on balance, be contrary to the public interest;

(2) Accordingly, on this basis, Council is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential in order that Council have signed a Confidentiality Agreement with the Tour Down Under Event organisers in relation to this matter.

SECONDED Cr Evans **CARRIED 2022-26/981**

The meeting moved into confidence at 6:12 pm.

MOVED Cr Evans

That Council:

(1) Council resolution;

(2) Council resolution

(3) Having considered this matter in confidence under Sections 90(2) and 90(3)(j) of the *Local Government Act 1999,* makes an order pursuant to Section 91(7), that the minutes and agenda report attachments other than the minutes relating to this confidentiality order of the Confidential Council Meeting held on 19 May 2026 in relation to item 8.2.1 Tour Down Under - 2027 be kept confidential and not available for public inspection until the Santos Tour Down Under releases this information to the public and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr de Vries **CARRIED CO 2022-26/982**

Resumption of open council meeting at 6:23 pm.

8.3 Infrastructure and Environmental Services

8.3.1 SEPTIC TANK - REMOVAL AND DISPOSAL OF SLUDGE - TENDER
26/37803

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 involves a business contract and tender assessment is being considered.

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

MOVED Cr de Vries

That Council:

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

Section 90(3)(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 involves a business contract and tender assessment is being considered.

SECONDED Cr Preece **CARRIED 2022-26/983**

The meeting moved into confidence at 6:24 pm.

MOVED Cr Angas

That Council:

(1) Council resolution

(2) Having considered this matter in confidence under Sections 90(2) and 90(3)(k) of the *Local Government Act 1999,* makes an order pursuant to Section 91(7), that the minutes, agenda report and attachments other than the minutes relating to this confidentiality order of the Confidential Council Meeting held on 19 May 2026 in relation to item 8.3.1 Septic Tank - Removal and Disposal of Sludge - Tender be kept confidential and not available for public inspection until completion of the contract period and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr Preece **CARRIED CO 2022-26/984**

Resumption of open council meeting at 6:25 pm.

9. URGENT OTHER BUSINESS

Nil

10. NEXT MEETING

Tuesday 16 June 2026 at 5:30pm

11. CLOSURE

Mayor Lange declared the meeting closed at 6:25pm.

Confirmed at Council Meeting on 16 June 2026

Date:……………………………… Mayor:…………………………………

Additional Information Issued Pursuant to Section 61 of the Local Government Act 1999

Agenda Item 3.3.1 – Notice of Motion – Cr Preece for the Ordinary Council Meeting of 19 May 2026

Request for Advice

Hi Tracy

Given S39 is for a civil liability this request is irrelevant is it not?

The issues arising from complaints are not giving rise to a civil liability surely?

Thoughts?

Thanks Martin

Martin McCarthy
Chief Executive Officer
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Advice

Hi Martin

You have requested advice with respect to the request you have received from Cr Preece for reimbursement of his legal fees incurred to date, and that the Council also meet the cost of his future legal fees.

Section 39

Section 39 provides as follows for the '*protection of members*' (there is a similarly worded provision for officers at section 121):

(1) *No civil liability attaches to a member of a council* ***for an honest act or omission*** *in the exercise, performance or discharge, or purported exercise, performance or discharge, of the member's or council's powers, functions or duties under this or other Acts.*

(2) *A liability that would, but for this section, attach to a member of a council* ***attaches instead to the council****.*

There are three (3) barriers to Cr Preece relying on the protections under section 39 of the Act:

1. At this time, there is no civil liability for Cr Preece. He is not, for example, the subject of any defamation proceedings and disciplinary proceedings are not a 'civil' liability'. Quite clearly and evidentially, the 'liability' with respect to disciplinary proceedings, is not a liability that can, or could attach to the Council. It is 'the Member' subject of those proceedings (as we saw in the decision of Her Honour in the Knight matter).

2. However, even were it to be the case that such proceedings could be considered a 'civil liability' then it **could not** be said that Cr Preece's actions and behaviours, subject of his current 'liability' (i.e. disciplinary proceedings) *are 'honest acts or omissions'* arising out of giving effect to his role. In fact, noting the findings against him by both the Council, and the Panel, he was acting contrary to his duties and obligations under the Act to not to give effect to the sanctions imposed on him, first by resolution of the Council, and then by the findings of the Panel. In which case, the indemnity is simply not available to him.

3. Lastly, even were it the case he could suggest these was a civil liability, and these were honest acts or omissions he has already engaged his own solicitor and has been actively managing his own defence, for some years now.

That is, he intended to (and is) running his own defence and is not proposing that the Council subrogate its rights to defend and resolve the claim against him (as an Elected Member of the Council) to the MLS. Rather, what he is proposing is that MLS (it is not the Council) fund his own private action. This is entirely inconsistent with the Scheme Rules and in essence amounts to an 'open cheque book' expectation upon the MLS to his private solicitor, rather than the indemnity for the Council as against any claim under section 39 of the Act.

The Council is always at liberty to determine to deal with a matter itself, without seeking indemnity, or even to take a position that, in its opinion, the Elected Member has failed to satisfy it of the application of the immunity in the particular circumstances.

I can assure you that even were the Council to resolve to refer the matter to the MLS, the MLS would return it to the Council, for it to fund. This was very clearly the advice received from the MLS when former Cr Bagster, previously of the City of Burnside, attempted a similar thing when faced with defending applications for seven (7) intervention orders for his actions and behaviours.

Tracy Riddle

Lawyer

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