

MINUTES OF A MEETING OF THE COUNCIL, held at the Council Chambers, Town Hall, Kadina, on Wednesday, 1st May 2019, commencing at 7.00 p.m.

PRESENT: Mayor, Roslyn Talbot (Chair), Councillors TH Love, PJ Oswald, MA Pope, DW Rodda, NL Sawley, CE Vluggen, BK Walker, DL Woodforde.

IN ATTENDANCE: Mr R. Peate, Chief Executive Officer
Mrs K. Borlace, Director Corporate & Community Services
Mr. M. Mentz, Director Development Services
Mrs R. Schild, Coordinator Executive Services
Mrs W. Gregory, Executive Assistant/Minute Secretary

1. Opening of Meeting:

Mayor, R.J. Talbot opened the meeting.

There were 13 members of the public and 1 member from the media in the gallery at the commencement of the meeting.

1.1 Welcome and Acknowledgement to Country by the Presiding Member:

1.2 Members Declaration of Interest -

Cr. Oswald advised a conflict of interest in Items 10.4.11, 10.4.12, 13.1.1.
Cr. Woodforde advised a conflict of interest in Item 10.4.12.

1.3 Emergency Evacuation Procedure

Mayor Talbot advised attendees of the emergency evacuation procedure.

2. Public Questions/Deputations

2.1 Public Questions - Nil.

2.2 Deputations -

2.2.1 Belgravia Health and Leisure Group, Catherine Foreman

2.2.2 Legatus CEO, Simon Millcock



3. Apologies:

- 3.1 Apologies – Cr. HB Schmidt.
- 3.2 Leave of Absence – Nil.
- 3.3 Non-attendance – Nil.

4. Confirmation of Minutes of previous meeting(s):

- 4.1 Council Meeting

C84:0519**Moved Cr. Walker**

That the Minutes of the Meeting of Council held on the 3rd April 2019 be taken as read and confirmed.

**Seconded Cr. Rodda
Carried.**

- 4.2 Audit Committee

C85:0519**Moved Cr. Sawley**

That the minutes of the Audit Committee meeting held on 8th April 2019 be received and noted.

**Seconded Cr. Pope
Carried.**

5. Business Arising from Previous Meetings: Nil.**6. Reports by Members:**

- 6.1 Mayor's Monthly Report -
- 6.2 Deputy Mayor's Report -
- 6.3 Members Delegates/Working Parties

C86:0519**Moved Cr. Walker**

That the Mayor's, Deputy Mayor's and Member's Delegates reports be received and noted.

**Seconded Cr. Woodforde
Carried.**

- 6.4 Committee Chairperson's Report –

C87:0519**Moved Cr. Sawley**

That Council adopt the following Policies, as per recommendation A7:0419:

- a) Fraud and Corruption Policy
- b) Hardship Policy for Residential Customers of Minor and Intermediate Retailers



c) Disposal of Land and Other Assets Policy
Seconded Cr. Vluggen
Carried.

7. Questions With and Without Notice:

7.1. Questions (without debate) on notice – Nil.

7.2. Questions Without Notice –

8. Petitions and Memorials: Nil.

9. Notices of Motion: Nil.

10. Reports of Officers – Executive Services:

10.1 Director Corporate and Community Services

10.1.1 Schedule of Fees and Charges 2019/2020

C88:0519

Moved Cr. Rodda

That Council adopt the Schedule of Fees and Charges for 2019/2020 excluding the Waste Fees.

Seconded Cr. Pope
Carried.

10.1.2 Procurement Policy

C89:0519

Moved Cr. Walker

That Council adopt the Procurement Policy.

Seconded Cr. Sawley
Carried.

10.1.3 March Budget Review

C90:0519

Moved Cr. Walker

That Council, having reviewed the March 2019 Budget Review, resolve that the requirements of the Local Government (Financial Management) Regulations 2011, Section 9(1)(a) have been met and the requirements of the Local Government Act 1999, Section 122(4).

Seconded Cr. Pope
Carried.



10.2 Director Development Services

10.2.1 Waste Management Options

C91:0519

Moved Cr. Pope

That a Special Meeting of Council be held within a fortnight to discuss the Waste Management Options, following an information session/seminar on Waste Essentials on 2nd May 2019.

Seconded Cr. Love**Carried.**

10.2.2 Moonta Master Plan

C92:0519

Moved Cr. Walker

That:-

- a) the timeframes suggested in *Table 1* of this report to finalise the Public Consultation process for the Moonta Master Plan be endorsed by Council.
- b) a meeting be arranged with the *Moonta Progress Association* prior to the date suggested for the "open day" in *Table 1* of this report to present the findings of the initial survey prior to commencement with the final public consultation process.
- c) an Informal Gathering be arranged with the Elected Members following the closing date for submissions by the public to present and informally discuss the findings of the final public consultation process.
- d) a report with design recommendations be prepared and presented to Council at the ordinary meeting of Council on 7 August 2019 for acceptance.

Seconded Cr. Love**Carried.**

10.2.3 Lapsing of Expiation

C93:0519

Moved Cr. Rodda

That the information be noted.

Seconded Cr. Oswald**Carried.**

10.2.4 Development Services Statistics – (January to March 2019)

C94:0519

Moved Cr. Love

That the Development Services Statistics report for the months of January to March 2019 be received.

Seconded Cr. Rodda**Carried.**

10.3 Director Infrastructure Services

10.3.1 Update on Current Status of Projects and Programs

C95:0519

Moved Cr. Walker

That the information in the update on current status of Projects and Programs report be received.

**Seconded Cr. Woodforde
Carried.**

10.3.2 Johnson's Cove Access Ramp

Moved Cr. Walker

Council supports the proposal of the Friends of Port Hughes for the Johnsons Cove access ramp and allocates sufficient funds through its 2019/20 and 2020/21 Annual Budgets to support any cost shortfalls based on the Friends of Port Hughes being able to source at least 30% of funds through grants.

Seconded Cr. Oswald

Amendment 1**Moved Cr. Rodda**

Change 30% to 50%.

Seconded Cr. Vluggen

The amendment was put and was a **tied vote**.

Pursuant to Section 86(7) of the Local Government Act 1999, as the votes were tied the Mayor had a casting vote and voted against the amendment.

Amendment **Lost**

C96:0519

The original motion was put, being **Moved Cr. Walker** and **Seconded Cr. Oswald**

Council supports the proposal of the Friends of Port Hughes for the Johnsons Cove access ramp and allocates sufficient funds through its 2019/20 and 2020/21 Annual Budgets to support any cost shortfalls based on the Friends of Port Hughes being able to source at least 30% of funds through grants.

Motion Carried.

10.3.3 Port Hughes Seaman's Memorial

Moved Cr. Oswald

That Council support Mr Terry Logan and the Friends of Port Hughes with the construction of a Seamen's Memorial as detailed within this report (Concept A), and to be located at the suggested location

adjacent the BBQ area on the Port Hughes foreshore and at no material cost to Council.

Seconded Cr. Rodda

Amendment 1

Moved Cr. Love

Amend the suggested location from adjacent the BBQ area on the Port Hughes foreshore to be as close as practicable to the boat launching area at Port Hughes

Seconded Cr. Walker

The amendment was put and **Lost**.

C97:0519

The original motion was put, being **Moved Cr. Oswald** and **Seconded Cr. Rodda**

That Council support Mr Terry Logan and the Friends of Port Hughes with the construction of a Seamen's Memorial as detailed within this report (Concept A), and to be located at the suggested location adjacent the BBQ area on the Port Hughes foreshore and at no material cost to Council.

Motion Carried.

10.3.4 Go Pink/Real Men Wear Pink

C98:0519

Moved Cr. Vluggen

That:

- a) Council supports National Breast Cancer Foundation allowing staff to wear pink during standard working hours (7.15 am to 5.00 pm).
- b) Council donate money from the Infrastructure budget to purchase pink/yellow shirts in accordance with Australian safety standards for additional staff that wish to participate in this cause.
- c) Council support lighting the Kadina Town Hall 'pink' for the week – June 3rd through to the June the 9th 2019 by allocating the appropriate budget.

Seconded Cr. Woodforde

Carried.

10.4 Chief Executive Officer

10.4.1 Monthly Report – April/May 2019

C99:0519

Moved Cr. Sawley

That the Chief Executive Officer's Monthly Report be received.

Seconded Cr. Woodforde

Carried.

10.4.2 Moonta Mines Precinct – World Heritage Listing

C100:0519

Moved Cr. Sawley

That:-

1. The report on the status of the National Heritage Listing for Moonta Mines Precinct, funding received for a Conservation Management Plan and the proposal for World Heritage Listing be received.
2. A letter be sent to the Regional Council of Goyder indicating the Copper Coast Council's willingness to partner for a joint application for World Heritage Listing following the production of the Conservation Management Plan for the Moonta Mines Precinct.
3. Discussions be held with the Light Regional Council regarding their willingness to progress the National World Heritage listing and subsequent World Heritage Listing linking Kapunda as part of a joint application.

Seconded Cr. Vluggen**Carried.**

10.4.3 Paskeville Progress Association – Teddy Bear Fence

C101:0519

Moved Cr. Rodda

1. That the Paskeville Progress Association be thanked for organising the public meeting on 8th April 2019 to consider the proposal of the relocation of the Teddy Bear Fence to Paskeville.
2. Council notes the outcome of the public meeting on 8th April 2019, being 29 against the proposal, 1 for the proposal and 2 abstentions.
3. That the Department of Planning, Transport and Infrastructure and Barunga West Council be advised that the Paskeville community are not in favor of the relocation of the Teddy Bear Fence to Paskeville, or anywhere else within the Copper Coast Council.

Seconded Cr. Vluggen**Carried.**

10.4.4 Copper Coast Indoor Play Centre

C102:0519

Moved Cr. Woodforde

That:

1. The report on the Indoor Play Centre be received.
2. An Agreement be developed between the Copper Coast Council and Belgravia Leisure for the Indoor Play Centre to be relocated and operated at the Copper Coast Sport & Leisure Centre.

3. Publicity be given to the relocation, once established, on social and online media.

Seconded Cr. Pope
Carried.

- 10.4.5 Submission to SA Arts Plan for South Australia

C103:0519

Moved Cr. Woodforde
That the information be received.
Seconded Cr. Rodda
Carried.

- 10.4.6 State Department for Environment & Water – Plan to erect fencing at the former Wallaroo Mines site

C104:0519

Moved Cr. Rodda
That the report on the State Department for Environment and Water's plan to erect fencing at the former Wallaroo Mines site be received.
Seconded Cr. Woodforde
Carried.

- 10.4.7 Copper Coast Sport and Leisure Centre

C105:0519

Moved Cr. Woodforde
That:

1. A further extension of the Agreement for 12 months with Belgravia Health and Leisure Group Pty. Ltd. be granted until 30th June 2020 for the operation of the Copper Coast Sport and Leisure Centre.
2. A new Agreement be signed by the parties.
3. It be referred to the Chief Executive Officer to prepare tender documentation and call tenders for the Management of the operation of the Copper Coast Sport and Leisure Centre in February 2020.

Seconded Cr. Sawley
Carried.

- 10.4.8 Local Government Association of SA – Council Best Practice Showcase and Ordinary General Meeting

C106:0519

Moved Cr. Walker
It is recommended that the report on the Local Government Association of SA's Council Best Practice Showcase and Ordinary General Meeting held on 11th and 12th April 2019 be received.
Seconded Cr. Rodda
Carried.

10.4.9 Federal Budget

C107:0519

Moved Cr. Walker

That the report on the 2019/20 Federal Budget be received.

Seconded Cr. Pope

Carried.

10.4.10 2019/2020 Local Government Association of SA State Budget Submission

C108:0519

Moved Cr. Walker

That the report on the 2019/20 Local Government Association of SA State Budget Submission be received.

Seconded Cr. Vluggen

Carried.

10.4.11 Consideration of Speed Humps – Russell Street, South Terrace and West Terrace, Kadina

That pursuant to Section 75a of the Local Government Act 1999 Cr. Oswald declared a perceived conflict of interest in item 10.4.11 'consideration of speed humps – Russell Street, South Terrace and West Terrace, Kadina', as his principal place of residence is in Russell Street, Kadina, and item 10.4.12 'consideration of the Management and Control of Pigeons' as he is a property/business owner in the Kadina CBD.

Cr. Oswald left the meeting at 9.44 p.m.

C109:0519

Moved Cr. Vluggen

That:-

1. The letter from Mrs Lange regarding a request for speed humps to be placed along Russell Street, South Terrace and West Terrace, Kadina be received.
2. A copy of the traffic counter information from the 22nd February to 8th March 2019 be provided to Mrs Lange;
3. The matter of speeding cars in these streets be referred to the SA Police to monitor.

Seconded Cr. Pope

Carried.

10.4.12 Consideration of the Management and Control of Pigeons

That pursuant to Section 75a of the Local Government Act 1999 Cr. Woodforde declared a perceived conflict of interest in item 10.4.12 'consideration of the Management and Control of Pigeons' as he is a director of a company that operates a business in the Wallaroo CBD,



and advised that he would remain in the meeting, participate in the discussion and vote.

Moved Cr. Rodda

That Council assist businesses that are affected in a joint Procurement process for control measures, subject to the businesses meeting such costs.

Seconded Cr. Walker

With the content of the discussion of this item Cr. Woodforde decided that he would leave the meeting and left the meeting at 9.51 pm

Mayor Talbot declared an actual conflict of interested in this item as she has paid a contractor to remove pigeons and vacated the Chair and meeting at 9.51 p.m.

Cr. Pope assumed the Chair in the absence of Mayor Talbot.

Amendment 1

Moved Cr. Love

Delete the businesses meeting such costs and replace with Council contribute this financial year \$5,000 to be spent across all towns in the eradication of pigeons.

Seconded Cr. Rodda

The amendment was put and **Lost**.

Amendment 2

Moved Cr. Walker

Delete the businesses meeting such costs and replace with Council contribute upto \$5,000 to be spent across all towns in the eradication of pigeons subject to businesses matching the funding.

Seconded Cr. Love

The 2nd amendment was put and **Lost**.

C110:0519

The original motion was put, being **Moved Cr. Rodda** and **Seconded Cr. Walker**

That Council assist businesses that are affected in a joint Procurement process for control measures, subject to the businesses meeting such costs.

The original motion was put and **Carried**.

Motion Carried.

Automatic Division

Voting For: Cr. Vluggen, Sawley, Rodda and Walker

Voting Against: Cr. Love.

Motion Carried.

Crs. Oswald, Woodforde and Mayor Talbot returned to the Chamber at 10.03 p.m.

Mayor Talbot resumed the Chair at 10.03 p.m.

C111:0519**Moved Cr. Woodfords**

That as it had gone past 10.00 p.m., the meeting be extended for 15 minutes to 10.18 p.m.

**Seconded Cr. Rodda
Carried.**

Meeting has been extended for 15 minutes to 10.18 p.m.

10.4.13 Copper Coast Hospital Services

C112:0519**Moved Cr. Vluggen**

That:-

1. The report on the Copper Coast Hospital services be received.
2. A letter be sent to the Presiding Member of the Northern Yorke Peninsula Health Advisory Council regarding improvements to the Wallaroo Hospital Services (through Council's representative, Cr. David Woodforde).
3. A copy of this letter be requested to be provided to the Presiding Member of the Yorke and Northern Local Health Network.

**Seconded Cr. Walker
Carried.**

10.4.14 Cemetery Management Plans for Kadina, Moonta, Wallaroo and Greens Plains

C113:0519**Moved Cr. Pope**

That:-

1. The Cemeteries Working Party's views and comments be sought regarding the development of Cemetery Management Plans for the Kadina and Moonta State Heritage Listed cemeteries and the Wallaroo and Greens Plains cemeteries in the first instance and a report be submitted to Council regarding the development of such plans.
2. Existing members of the Cemeteries Working Party be approached regarding their continued interest.

**Seconded Cr. Vluggen
Carried.**



10.4.15

Economic Development and Marketing Plan

C114:0519**Moved Cr. Walker**

That:-

1. The Report on the final draft of the Economic Development and Marketing Plan be received.
2. The final draft Economic Development and Marketing Plan be subject to consultation and letters be sent to the organisations, businesses and people that contributed to the final draft Plan for any comments.
3. Following receipt of comments during the public consultation process, a report be submitted to the July Council meeting for consideration.

Seconded Cr. Oswald**Carried.**

10.4.16 Kadina Dog Park

C115:0519**Moved Cr. Walker**

That the report on the status of the establishment of a Dog Park in Kadina be received.

Seconded Cr. Oswald**Carried.**

10.4.17 Local Government Emergency Management Framework

C116:0519**Moved Cr. Walker**That Councillors provide any feedback to the Chief Executive Officer prior to the 17th May 2019 and Council forward a submission to the Local Government Association on the Local Government Association Emergency Management Framework.**Seconded Cr. Woodforde****Carried.****11. Correspondence:**

11.1 Correspondence for information –

- 11.1.1 Minister for Environment and Water, David Speirs MP – advice of the appointment of the new Presiding Member of the Northern and Yorke Natural Resources Management Board (NRM), Ms Caroline Schaefer
- 11.1.2 Office of the Prime Minister of New Zealand – letter of appreciation for the support given in the wake of the attack in Christchurch



11.1.3 We Ride Australia – Labor's historic \$260m for bike infrastructure

C117:0519

Moved Cr. Walker

That the information in items 11.1.1 – 11.1.3 inclusive be received and noted.

Seconded Cr. Vluggen

Carried.

11.2 Correspondence with recommendations – Nil.

11.3 Correspondence for Council consideration - Nil.

12. Other Business:

12.1 Execution of Documents/Application of Seal –

C118:0519

Moved Cr. Walker

That this item be deferred to the next ordinary meeting of Council, pending further information being provided.

Seconded Cr. Love

Carried.

12.2 Items which must be dealt with as a matter of urgency – Nil.

12.3 Matters of Special Interest - Nil

12.4 Application for Leave of Absence

C119:0519

Moved Cr. Woodforde

That the meeting be extended for a further 15 minutes

Seconded Cr. Love

Carried.

At 10.15 pm the meeting was extended for a further 15 minutes to 10.30 pm.

13. Confidential Items:

13.1 Lease of Council Premises for Regional Speech Pathology

C120:0519

Moved Cr. Pope

That Council, having formed the view that the principle that meetings of the Council should be conducted in a place open to the public is outweighed by the need to keep the information and/or discussion of the next item of

business confidential, and hereby order pursuant to Section 90(2) of the Local Government Act, 1999 that:

- the public be excluded from the meeting in order to consider, in confidence, the next item;
- the Chief Executive Officer Russell Peate, Director Corporate and Community Services Katrina Borlace, Director Development Services Muller Mentz, Co-ordinator Executive Services Roylene Schild and Executive Assistant/Minute Secretary Wanita Gregory remain in attendance; and
- the grounds for exclusion be recorded pursuant to Section 90(3)(b)(d)(i):
 - (b) information the disclosure of which –
 - (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party;

**Seconded Cr. Vluggen
Carried.**

The public in the gallery vacated the meeting and the chamber was secured at 10.16 p.m.

That pursuant to Section 75a of the Local Government Act 1999 Cr. Oswald declared a perceived conflict of interest as he is the owner of a commercial property previously offered to Daveloni Pty Ltd for the opportunity to lease, no tenancy resulted, will remain for the discussion and the leave the meeting for voting.

Cr. Oswald vacated the meeting at 10.23 p.m.

Cr. Oswald returned to the meeting at 10.27 p.m.

13.2 Extension of Confidentiality – question on Notice from Cr. Walker

C122:0519

Moved Cr. Pope

That Council, having formed the view that the principle that meetings of the Council should be conducted in a place open to the public is outweighed by the need to keep the information and/or discussion of the next item of business confidential, hereby order pursuant to Section 90(2) of the Local Government Act, 1999 that:

- the public be excluded from the meeting in order to consider, in confidence, the next item;
- the Chief Executive Officer Russell Peate, Director Corporate and Community Services Katrina Borlace, Director Development Services Muller Mentz, Co-ordinator Executive Services Roylene Schild and

Executive Assistant/Minute Secretary Wanita Gregory remain in attendance; and

- the grounds for exclusion be recorded pursuant to Section 90(3)(e):
(e) matters affecting the security of the Council, members or employees of the Council, or Council property, or the safety of any person;

**Seconded Cr. Vluggen
Carried.**

There was no one from the public in the gallery, the Chamber was secured at 10.28 p.m.

The ordinary meeting resumed at 10.31 p.m.

14. Closure

The meeting closed at 10.32 p.m.

The foregoing Minutes of the Meeting of Council were read and confirmed at the Meeting of Council held on 5th June 2019.

MAYOR.....

