

MINUTES OF A MEETING OF THE COUNCIL, held at the Council Chambers, Town Hall, Kadina, on Wednesday, 7th August 2019, commencing at 7.01 p.m.

PRESENT: Mayor Roslyn Talbot (Presiding Member), Councillors TH Love, PJ Oswald, DW Rodda, 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
Mr W DellaTorre, Director Infrastructure Services
Mrs W. Gregory, Executive Assistant/Minute Secretary

1. Opening of Meeting:

Mayor R.J. Talbot opened the meeting.

There were 20 members of the public and 2 members 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 - Nil.
- 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 - Nil.

3. Apologies:

- 3.1 Apologies – Cr. MA Pope, NL Sawley & HB Schmidt.
- 3.2 Leave of Absence – Nil.

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

4.1 Council Meeting

C224:0819

Moved Cr. Rodda

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

Seconded Cr. Walker**Carried.****5. Business Arising from Previous Meetings:**

5.1 Item 10.4.8 Change of Council Meeting Times – adjourned from the 3rd July 2019 Council Meeting

C225:0819

Moved Cr. Walker

That the matter be adjourned until the 4th September 2019 Council meeting.

Seconded Cr. Love**Carried.****6. Reports by Members:**

6.1 Mayor's Monthly Report -

6.2 Deputy Mayor's Report - Nil.

6.3 Members Delegates/Working Parties

C225:0819

Moved Cr. Oswald

That the Mayor's and Members Delegates reports be received and noted.

Seconded Cr. Woodforde**Carried.**

6.4 Committee Chairperson's Report – Nil.

7. Questions With and Without Notice:

7.1. Questions (without debate) on notice –

7.2.1 Cr. Love

Q1 With regard to the business and jobs grant incentive scheme, which is currently in place until 2021, can you please advise the number of businesses that have taken this up in each town and if possible name the businesses who have benefitted from this offer?

Staff Response

Under the business creation and jobs grants, I am advised that no businesses have applied for this assistance.

Q2 The zoning of the Moonta Business District has apparently been extended to take in the area previously occupied by Simmons Concrete Contractors on Blythe Terrace, Moonta. If this is the case, when was the rezoning carried out and what zone classification is applicable now, taking into consideration the residential homes in Ryan Street and Blythe Terrace are also affected. Does this now mean that those residences would have a lesser right to objections on future development than under the previous classification?

Staff Response

Section 2279, Blythe Terrace (that is the area previously occupied by Simmons Concrete Contractors on Blythe Terrace, Moonta) was rezoned to Town Centre Zone as part of the Better Development Plan (BDP) and General DPA Part 2 process. The Better Development Plan (BDP) and General DPA process started around 2013 and was done in two Parts as directed by DPTI. The new zoning became effective on 9 June 2016.

Q3.1 Considering the recent removal of identified dangerous trees in Victoria Square Kadina, does the Council have a comprehensive register of all trees on Council land and verges?

Staff Response

Not all of trees, it only undertakes arborist reports (comprehensive register), within high use and hence high risk areas - Victoria Square Kadina, Queen Square Moonta, Polgreen Park Moonta and the fig trees within the Wallaroo CBD Owen Terrace. These reports are reviewed every 5 years. In addition we have Council staff that routinely inspect trees and their condition.

Q3.2 Considering there are numerous dead trees on Council controlled property, does Council plan to regularly remove these and replace with new plantings on a regular basis?

Staff Response

All best intentions to remove as many dead trees as practicable, however, this is based on a risk and condition analysis of the tree, including the surrounding environment as it may be host to native habitat.

Any trees that are removed are offset with new. On some occasions it may not be possible to replant in the same location, however, in this instance will be planted in a different location within our community.

Q3.3 Do Council only act on requests from residents?

Staff Response

No, while it is important for residents to report this through our customer service system Council remains proactive to ensure the best possible maintenance of our local trees.

In addition to our management plans in the high risk areas staff work collectively with community groups, schools and a correctional services program on tree planting/maintenance programs. Recent examples include plantings in Victoria Park Moonta, Port Hughes-Moonta cycleway, foreshore rehabilitation through the Friends of Port Hughes, revegetation of the Kadina-Wallaroo rail corridor working alongside Rotary, replanting of 13 new trees in Victoria Square Kadina working with the Kadina Memorial School, working with local schools as part of the National Tree Planting Day and working with the Australian Plant Society to propagate local plants locally.

Q4.1 In relation to the monthly green waste collection, has the biodegradable food scrap bags been investigated and if so when will they be implemented and at what cost to the community?

Q4.2 How will the community be able to access them?

Staff Response

Questions on Notice were received on 31st July 2019 at 9.07 pm. A response will be provided for the next Council meeting.

7.2. Questions Without Notice – Nil.

8. Petitions and Memorials:

Nil.

9. Notices of Motion:

Nil.

10. Reports of Officers:

10.1 Director Corporate and Community Services

10.1.1 Audited Annual Financial Statements

C226:0819**Moved Cr. Rodda**

That Council authorise the Principal Member of the Council and the Chief Executive Officer to sign the certification of the Annual Financial Statements 2018/19 in their final form when completed.

**Seconded Cr. Vluggen
Carried.**

10.1.2 Rating Policy

C227:0819**Moved Cr. Walker**

Resolved that attached to this report titled "Rating Policy" is the Rating Policy referred to in the resolutions made at the Council meeting on 3rd July 2019. The Rating Policy is available publicly and is placed on Council's website.

**Seconded Cr. Oswald
Carried.**

10.1.3 Schedule of Fees and Charges 2019/2020

C228:-819**Moved Cr. Oswald**

That the Boat Launching Fees for Commercial and Recreational remain unchanged.

**Seconded Cr. Woodforde
Carried.**

10.1.4 Strategic Plan 2019 – 2029

C229:0819**Moved Cr. Rodda**

That the Strategic Plan 2019 – 2029 be adopted.

**Seconded Cr. Walker
Carried.**

10.1.5 Community Grants Review Panel

C230:0819**Moved Cr. Woodforde**

That:-

1. Council establish a Review Panel consisting of the Mayor (ex-officio), Deputy Mayor, Chair of Audit Committee and Crs. Oswald, Walker and Sawley, to assess applications received under the Community Grants Program.
2. The Director of Corporate and Community Services will prepare a report to Council with recommendations from the Review Panel on the applications received.

3. Council note that a morning tea for the successful recipients of the Community Grants is scheduled for Wednesday, 16th October 2019.

Seconded Cr. Love

Carried.

10.2 Director Development Services

10.2.1 Microchipping Program

C231:0819

Moved Cr. Love

That Council authorises the Chief Executive Officer to engage the services of Chipblitz to provide an affordable microchipping opportunity to the local community.

Seconded Cr. Walker

Carried.

10.2.2 Request to Waive Permit Fees

C232:0819

Moved Cr. Love

That Council agree to waive the fees payable by Jeanette Burnell for a permit to run the Moonta Dog Obedience classes at Queen Square, Moonta.

Seconded Cr. Rodda

Carried.

10.2.3 Wallaroo Skate Park Proposed Re-development

C233:0819

Moved Cr. Vluggen

That Council:-

1. Support the proposed redevelopment of the Wallaroo Skate Park in principle, subject to the following requirements:
 - a) The preparation and submission of a Development Application by Mrs Jodie Turner for the redevelopment of the Wallaroo Skate Park;
 - b) After lodgement of the Development Application Mrs Jodie Turner undertake a public consultation exercise notifying all residents that live within a 350m radius from the proposed redevelopment. Council Officer must notify Mrs Turner when the application is ready for public viewing to coordinate the public notification process.
 - c) Council officer advertise the proposed development on Council's social media for comment.
 - d) Council officers assisting Mrs Turner with the preparation and mailing of letters to residents within the 350m radius from the proposed development.

- e) The convening of a public meeting if so requested by the local residents to address any reasonable and valid concerns that they may have;
 - f) The presentation of a report to Council following the finalisation of the public meeting. The report shall reflect all concerns raised by the residents and how the concerns (if considered reasonable and valid) will be addressed.
 - g) After reviewing any concerns that the local residents may have Council reserves the right to stop the proposed redevelopment or scale it down to address the concerns that the residents may have.
 - h) The implementation of the redevelopment (when approved) at no cost to Council. This does not preclude Mrs Turner or any member of the public from applying for funding through Council's Community Grants Scheme or making a submission requesting financial support when the Annual Council Budget is prepared.
 - i) The proposed development be designed in such a manner that it can be implemented in stages. Prior to the commencement of the implementation of any stage, evidence shall be provided that adequate funding is available to complete that stage.
2. Waive any application fees associated with the Development Application for the proposed redevelopment of the Wallaroo Skate Park.

**Seconded Cr. Oswald
Carried.**

10.2.4 Moonta Football Club Licensing Change

C234:0819

Moved Cr. Rodda

That Council support the proposed amendment to a condition on the Liquor Licence of the Moonta Football Club to allow the consumption of alcoholic beverages outside of the clubhouse building during the hours of 11.00am to 11.00pm during sporting events or programmed activities.

**Seconded Cr. Love
Carried.**

10.2.5 Development Services Statistics – (April to June 2019)

C235:0819

Moved Cr. Rodda

That the Development Services Statistics report for the period of April to June 2019, be received.

**Seconded Cr. Oswald
Carried.**

10.3 Director Infrastructure Services

10.3.1 Update on Current Status of Projects and Programs

C236:0819**Moved Cr. Woodforde**

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

Seconded Cr. Walker**Carried.**

10.3.2 Request for Easement

C237:0819**Moved Cr. Rodda**

That Council support the South Australian Water Company request to offer Council \$2,000 (plus GST) compensation for the easement over portion of Allotment 203 Deposited Plan 63963 and that all registration costs of the easement will be undertaken at no cost to Council and that all works are reinstated to the condition prior to works commencing and at no cost to Council, and that the \$2,000 received be donated for the ongoing maintenance of the park.

Seconded Cr. Vluggen**Carried.**

10.3.3 Temporary Road Closure – Illuminart

C238:0819**Moved Cr. Vluggen**

That Council exercises its power pursuant to section 33(1) of the Road Traffic Act 1961 and Clause F of the Instrument of General Approval of the Minister dated 12th March 2001 to close the requested sections of road, at no cost to Council:

1. Pursuant to Section 33(1) of the Road Traffic Act 1961, declare that the event described below (“the Event”) that is to take place on the road described below (“the Road”) is an event to which Section 33 of the Road Traffic Act 1961 applies; and
2. Pursuant to Section 33(1)(a) of the Road Traffic Act 1986, make an order directing that the Road on which the events are to be held be closed to traffic as follows:

Event: Wallaroo Illuminart Show –**From 5.00pm – 8.30pm, Friday August 16th 2019**

- Chatfield Terrace from Abraham Rydberg Drive through to the Jetty Road – Heritage Drive round-a-bout.

3. Pursuant to Section 33(1) (b) of the Road Traffic Act, 1961 Council makes an order directing that persons taking part in the Event be exempted, in relation to the Roads, from the duty to observe the Australian Road Rules specified below and attaching to the exemption:

Australian Road Rules Exemption and Conditions

Rule 221: Using hazard warning lights;

Rule 230: Crossing a road – general;

Rule 238: Pedestrians travelling along a road; (except in or on a wheeled recreational device or toy);

Rule 250: Riding on a footpath or shared path;

Conditions of Exemptions

Rule 237: Provided the vehicle does not exceed 5km/hr;

Rule 264: Provided the speed of the vehicle does not exceed 5km/hr;

Rule 265: Provided the speed of the vehicle does not exceed 5km/hr;

Rule 268: Provided the speed of the vehicle does not exceed 5km/hr;

Rule 269: Provided the vehicle does not exceed 5km/hr; and

Rule 298: Provided the speed of the vehicle does not exceed 5km/hr; (4) that subject to the issue of the road closure order referred to in (2) above, Council or its agents and contractors be authorised to install and remove, or cause the installation and removal of necessary and appropriate traffic control devices for the conduct of this event.

4. That Council advertise these road closures in the Yorke Peninsula Country Times and notify the Department for Planning Transport and Infrastructure, SAPOL and Emergency Services.

Seconded Cr. Woodforde

Carried.

10.4 Chief Executive Officer

10.4.1 Monthly Report – July / August 2019

C239:0819

Moved Cr. Rodda

That the Chief Executive Officer's monthly report be received.

Seconded Cr. Woodforde

Carried.

10.4.2 South Australia's 20 Year State Infrastructure Strategy

C241:0819**Moved Cr. Rodda**

That the report on the submission forwarded to Infrastructure South Australia on their 20 Year State Infrastructure Strategy Discussion Paper be received.

Seconded Cr. Walker
Carried.

10.4.3 Economic Development and Marketing Plan

C242:0819**Moved Cr. Walker**

That:-

1. The submissions and comments on the Economic Development and Marketing Plan be received.
2. The Economic Development and Marketing Plan for the Copper Coast Council as amended, taking into account comments received, be adopted.
3. Council note the Table indicating Actions, Strategies, Primary Organisations, suggested Budget and Timelines for implementation of the Plan.
4. A report be submitted to Council on a 6 monthly basis outlining the status of strategies to be implemented.

Seconded Cr. Oswald
Carried.

10.4.4 Consideration of the Amendment of the Naming of Streets, Roads and Public Places Policy

C243:0819**Moved Cr. Rodda**

That:-

1. The Naming of Streets, Roads and Public Places Policy be amended by inserting a new Clause in Clause 5.1 Selection Criteria, to read as follows:
 - h. Generally recognised sites of historical and cultural significance. For example Sir Walter Hughes Way, Smelters Way, Paramatta Drive (Locality at Moonta), Kurilla Road (small Mining Company), Cothele (Cothele House, Moonta), Reservoir Road (reservoir owned by the Mining Company in Moonta Mines), Eclipse Terrace (Schooner to Wallaroo), Kirribilli Drive (Kirribilli House, Wallaroo).
2. The amended Policy be subject to community consultation for a minimum of 21 days in accordance with Council's Public Consultation Policy.

3. Upon the expiration of the public consultation period on the amended Policy, a report including all comments received, be submitted to Council for consideration.

Seconded Cr. Vluggen

Carried.

10.4.5 Murray Darling Association Membership

C244:0819

Moved Cr. Rodda

That:-

1. The letter from the Murray Darling Association dated 28th June 2019 requesting consideration of membership by the Copper Coast Council be received.
2. Council advise the Murray Darling Association that it has other priorities and will not be pursuing membership.

Seconded Cr. Woodforde

Carried.

10.4.6 Consideration of New Policy – Waiving of Application Fees for Community Groups

C245:0819

Moved Cr. Rodda

That the Wallaroo Community Development Association be advised that the application fees for the Cutter Canberra sculpture will be waived.

Seconded Cr. Vluggen

Carried.

10.4.7 Natural Resources Committee of Parliament – Management of Off Road Recreation Vehicles in South Australia

C246:0819

Moved Cr. Love

That the Copper Coast Council forward a submission to the Natural Resources Committee of Parliament in South Australia into the use of off road vehicles.

Seconded Cr. Walker

Carried.

10.4.8 Stormwater Management Authority Priorities 2020 – 2025

C247:0819

Moved Cr. Woodforde

That:-

1. The Circular from the Local Government Association regarding the Stormwater Management Authority priorities from 2020 to 2025 be received.

2. Council note the submission forwarded to the Stormwater Management Authority.

Seconded Cr. Walker

Carried.

10.4.9 Parliamentary Recycling Inquiry

C248:0819

Moved Cr. Rodda

That Council note the Copper Coast Council's submission and the Local Government Association of South Australia's submission to the Parliament of South Australia's Inquiry into the Recycling Industry.

Seconded Cr. Vluggen

Carried.

10.4.10 Advocacy to Remove the Obligation on Council's to Collect the State Government NRM Levy

C249:0819

Moved Cr. Oswald

That Council note the letters to Shadow Minister for Local Government, Hon. Tony Piccolo, Deputy Leader in the Legislative Council, Hon. Clare Scriven MLC and Shadow Minister for Primary Industries and Regional Development, Eddie Hughes MP, requesting support for amendments to the Landscape SA Bill to remove the obligation from Councils to collect the proposed State Government Regional Landscape Levy.

Seconded Cr. Rodda

Carried.

10.4.11 Concerns Regarding the new State Planning Reforms

C250:-819

Moved Cr. Love

That Council note the Motion sent to the next Legatus meeting to be held on 30th August 2019 requesting the following:-

- a) A Working Party be formed with representatives from the State Department of Planning, Transport and Infrastructure and the Local Government Association of SA, (including rural and regional Council representatives), to discuss, and where necessary, amend the new Planning and Design Code and all Practice Guidelines that are relevant for all Regional and Rural Councils.
- b) The new Planning and Design Code and all Practice Guidelines must be released in its final draft form and reasonable timeframes provided for comment to Councils, prior to formalising the implementation.

Seconded Cr. Vluggen

Carried.

10.4.12 Copper Coast Involvement in the Spencer Gulf University Hub

C251:0819

Moved Cr. Walker

That:-

1. The report on a possible model for tertiary education courses in Nursing and Agriculture for the Copper Coast area based at Kadina, in association with the Spencer Gulf University Hub at Port Pirie, be received.
2. It be referred to the Chief Executive Officer to obtain quotations to undertake a survey of the public and industry in the Copper Coast area regarding possible participation in the tertiary courses for Nursing and Agriculture based at a facility in Kadina.
3. Council note the establishment of a Steering Committee to discuss and progress a possible model for tertiary education in the Copper Coast area, in association with the Spencer Gulf University Hub at Port Pirie.
4. Further discussions continue with the Spencer Gulf University Hub at Port Pirie, particularly after the results of the public survey in the Copper Coast area regarding tertiary education participation.
5. An invitation be extended to the Director, Spencer Gulf University Hub at Port Pirie to attend an Informal Gathering of Council.

**Seconded Cr. Rodda
Carried.**

C252:0819

Moved Cr. Walker

That Council request the Chief Executive Officer to liaise with TAFE SA regarding the provision of Aged Care Courses at the Kadina TAFE (Certificate 3 and Certificate 4), given the number of Aged Care providers in the region and the need for qualified staff. A report back to be supplied at the next Council meeting.

**Seconded Cr. Love
Carried.**

10.4.13 Proposal for Watercraft Leisure

C253:0819

Moved Cr. Rodda

That:-

1. The report on the proposal for Watercraft Leisure be received.
2. It be referred to the Chief Executive Officer to undertake an Expression of Interest process for such a proposal.

3. A report be submitted to Council with proposals received, for consideration.

Seconded Cr. Woodforde
Carried.

10.4.14 Dog Parks at Moonta and Wallaroo

C254:0819

Moved Cr. Oswald

That:-

1. Council note the intention for the establishment of a dog park on the land adjoining Polgreen Park (Road Reserve), at Moonta, following consultation undertaken in November 2016.
2. The partial road closure of Robert Street and Bay Road, Moonta be progressed and following the completion of the partial road closure, an application be submitted to the State Government for the freeholding of this land for Community purposes.
3. Council note that an area of land owned by Council described as Allotment 2002 at Wallaroo has been allocated for an off leash dog park.
4. Council note that the area identified at Wallaroo for an off leash dog park was included in the Community Consultation information in November 2016.

Seconded Cr. Rodda
Carried.

- 10.4.15 Meeting with State Member for Narungga, Fraser Ellis MP
- 10.4.16 Federal Government Drought Communities Program Extension Funding for Copper Coast Council
- 10.4.17 Cemeteries Working Party

C254:0819

Moved Cr. Woodforde

That the Chief Executive Officer's reports numbered 10.4.15 to 10.4.17 inclusive, be received and noted.

Seconded Cr. Walker
Carried.

11. Correspondence:

- 11.1 Correspondence for information –
 - 11.1.1 Local Government Association of SA – Circular 27.1 – Increases for Fees and Charges set by Legislation
 - 11.1.2 Local Government Association of SA – Circular 27.7 – Public Health Update July 2019 and Opportunities to have your say

- 11.1.3 Minister for Environment and Water – Opportunities for families to retain shacks on Crown Land and in National Parks
- 11.1.4 SA Housing Authority – Housing and Homelessness Strategy update
- 11.1.5 Member of the Legislative Council, Hon. Justin Hanson – Solid Waste Levy
- 11.1.6 Department of Planning, Transport and Infrastructure – Revised Dates for Phase Two and Phase Three of the Code
- 11.1.7 Green Industries SA – Funding Offer for Regional Transport Relief Fund – Round 2
- 11.1.8 Federal Member for Grey, Rowan Ramsey MP – Drought Communities Programme (DCP) Extension Funding
- 11.1.9 Local Councils Vote for a Referendum
- 11.1.10 Migrant workers hold key for country towns
- 11.1.11 Accreditation Authority – Accredited Professionals Scheme
- 11.1.12 Australian Local Government Association – Prime Minister unveils new Regional Parliamentary Committee and Statement
- 11.1.13 Business SA – 180th Anniversary celebrations
- 11.1.14 SA Planning Commission – Discussion Paper on Changes to Renewable Energy Policies
- 11.1.15 Department of Planning, Transport and Infrastructure – Correspondence from Minister for Transport, Infrastructure and Local Government – Schedule of Representation Reviews
- 11.1.16 Member for Bragg, Ms Vickie Chapman MP – Statutes Amendment (Decriminalisation of Sex Work) Bill 2018
- 11.1.17 State Planning Commission – Planning and Design Code and supporting Development Assessment Regulations

C255:0819**Moved Cr. Woodforde**

That the information in items 11.1.1 to 11.1.17 inclusive, be received and noted.

Seconded Cr. Rodda**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 –

C256:0819**Moved Cr. Rodda**

That the Mayor and Chief Executive Officer be authorised to sign and execute the following listed documents with the Copper Coast Council Common Seal:

- Council Facilities Lease with Peninsula Community Broadcasters Inc., to lease a Portion of Section 2259 Hallett Street, Kadina.
- Council Facilities Lease with Northern and Yorke Natural Resources Management Board, to lease a Portion of Section 2259 Hallett Street, Kadina.
- Council Land Lease with the Northern Yorke Peninsula Pony Club, to lease Section 1795 Marshall Road, Moonta Mines.

Seconded Cr. Vluggen**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 - Nil.

13. Confidential Items:

13.1 Confidential Items Register

C258:0819**Moved Cr. Rodda**

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:

- all public be excluded from the meeting in order to consider, in confidence, the next item;
- the Chief Executive Officer Russell Peate and Executive Assistant/Minute Secretary Wanita Gregory remained in attendance; and
- the grounds for exclusion be recorded pursuant to Section 90(3)(a):
 - (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Seconded Cr. Woodforde**Carried.**

The public and staff vacated the meeting and the Chamber was secured at 8.47 pm.

C259:0819

Moved Cr. Vluggen

That under the provision of Section 91(7) of the Local Government Act, 1999, as amended, that the report, accompanying documents and Council resolution C141:0718, having been dealt with on a confidential basis under Part 3 of Chapter 6 of the Act, should be kept confidential on the grounds previously identified pursuant to Section 90(3)(a), for a period of twelve (12) months, noting that as a directive of the Ombudsman the Council are not authorised to disclose the Final Report and must maintain confidentiality accordingly, at any review.

Seconded Cr. Rodda
Carried.

Ordinary meeting resumed at 8.56 pm.

14. Closure

The meeting closed at 8.57 pm.

The foregoing Minutes of the Meeting of Council were read and confirmed at the Meeting of Council held on 4th September 2019.

MAYOR.....