

**MINUTES OF A MEETING OF THE COUNCIL**, held at the Council Chambers, Town Hall, Kadina, on Wednesday, 5<sup>th</sup> June 2019, commencing at 7.00 p.m.

**PRESENT:** Mayor, Roslyn Talbot (Chair), Councillors TH Love, PJ Oswald, MA Pope, NL Sawley, HB Schmidt, CE Vluggen.

**IN ATTENDANCE:** Mr R. Peate, Chief Executive Officer  
Mrs K. Borlace, Director Corporate & Community Services  
Mr W DellaTorre, Director Infrastructure 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 9 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 Memorial – Nil.
- 1.3 Members Declaration of Interest -
- 1.4 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 Peter Ackland, Chief Executive Officer, Port Pirie Regional Council – Solar Incentive Scheme



**3. Apologies:**

- 3.1 Apologies – Crs. DW Rodda and BK Walker.
- 3.2 Leave of Absence – DL Woodforde.
- 3.3 Non-attendance – Nil.

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

- 4.1 Council Meeting

**C126:0619****Moved Cr. Schmidt**

That the Minutes of the Meeting of Council held on the 1<sup>st</sup> May 2019 be taken as read and confirmed.

**Seconded Cr. Love  
Carried.**

- 4.2 Special Meeting of Council

**C127:0619****Moved Cr. Sawley**

That the minutes of the Special Meeting of Council held on 9<sup>th</sup> May 2019 be taken as read and confirmed.

**Seconded Cr. Oswald  
Carried.**

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

- 6.1 Mayor's Monthly Report -

- 6.2 Deputy Mayor's Report –

2<sup>nd</sup> Local Government Association Waste Essentials Webinar, Kadina.

9<sup>th</sup> Special Meeting of Council, Kadina.

14<sup>th</sup> Dressing of Graves, Paskeville.

17<sup>th</sup> Kernewek Lowender Festivities, Moonta.

18<sup>th</sup> Kernewek Lowender Festivities, Kadina.

Aussie Breakfast

22<sup>nd</sup> Draft Annual Business Plan Public Meeting, Kadina.

30<sup>th</sup> State Planning Briefing Session, Kadina.

31<sup>st</sup> Moonta Area School Reconciliation Assembly and morning tea, Moonta.

## 6.3 Members Delegates/Working Parties

C128:0619

**Moved Cr. Pope**

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

**Seconded Cr. Sawley**

**Carried.**

## 6.4 Committee Chairperson's Report –

Cr. Schmidt advised of an Audit Committee meeting held on 3<sup>rd</sup> June 2019.

7. **Questions With and Without Notice:**

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

7.2. Questions Without Notice – Nil.

8. **Petitions and Memorials:** Nil.

9. **Notices of Motion:** Nil.

10. **Reports of Officers:**

10.1 Report of Officers – Executive Services

10.1 Director Corporate and Community Services

10.1.1 Lions Club of Wallaroo – Community Grant Extension

C129:0619

**Moved Cr. Oswald**

That the 2018/19 Community Grant of \$2,500 for the Lions Club of Wallaroo and the requirement for the funds to be spent and acquitted by 30<sup>th</sup> June 2019 be extended until 30<sup>th</sup> June 2020.

**Seconded Cr. Vluggen**

**Carried.**

10.1.2 Schedule of Fees and Charges 2019/2020

C130:0619

**Moved Cr. Pope**

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

**Seconded Cr. Schmidt****Carried.**

## 10.1.3 Pubic Consultation on Annual Business Plan 2019-20

C131:0619

**Moved Cr. Pope**

That Council, having considered the submissions, direct the Chief Executive Officer to;

- a) make the following changes to the Draft Annual Business Plan using the text below or words to that effect;
1. Page 6 remove the sentence "The annual Antique and Collectables Fair, held at Moonta, continues to grow in its reputation, since the inaugural event in 1973."
  2. Page 12 insert a full stop after the word "assets" in the second dot point to start the new sentence.
  3. Page 12 remove the word "costs" in dot point 8 and finish the sentence with "and asset maintenance costs."
  4. Page 14 insert as dot points 1 - 5,
    - a. To work with the State Government (DPTI) for the reconstruction of Mines Road from Agery Road through to the 80km/hr signage past Martinga Road.
    - b. Consultation regarding the design of Bay Road into Moonta Bay and some commencement of works
    - c. Application to the State Government for a road swap for the entrance road to Wallaroo so that this road can be upgraded.
    - d. Application for funding to repair the Wallaroo Breakwater
    - e. To formalise ownership for the Wallaroo to Moonta Rail trail for walking and cycling.
  5. Page 14 remove the words "and the breakwaters at Wallaroo" from dot point 5
  6. Page 23, remove the sentence "Council will provide additional Garbage and Green waste services based on the rates set in the Fees and Charges Schedule" and include the following as a result of the recommendation from Special Council Meeting held on the 6<sup>th</sup> of May, 2019.

"Council will continue to provide additional Garbage and Green waste services based on the rates set in the Fees and Charges Schedule and look to implement a free monthly

garden green waste kerbside collection to residential properties as funds become available.

Council will also implement a green waste voucher system to allow residential ratepayers to deliver two domestic loads of free clean organic garden green waste per year to the Resource Recovery Centre under the supervision of staff."

7. Page 26, include the sentence under Waste Management & Recycling, "Resource Recovery Centre – Implement a weigh in/weigh out system when funding becomes available."
  8. Page 28, include under Cemeteries the sentence "It is intended for Cemetery Management Plans to be produced for the four Council cemeteries in Kadina, Moonta, Wallaroo and Greens Plains."
  9. Page 17 no 5 remove Yorke Youth Services and replace with support to the Copper Coast Youth Centre (SOS).
- b) Respond to all those that provided submissions, thanking them for their input.

**Seconded Cr. Sawley  
Carried.**

#### 10.1.4 Delegations Annual Review

**C132:0619**

#### **Moved Cr. Schmidt**

That having conducted its annual review of the Council's Delegations Register in accordance with Section 44(6) of the Local Government Act 1999, the Council:

#### **1. Delegations made under Local Government Act 1999**

- 1.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Appendices 3 & 4 (each of which is individually identified as indicated below) are hereby delegated this 5<sup>th</sup> day of June 2019 to the person occupying the office of Chief Executive Officer, and anyone who may, from time to time, be appointed to act in that position, subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.



- 1.1.1 Community Titles Act 1996
- 1.1.2 Dog & Cat Management Act 1995
- 1.1.3 Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010
- 1.1.4 Expiation of Offences Act 1996 (with effect from 30 April 2018)
- 1.1.5 Fences Act 1975
- 1.1.6 Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005
- 1.1.7 Freedom of Information Act 1991
- 1.1.8 Deliberately left blank
- 1.1.9 Land & Business (Sale & Conveyancing) Act 1994
- 1.1.10 Liquor Licensing Act 1997
- 1.1.11 Local Government Act 1999
- 1.1.12 Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005
- 1.1.13 Roads (Opening and Closing) Act 1991
- 1.1.14 Work Health and Safety Act 2012
- 1.1.15 Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014
- 1.1.16 Unclaimed Goods Act 1987
- 1.1.17 South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013 and South Australian Public Health (General) Regulations 2013
- 1.1.18 Safe Drinking Water Act 2011
- 1.1.19 Water Industry Act 2012 and Water Industry Regulations 2012
- 1.1.20 Real Property Act 1886
- 1.1.21 Strata Titles Act 1988



- 1.1.22 Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014
- 1.1.23 Electronic Conveyancing National Law (South Australia) Act 2013
- 1.1.24 Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017
- 1.1.25 Planning, Development and Infrastructure Act 2016
- 1.1.26 Fines Enforcement and Debt Recovery Act 2017 (with effect from 30 April 2018)
- 1.1.27 Electricity Act 1996
- 1.1.28 Gas Act 1997
- 1.1.29 By-Laws -
  - 1 - Permit & Penalties Delegation
  - 2 - Local Government Land Delegation
  - 3 - Roads Delegation
  - 4 - Moveable Signs Delegation
  - 5 - Dogs Delegation
  - 6 - Cats Delegation
- 1.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

## **2. Delegations made under Development Act 1993**

- 2.1 In exercise of the powers contained in Section 20 and 34(23) of the Development Act 1993, the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the proposed Instrument of Delegation (annexed to the Report dated 28<sup>th</sup> May 2019 and entitled Delegations Annual Review and marked Appendix 4) are hereby delegated this 5<sup>th</sup> day of June 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions



contained in the proposed Instrument of Delegation under the Development Act 1993.

- 2.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
- 2.3 In exercise of the powers contained in Section 20 and 34(23) of the Development Act 1993 the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the proposed Instrument of Delegation (annexed to the Report dated 28<sup>th</sup> May 2019 and entitled Delegations Annual Review and marked Appendix 4) and which are specified below are hereby delegated to the Council's Assessment Panel, subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.

**Development Act 1993:**

33, 33(1)(c), 33(1)(d), 33(3), 35(1), 35(2), 35(3)(a), 37AA, 37(1)(a) and (b), 37(5)(a), 38(4), 38(5), 38(8), 38(10)(a), 38(10)(b), 38(11), 38(12), 39(2), 39(3)(b), 39(3)(b)(ii), 39(4)(a), 39(4)(b), 39(4)(c), 39(5), 39(7), 39(8), 39(9), 39(4)9d, 40(1), 40(3), 42 (1) and (3), 43, 45A(2), 45A(14), 49(5), 49(4a), 49(9), 50(1), 50(2)(d), 50(30), 50(10), 50(11), 51(2), 52(2), 52(4), 101(1), 101(2)

**Development Regulations 2008:**

16(1), 16(2), 17(3), 17(4), 17(6), 20(4), 20(5), 22(1), 23(2), 24(1), 25, 25(b), 27(1), 29(1), 29(2), 30(1), 30(2), 30(4), 34(2), 36, 42, 42(4), 43(3), 44, 46(1), 47, 48(2), 51(4), 51(5), 51(6), 52(1), 53 (1) and (2), 53(4), 53(6), 54(1), 55(1), 55(2), 55(4), 59(1), 64(2), Item 3 of Clause 2 of Schedule 8, Item 5(1) of Clause 2 of Schedule 8, Item 10(b) of Clause 2 of Schedule 8, Clause 1 or Part 1 to Schedule 9, Clause 2(g) of Part 1 to Schedule 9, Clause 3 of Part 1 to Schedule 9, Clause 5 of Part 1 to Schedule 9, Clause 11 of Part 1 to Schedule 9, Clause 17 of Part 1 to schedule 9, Clause 21 of Part 2 to Schedule 9



**3. Delegations made under Food Act 2001**

- 3.1 In exercise of the powers contained in Section 91 of the Food Act 2001, the powers and functions under the Food Act 2001 contained in the proposed Instrument of Delegation (annexed to the Report dated 28<sup>th</sup> May 2019 and entitled Delegations Annual Review and marked Appendices 3 & 4) are hereby delegated this 5<sup>th</sup> day of June 2019 to the person occupying the office of Chief Executive Officer ('the head of the enforcement agency' for the purposes of the Food Act 2001), subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.
- 3.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.

**4. Delegations under Supported Residential Facilities Act 1992**

- 4.1 In exercise of the power contained in Section 9 of the Supported Residential Facilities Act 1992, the powers and functions under the Supported Residential Facilities Act 1992 contained in the proposed Instrument of Delegation (annexed to the Report dated 28<sup>th</sup> May 2019 and entitled Delegations Annual Review and marked Appendix 4) are hereby delegated this 5<sup>th</sup> day of June 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.
- 4.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.



**5. Authorisations and Subdelegation under the Road Traffic Act 1961**

- 5.1 In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the 'Instrument') the Council authorises the following person(s) pursuant to Clause A.7 of the Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such person(s) shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements:  
[Chief Executive Officer]
- 5.2 In accordance with Clause A.7 of the Instrument, the Council is of the opinion that the following person(s) is/are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument:  
[Chief Executive Officer]
- 5.3 In exercise of the power contained in, and in accordance with, Clause G.1 of the Instrument, the power contained in Section 33(1) of the Road Traffic Act 1961 and delegated to the Council pursuant to Clause G of the Instrument and contained in the proposed Instrument of Subdelegation (annexed to the Report dated 28<sup>th</sup> May 2019 and entitled Delegations Annual Review and marked Appendix 4), is hereby sub-delegated this 5<sup>th</sup> day of June 2019 to the person occupying the office of Chief Executive Officer of the Council subject to:
- (i) the conditions contained in the Instrument; and
  - (ii) any conditions contained in this Resolution or in the Instrument of Subdelegation; and
  - (iii) the creation of a separate instrument in writing reflecting such subdelegation under the Instrument and this Resolution.
- 5.4 In accordance with Clause E.2 of the Instrument, the Council is of the opinion that the following person(s) has (have) an appropriate level of knowledge and expertise in the preparation of traffic management Plans:  
[Chief Executive Officer]



**6. Delegations under Safe Drinking Water Act 2011 (of enforcement agency)**

6.1 In exercise of the power contained in Section 43 of the Safe Drinking Water Act 2011 the powers and functions of the Council as a relevant authority under the Safe Drinking Water Act 2011 contained in the proposed Instrument of Delegation (annexed to the Report dated 28<sup>th</sup> May 2019 and entitled Delegations Annual Review and marked Appendix 4) are hereby delegated this 5<sup>th</sup> day of June 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Safe Drinking Water Act 2011.

6.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Safe Drinking Water Act 2011.

**7. Delegations under Fire and Emergency Services Act 2005 to a Fire Prevention Officer**

7.1 In exercise of the power contained in Section 93 of the Fire and Emergency Services Act 2005 the powers and functions under the Fire and Emergency Services Act 2005 contained in the proposed Instrument of Delegation (annexed to the Report dated 28<sup>th</sup> May 2019 and entitled Delegations Annual Review and marked Appendix 4, are hereby delegated this 5<sup>th</sup> day of June of 2019 to the person appointed Fire Prevention Officer of the Council under the Fire and Emergency Services Act 2005 subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Fire and Emergency Services Act 2005.

7.2 Such powers and functions may be further delegated by the Fire Prevention Officer as the Fire Prevention Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Fire and Emergency Services Act 2005.



**8. Delegations under the Heavy Vehicle National Law (South Australia) Act 2013**

8.1 In exercise of the powers contained in Section 44 of the Local Government Act 1999 and Section 22B of the Heavy Vehicle National Law (South Australia) Act 2013 (as relevant) the powers and functions under the Heavy Vehicle National Law (South Australia) Act 2013 contained in the proposed Instrument of Delegation (annexed to the Report dated 28<sup>th</sup> May 2019 and entitled Delegations Annual Review and marked Appendix 4), are hereby delegated this 5<sup>th</sup> day of June 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Heavy Vehicle National Law (South Australia) Act 2013.

8.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Heavy Vehicle National Law (South Australia) Act 2013.

**Seconded Cr. Pope  
Carried.**

10.2 Director Development Services

10.2.1 Crystal Corp Proposed Land Sale

**C133:0619**

**Moved Cr. Oswald**

That Crystal Corp Developments Pty Ltd be informed that Council has no interest in purchasing or taking ownership of any of Allotments 246, 247, 248, 249 or 250 Chatfield Terrace, Wallaroo.

**Seconded Cr. Love  
Carried.**

10.3 Director Infrastructure Services

10.3.1 Update on Current Status of Projects and Programs

**C134:0619****Moved Cr. Vluggen**

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

**Seconded Cr. Pope****Carried.**

10.3.2 Bay Road Public Consultation

**C135:0619****Moved Cr. Schmidt**

To receive the public submissions and Bay Road Community Feedback Summary as part of the development of the Bay Road Roadworks Project.

**Seconded Cr. Love****Carried.**

10.3.3 Street Naming – Wallaroo Shores

**Moved Cr. Pope**

That Council assign the name 'Smelters Way' to the road in the Wallaroo Shores development.

**Motion lapsed for want of a seconder.****C136:0619****Moved Cr. Schmidt**

That Council assign a road name in accordance with Council's naming of Streets, Roads and Public Places Policy and that staff report back to Council with names in accordance to the Policy.

**Seconded Cr. Vluggen****Carried.**

10.3.4 Stormwater Re-use Lease, Kadina

**C137:0619****Moved Cr. Sawley**

That the Mayor and Chief Executive Officer be authorised to sign and execute with the Copper Coast Council Common Seal the Agreement with Mr McRae to formalise the water supply component of a previous motion of Council, C155:14 on 6<sup>th</sup> August 2014.

**Seconded Cr. Oswald****Carried.**

10.4 Chief Executive Officer

10.4.1 Monthly Report – May/June 2019

**C138:0619****Moved Cr. Sawley**

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

**Seconded Cr. Love****Carried.**

## 10.4.2 South Australian Little Corella Management Strategy

C139:0619

**Moved Cr. Oswald**

That:

1. The letter from the Department for Environment and Water advising of the development of the South Australian Little Corella Management Strategy be received.
2. Council note the comments submitted in relation of the development of this strategy.

**Seconded Cr. Love****Carried.**

## 10.4.3 Regional Disability Access and Inclusion Plan

C140:0619

**Moved Cr. Pope**

That Council note the status of the production of the Regional Disability Access and Inclusion Plan.

**Seconded Cr. Schmidt****Carried.**

## 10.4.4 Meeting with the Kadina Memorial School

C141:0619

**Moved Cr. Vluggen**

That:

1. Council note the various matters discussed with the Kadina Memorial School.
2. Council nominate Cr. Pope to be the Council's representative on the Kadina Memorial School Governing Council, and the School be advised.

**Seconded Cr. Sawley****Carried.**

## 10.4.5 Legatus 2019/20 Business Plan and Budget

C142:0619

**Moved Cr. Sawley**

That Council endorse the Legatus Draft Business Plan and Budget for 2019/20.

**Seconded Cr. Schmidt****Carried.**

## 10.4.6 Sponsorship of Council Projects by the Spencer Gulf and West Coast Prawn Fishermen's Association



**C143:0619****Moved Cr. Pope**

That:-

1. The email from the Spencer Gulf and West Coast Prawn Fishermen's Association dated 3<sup>rd</sup> May 2019 advising that they are interested in supporting projects that enhance and protect the natural eco systems/habitat that support prawn grounds in the Spencer Gulf be received.
2. Council provide a list of projects for the Association to consider with indicative costing of such projects.
3. The Association be thanked for their sponsorship of a Council project/s.

**Seconded Cr. Vluggen****Carried.**

10.4.7 Public Interest Disclosure Policy and Procedure

**C144:0619****Moved Cr. Love**

That Council adopt the Public Interest Disclosure Policy and Public Interest Disclosure Procedure.

**Seconded Cr. Pope****Carried.**

10.4.8 Draft Share Bike and E-Scooter Model Policy and Procedures

**C145:0619****Moved Cr. Schmidt**

That:-

1. The Local Government Association of SA Circular dated 2<sup>nd</sup> May 2019 including the Issues Paper with the Draft Share Bike and E-scooter Model Policy and Procedures be received.
2. Council note the comments provided to the Local Government Association on the Issues Paper.

**Seconded Cr. Oswald****Carried.**

10.4.9 State Government Regional Development Strategy

**C146:0619****Moved Cr. Sawley**

That:-

1. the report on the establishment of a State Regional Development Strategy be received.
2. Council forward a submission to the Department for Primary Industries and Regional Development on the Regional Development Strategy



3. Council note the Forum to be held on 15<sup>th</sup> July 2019 at the Copper Coast Sport and Leisure Centre, Kadina.

**Seconded Cr. Vluggen**  
**Carried.**

- 10.4.10 South Australian Productivity Commission Inquiry into Local Government Costs and Efficiency

**C147:0619**

**Moved Cr. Oswald**

That:-

1. the report on the South Australian Productivity Commission Inquiry into Local Government Costs and Efficiency be received.
2. it be referred to the Chief Executive Officer to forward a submission by 28<sup>th</sup> June 2019.

**Seconded Cr. Pope**  
**Carried.**

- 10.4.11 Regional Road Assessment by the RAA of the Yorke Peninsula

**C148:0619**

**Moved Cr. Vluggen**

That:-

1. The report on the Regional Road Assessment of the Yorke Peninsula by the RAA dated April 2019 be received.
2. Council highlight to the Department for Planning, Transport and Infrastructure the need for the works outlined in the report to be undertaken.

**Seconded Cr. Sawley**  
**Carried.**

- 10.4.12 Parliamentary Inquiry into the Recycling Industry

**C149:0619**

**Moved Cr. Sawley**

That:-

1. The Circular from the Local Government Association of SA advising of the Parliament's Environment, Resources and Development Committee Inquiry into South Australia's recycling industry be received.
2. Council make a submission to the Inquiry.

**Seconded Cr. Pope**  
**Carried.**

- 10.4.13 Consideration of Surplus Government Property





**C150:019****Moved Cr. Schmidt**

That this matter be adjourned to the next ordinary meeting of Council on 3<sup>rd</sup> July 2019, to enable the Chief Executive Officer to provide further information.

**Seconded Cr. Oswald****Carried.**

10.4.14 Local Government Association – Local Government Reform Submission

**C151:0619****Moved Cr. Sawley**

That the submission forwarded by the Local Government Association of SA dated May 2019 on Local Government Reform to the State Government be received.

**Seconded Cr. Vluggen****Carried.**

10.4.15 Consideration of Possible Establishment of a Bendigo Bank Branch at Moonta

**C152:0619****Moved Cr. Love**

That an invitation be extended to representatives from the Bendigo Bank to attend an informal gathering of Council to outline the process and details for the possible establishment to form a branch.

**Seconded Cr. Schmidt****Carried.**

10.4.16 Kadina to Wallaroo Rail Trail

**C153:0619****Moved Cr. Oswald**

That:-

1. Council note the report on the contract for the purchase of Allotment 9, 23, 22 & 20 for the Kadina to Wallaroo Rail Trail.
2. That the Mayor and Chief Executive Officer be authorised to sign and execute with the Copper Coast Council Common Seal all documents relating to the land associated with the Kadina to Wallaroo Rail Trail inclusive of the Contract and Land Management Agreement/s.
3. Council note that the date of the settlement is scheduled to be October 2019.

**Seconded Cr. Vluggen****Carried.**

10.4.17 Visit by the State Minister for Environment & Water, Hon. David Speirs



**C154:0619****Moved Cr. Sawley**

That the report on the meeting with the State Minister for Environment & Water on 28<sup>th</sup> May 2019 be received.

**Seconded Cr. Pope****Carried.**

10.4.18 Status of Narungga Nation Native Title Claim

**C155:0619****Moved Cr. Sawley**

That the report on the status of the Narungga Nation Native Title Claim and the engagement of Finlaysons Lawyer to act on behalf of the Copper Coast Council in relation to the claim, subject to funding being obtained from the Commonwealth Government, be received.

**Seconded Cr. Schmidt****Carried.**

10.4.19 Federal Government Round 5 Black Spot Funding program and State Black Spot Funding

**C156:0619****Moved Cr. Schmidt**

That the Federal Government Round 5 Mobile Black Spot Funding Program and State Black Spot Funding Program be received.

**Seconded Cr. Pope****Carried.**

10.4.20 Federal Government Funding under the Drought Communities Program

**C157:0619****Moved Cr. Schmidt**

That:-

1. The report on the Copper Coast Council being included under the Federal Drought Communities Program be received.
2. The Federal Member for Grey, Rowan Ramsey be thanked for the funding under the Drought Community Program
3. A report be submitted to the July Council meeting outlining possible projects for funding under the Drought Community Program for consideration by Council.

**Seconded Cr. Pope****Carried.**

10.4.21 Consideration of Council Representative on the Copperclub Golf and Community Association Incorporated



C158:0619

**Moved Cr. Sawley**

That:-

1. Councillor Schmidt be appointed as Council's representative to attend the meetings of the Copperclub Golf and Community Association Incorporated, but not as a Board Member.
2. the Copperclub Golf and Community Association Incorporated be advised.

**Seconded Cr. Love****Carried.**

## 10.4.22 Child Friendly Communities

C159:0619

**Moved Cr. Pope**

That the report on Child Friendly Communities in cities, town and communities be received.

**Seconded Cr. Vluggen****Carried.**

## 10.4.23 Copper Coast Council Cemeteries Working Party

C160:0619

**Moved Cr. Sawley**

That:-

1. Council note that Su Bell, Barb Schilling, Liz Coole, Judy Paddick, Shaun Mercer (Goerecke Memorials), Andrew Skinner (Skinners and Seeley Funerals) have indicated their willingness to continue to be members on the Cemeteries Working Party.
2. An invitation be extended to Copper Coast Funerals to have a representative on the Cemeteries Working Party.
3. Council appoint Cr. Oswald and Cr Vluggen to be representatives on the Cemeteries Working Party.
4. Mr Roly Woods be appointed to the Cemeteries Working Party and an invitation also be extended to a representative from the National Trust.

**Seconded Cr. Vluggen****Carried.****11. Correspondence:**

## 11.1 Correspondence for information –

- 11.1.1 SA Regional Visitor Strategy Steering Committee - South Australian Regional Visitor Strategy



- 11.1.2 Local Government Association of SA – Circular 22.1 New Statewide Recycling Education Campaign ‘Which Bin’ Launched
- 11.1.3 Local Government Association of SA – Circular 22.2 – 2019 LGA Annual General Meeting – Proposed Items of Business and change to Voting Delegate
- 11.1.4 The Hon. Stephan Knoll MP – Implementation of the Planning and design Code and Transition of Heritage and Character
- 11.1.5 Australian Local Government Association – Farm Machinery Movements on Public Roads Simplified across Regional Councils and Borders
- 11.1.6 Natural Resources Northern and Yorke – Council contributions to the Northern and Yorke NRM Region under the Natural Resources Management Act for 2019-20

**C161:0619****Moved Cr. Pope**

That the information in items 11.1.1 to 11.1.6 be received and noted.

**Seconded Cr. Schmidt****Carried.**

11.2 Correspondence with recommendations – Nil.

11.3 Correspondence for Council consideration -

11.3.1 SA Coastal Councils Alliance – Project Update and Call for Executive Committee Members

**C162:0619****Moved Cr. Sawley**

That Council nominate Mayor Talbot to be an Executive Committee Member of the SA Coastal Councils Alliance.

**Seconded Cr. Schmidt****Carried.****12. Other Business:**

12.1 Execution of Documents/Application of Seal –

12.1.1 South Australian Sea Rescue Squadron Inc.

**C163:0619****Moved Cr. Schmidt**

That Council:-



- a) Authorise the Chief Executive Officer to undertake the public consultation process to allow for a 21 year lease on Allotment 2002 Heritage Drive Wallaroo, pursuant to Section 202 of the Local Government Act 1999.
- b) A report be provided to Council following the public consultation process.

**Seconded Cr. Vluggen  
Carried.**

#### 12.1.2 Signing and Application of Seal

**C164:0619**

**Moved Cr. Pope**

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 Land Lease with the Wallaroo Football Club Inc to lease a portion of Allotment 613, DP 76866, Spencer Highway, Wallaroo.
- Land Management Agreement – Old Horse Tramway – drainage easement.

**Seconded Cr. Schmidt  
Carried.**

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

##### 12.2.1 Implementation of State Planning Reform

**C165:0619**

**Moved Cr. Pope**

That the meeting accept a late item regarding the Implementation of Sate Planning Reform as a matter of urgency.

**Seconded Cr. Schmidt  
Carried.**

**C166:0619**

**Moved Cr. Schmidt**

1. That the Copper Coast Council write to the State Minister for Planning Highlighting the various issues and impracticalities of the transition and implementation of the new Planning and Design Code to replace Development Plans in regional areas with commencement around November 2019.
2. A copy of the letter be sent to the State Member for Narungga, Fraser Ellis and Local Government Association of SA.
3. That further and more specific consultation be undertaken with regional and rural Councils to ensure the issues and concerns regarding the transition and implementation of the new Planning and Design Code are resolved for the betterment of such Councils and communities.

4. The commencement of the new Planning and Design Code for regional councils be postponed until such time as such specific consultation with regional and rural Councils has been undertaken.

**Seconded Cr. Love  
Carried.**

12.3 Matters of Special Interest -

12.4 Application for Leave of Absence -

Nil.

**13. Confidential Items:**

**C167:0619**

**Moved Cr. Pope**

The meeting be suspended for 5 minutes to allow the local press to take photographs.

**Seconded Cr. Vluggen  
Carried.**

Meeting was suspended at 9.07 p.m.

During this time the gallery left the meeting for the commencement of the Confidential Items.

**C168:0619**

**Moved Cr. Oswald**

That the meeting be resumed

**Seconded Cr. Schmidt  
Carried.**

The meeting resumed at 9.11 p.m.

13.1 Purchase of Council Land

**C169:0619**

**Moved Cr. Pope**

1. 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, Director Infrastructure Services Wade DellaTorre, 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. Oswald  
Carried.**

There was no public in the gallery and the Council Chamber was secured at 9.12 p.m.

Resolution C170:0619 Confidential

**C171:0619**

**Moved Cr. Sawley**

That an order be made under the provision of Section 91(7) of the Local Government Act, 1999, as amended, that this Report, accompanying documents and related minutes 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 up to Thursday 4<sup>th</sup> July 2019, or such lesser period as may be determined by the Chief Executive Officer.

**Seconded Cr. Oswald  
Carried.**

13.2 Wallaroo Swimming Enclosure

**C172:0619**

**Moved Cr. Schmidt**

1. 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, Director Infrastructure Services Wade DellaTorre, 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.**

There was no public in the gallery and the Council Chamber was secured at 9.22 p.m.

**C173:0619**

**Moved Cr. Schmidt**

That the meeting be suspended for 10 minutes

**Seconded Cr. Pope**

**Carried**

Meeting suspended at 9.23 p.m.

**C174:0619**

**Moved Cr. Pope**

That the meeting be suspended for a further 10 minutes

**Seconded Cr. Schmidt**

**Carried.**

Meeting suspended at 9.34 p.m.

Meeting automatically resumed at 9.41 p.m.

Resolution C175:0619 Confidential.

**C176:0619**

**Moved Cr. Vluggen**

That an order be made under the provision of Section 91(7) of the Local Government Act, 1999, as amended, that this Report, accompanying documents and minutes 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 for a period of twelve (12) months, (expiring on 5<sup>th</sup> June 2020), or such lesser period as may be determined by the Chief Executive Officer.

**Seconded Cr. Love**

**Carried.**

Ordinary meeting resumed at 9.43 p.m.

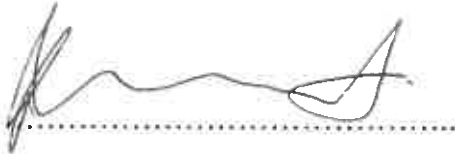


**14. Closure**

The meeting closed at 9.43 p.m.

The foregoing Minutes of the Meeting of Council were read and confirmed at the Meeting of Council held on 3<sup>rd</sup> July 2019.

MAYOR. ....

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned above a dotted line.