



# NOTICE OF ORDINARY MEETING OF COUNCIL

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NOTICE is hereby given pursuant to the provisions of Section 83 and 84 of the Local Government Act 1999, that an Ordinary Meeting of Council will be held on:-

**Wednesday, 3<sup>rd</sup> November 2021 at 6.00 pm**  
**Council Chamber – Kadina Town Hall**  
**51 Taylor Street, Kadina**

A copy of the Agenda for the above meeting is supplied as prescribed by the aforesaid Section of the Act. The relevant reports and documents relating thereto have also been supplied for the Council Members' perusal.

A handwritten signature in black ink, appearing to read 'R Peate', is written in a cursive style.

**Russell Peate**  
**CHIEF EXECUTIVE OFFICER**

Dated: 26<sup>th</sup> October 2021

Please note that due to increased concern relating to the COVID-19 situation and heightened restrictions in South Australia, all members of the public who wish to attend this Meeting must register, as numbers are limited, by contacting Council on telephone 8828 1200.

Meetings are also available to the public via live streaming.

*Lifestyle location of choice*



# AGENDA

## ORDINARY COUNCIL MEETING

Wednesday, 3<sup>rd</sup> November 2021 commencing at 6.00 pm  
Council Chambers, Town Hall, 51 Taylor Street, Kadina

**MEMBERS:** Mayor: Roslyn Talbot (Chair)  
Councillors: P.J. Oswald, S.M. Paddick, M.A. Pope, D.W. Rodda, N.L. Sawley,  
H.B. Schmidt, P.A. Sims, C.E. Vluggen, B.J. Walker.

Ordinary Council Meeting Agendas are provided in accordance with s83(3) and s84(1a) of the Local Government Act 1999.

The Agenda contains Officers reports and recommendations that will be considered by the Council. Confidential items listed in the Agenda will be circulated to Elected Members separately, in accordance with s87 Local Government Act 1999.

Members of Council are reminded of:

- the requirement to disclose of any direct or indirect pecuniary benefits of items listed for consideration in the Agenda;
- the requirement to declare any interest by providing full and accurate details to Council prior to consideration of that item on the Agenda in accordance of s74 of the Local Government Act 1999;
- their duty to vote at all meetings, unless exempted by legislation (for example conflict of interest); and
- the need to provide a written copy to the Minutes Secretary at the meeting if they are proposing a Questions without Notice.

Members of the public are invited to attend all Ordinary Council Meetings, unless prohibited by resolution of the Council under the confidentiality provisions of s90 of the Local Government Act 1999. Members of the public who attend in person must not display behaviours that are in a disorderly manner; or cause interruption to the meeting.

*Lifestyle location of choice*

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## APPENDICES

## OPENING BY THE PRESIDING MEMBER

### 1.1. Welcome and Acknowledgement to Country

### 1.2. Members Declaration of Interest

*Sections 73, 74 and 75 of the Local Government Act 1999 requires that Elected Members declare any interest and provide full and accurate details of the relevant interest to the Council prior to consideration of that item on the Agenda.*

### 1.3. Emergency Evacuation Procedure

*Should there be an emergency evacuation please follow the directions of the Chief Executive Officer.*

*There is an emergency evacuation card/diagram on the wall next to the door in the Council Chambers.*

*The emergency exit is located on the first level of the stairwell. Go down the stairs, into the balcony area, left to the exit doors, down the outside stairs onto Digby Street at the side of the Town Hall. Proceed to the emergency evacuation point at the rear carpark and assemble by the MFS shed. Remain at the assembly area until directed by the Chief Executive Officer that the building is safe to re-enter.*

*Do not use the lift in the event of a fire in the building.*

## 2. PUBLIC QUESTIONS / DEPUTATIONS

### 2.1. Public Question Time (15 minutes) -

### 2.2. Deputations – Nil

## 3. APOLOGIES

### 3.1. Apologies – Nil

### 3.2. Leave of Absence – Nil

### 3.3. Non-Attendance – Nil

## 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING(S)

### 4.1. Council - 6<sup>th</sup> October 2021

#### Recommendation

That the Minutes of the meeting of the Council held on 6<sup>th</sup> October 2021 be taken as read and confirmed.

### 4.2. Audit Committee - 11<sup>th</sup> October 2021

#### Recommendation

That the Minutes of the meeting of the Audit Committee held on 11<sup>th</sup> October 2021 be received.



**MINUTES OF A MEETING OF THE COUNCIL, held at the Council Chambers, Town Hall, Kadina, on Wednesday, 6<sup>th</sup> October 2021, commencing at 6.00 p.m.**

**PRESENT:** Mayor Roslyn Talbot (Chair), Councillors PJ Oswald, SM Paddick, MA Pope, DW Rodda, NL Sawley, HB Schmidt, PA Sims, CE Vluggen, BK Walker

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

**1. Opening of Meeting:**

Mayor R.J. Talbot opened the meeting.

There were 2 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. Paddick – Item 10.1.1 ‘Rate Rebate’  
Cr. Vluggen – Item 10.4.7 – ‘Community Care and Transport Inc’
- 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 – Nil.
- 3.2. Leave of Absence – Nil.
- 3.3. Non-attendance – Nil.

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

- 4.1. Council Meeting

**C293:1021**

**Moved Cr. Schmidt**

That the Minutes of the Meeting of Council held on the 1<sup>st</sup> September 2021 be taken as read and confirmed.

**Seconded Cr. Walker**

**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
- C294:1021 **Moved Cr. Walker**  
That the Mayor's and Members Delegates reports be received and noted.  
**Seconded Cr. Paddick**  
**Carried.**
- 6.4. Committee Chairperson's Report – Nil
  7. **Questions With and Without Notice:**
    - 7.1. Questions (without debate) on notice –
      - 7.1.1. Cr. Walker
        - Q1. What would be the financial implications of introducing an annual hard refuse pickup in each of the four towns?
        - Q2. What progress has been made with the erection of a memorial remembering the importance of the Moonta Powerhouse that was demolished in 2016?
    - 7.2. Questions Without Notice –
  8. **Petitions and Memorials:** Nil.
  9. **Notices of Motion:**
    - 9.1 Cr. Oswald - Waste Management Policy C6:0121
- C295:1021 **Moved Cr. Oswald**  
That Council revoke Part 1 (highlighted yellow) of the resolution of Council, motion C6:0121 at the Council Meeting held on 20<sup>th</sup> January 2021, as follows:-
1. Council adopts the *Waste Management Policy and Waste Collection Service Guidelines*, subject to the Guidelines being amended such that in the holiday season from December 2021, three bin waste streams are collected weekly for a six week period.
  2. Consideration be given in the 2021/22 budget to an increase in allocation to enable this service to be provided.
  3. Any changes to the *Waste Collection Service Guidelines* only be implemented, subject to the approval of the *Chief Executive Officer*.
  4. Council's *Fees and Charges Schedule* be amended to include the following fees:

Service	Frequency	Annual Fee
Recycling Bin (240 litres) – Residential	Fortnightly	\$ 260.00
Recycling Bin (240 litres) – Business	Weekly	\$ 520.00
Green Waste Bin (240 litres) – Residential	Monthly	\$ 120.00
FOGO Bin (240 litres) – Business	Weekly	\$ 520.00
Kitchen Caddy Bin (7 litres)	N/A	\$ 5.00
<ul style="list-style-type: none"> <li>All annual fees related to the purchase of an additional bin used in Council's waste collection service shall be calculated on a proportional basis from the day of purchase to the end of the Financial Year.</li> <li>Additional Kitchen Caddy Bins will be available for individual purchase after the initial rollout.</li> <li>All additional bins shall be provided by the land/business owner and must comply with Council's <i>Waste Collection Service Guidelines</i>.</li> </ul>		

**Seconded Cr. Rodda**

**Carried.**

**C296:1021**

**Moved Cr. Oswald**

That Council adopts the *Waste Management Policy* and *Waste Collection Service Guidelines*, subject to the Council collecting an additional self-purchased FOGO bin, from those who require it, during the regular pick-up schedule, for the six week Christmas period free of charge, being included in the *Waste Collection Service Guidelines*.

**Seconded Cr. Pope**

**Carried.**

Cr. Schmidt called for a division

Voting for: Cr. Vluggen, Oswald, Paddick, Rodda, Pope, Sims and Walker.

Voting Against: Crs. Sawley and Schmidt

**Motion carried.**

**10. Reports of Officers – Executive Services:**

**10.1. Director Corporate Services**

**10.1.1. Application for Rate Rebate**

That pursuant to Section 75a of the Local Government Act 1999, Cr. Paddick declared a Material Conflict of Interest in Item 10.1.1 'Rate Rebate', as she is the Property Manager for this property and has a direct pecuniary interest in the matter, and advised that she would leave the meeting.

Cr. Paddick vacated the Chamber at 6.23 pm.

**C297:1021**

**Moved Cr. Sawley**

That Council disagree to a 75% rebate of rates for the property located at 1 Goyder Street, Kadina being Assessment A138855.

**Seconded Cr. Sims**

**Carried.**

Cr. Paddick returned to the Chamber at 6.27 pm.

**10.2. Director Development Services**



- 10.2.1. Mobile Vending Policy
- C298:1021**      **Moved Cr. Vluggen**  
That Council adopts the Mobile Vending Policy, as amended, for implementation.  
**Seconded Cr. Walker**  
**Carried.**
- 10.3. Director Infrastructure Services
- 10.3.1. Update on Current Status of Projects and Programs
- Cr. Pope asked a question in regard to Caffe Mia, which the Chief Executive Officer took on notice to respond to at the end of the meeting in confidence.
- C299:1021**      **Moved Cr. Sawley**  
That the information in the update on current status of Projects and Programs report be received.  
**Seconded Cr. Walker**  
**Carried.**
- 10.4. Chief Executive Officer
- 10.4.1. Monthly Report – September/October 2021
- C300:1021**      **Moved Cr. Sims**  
That the Chief Executive Officer’s Monthly Report for September/October 2021 be received.  
**Seconded Cr. Vluggen**  
**Carried.**
- 10.4.2. Copper Coast Sport and Leisure Centre Financial Year 2021 Annual Report
- Cr. Sawley asked a question, which the Chief Executive Officer took on notice to respond to at the end of the meeting in confidence.
- C301:1021**      **Moved Cr. Sawley**  
That the report on the Copper Coast Sport and Leisure Centre Financial Year 2021 Annual Report be received.  
**Seconded Cr. Schmidt**  
**Carried.**
- 10.4.3. Body Worn Cameras, CCTV Systems and GPS Technology Policy
- C302:1021**      **Moved Cr. Sims**  
That Council adopts the *Body Worn Cameras, CCTV Systems and GPS Technology Policy* for implementation.  
**Seconded Cr. Walker**  
**Carried.**
- 10.4.4. Splash Town
- Cr. Sawley requested a short term suspension of standing orders to discuss this matter.

Mayor Talbot, with the approval of two-thirds of the members present, suspended standing orders of the meeting at 6.46 pm for 10 minutes to facilitate informal discussions on this matter, and will resume at the discretion of the Mayor.

Meeting resumed at 6.57 pm.

C303:0921

Moved Cr. Sawley

That:-

1. Council note that the Splash Town Water Park will be open from Saturday 25<sup>th</sup> September 2021 daily from 11am to 6pm and close on 1<sup>st</sup> May 2022.
2. The operator of the Splash Town Water Park may alter the hours dependent on weather conditions, providing publicity is provided.

Seconded Cr. Schmidt

Carried.

10.4.5. 2022 Meeting Schedule

C304:1021

Moved Cr. Walker

That:-

1. the meeting dates for 2022 for Ordinary Meetings of Council be held in the Council Chambers, Kadina Town Hall, 6.00 p.m., on the first Wednesday of the month, with the exception of the January meeting to be held on the 2<sup>nd</sup> Wednesday, or as determined by the Chief Executive Officer, should there be a need to reschedule a meeting.
2. Council determine that the meeting dates for 2022 for the Audit Committee meeting be held in the Copper Hill Meeting Room, Kadina Town Hall, on the 14<sup>th</sup> February, 11<sup>th</sup> April, 6<sup>th</sup> June, 26<sup>th</sup> September and 14<sup>th</sup> November 2021, or as determined by the Chief Executive Officer, should there be a need to either reschedule or cancel a meeting.

Seconded Cr. Pope

Carried.

10.4.6. Wallaroo Road Exchange

C305:1021

Moved Cr. Vluggen

That:-

1. The report on the Wallaroo Road Exchange with the State Government be received.
2. The new cost neutral road exchange proposal between the Copper Coast Council and the State Government involving Bowman, Sharples and Magazine Roads being transferred to the State Government and Hughes Street, May's Crossing, Victoria Street and a portion of Copper Coast Highway being transferred to the Copper Coast Council, be presented and discussed with the State Government through the State Member Fraser Ellis MP.
3. A report be submitted to Council following discussions with the State Government.

Seconded Cr. Sims

Carried.

10.4.7. Community Care and Transport

That pursuant to Section 75a of the Local Government Act 1999, Cr. Vluggen declared a Perceived Conflict of Interest in Item 10.4.7 'Community Care and Transport Inc.', as she is a Council Liaison on the Board of Management for the community Care and Transport, and that she would remain in the meeting and would vote.

C306:0921

**Moved Cr. Walker**

That Community Care and Transport be advised that Council has no objection to the revision of the Constitution to progress towards a 'skills based' Board.

**Seconded Cr. Sawley**

**Carried.**

Automatic Division

All voted in favour.

**Motion Carried.**

10.4.8. Request for Consideration of Variation to the Legatus Group Charter

C307:0921

**Moved Cr. Walker**

That the Chief Executive Officer of the Legatus Group be advised that the Copper Coast Council agrees with the proposed variation to the Legatus Group Charter, item 7.2.2 to read as follows:-

*'The Legatus Group vary its Charter at Section 7.2.2 to read: The amount of each Constituent Council's subscription will be decided at the meeting where they adopt the Annual Business Plan and Budget and that subscriptions will be due and payable within one month of a written request from the Chief Executive Officer for payment.'*

**Seconded Cr. Rodda**

**Carried.**

10.4.9. Delegations Partial Review

C308:0921

**Moved Cr. Pope**

**That:-**

1. Having conducted a partial review of the Council's Delegations Register in accordance with Section 44(6) of the Local Government Act 1999, the Council resolves to grant the delegation of powers and functions for in the attached instruments of delegation.
2. The Council resolves to grant the sub-delegation and authorisation of powers under the Road Traffic Act as provided for in Attachment.

**Seconded Cr. Vluggen**

**Carried.**

10.4.10. Local Government Association of South Australia - Consultation on Proposed Community Engagement Charter and Community Engagement Model Policy

C309:0921

Moved Cr. Walker

That:-

1. The report on the request by the Local Government Association of South Australia for comments on the proposed Community Engagement Charter and Model Community Engagement Policy be received.
2. It be referred to the Chief Executive Officer to provide comments to the Local Government Association of South Australia by the 28<sup>th</sup> October 2021.

Seconded Cr. Schmidt

Carried.

10.4.11. Amendments to the Local Government Act - Informal Gathering Policy (COVID-19) - Revocation

C310:0921

Moved Cr. Oswald

That:-

1. Council note the amendment to the Local Government Act 1999 deleting the obligation on Councils to have a Policy on the holding of Informal Gatherings or discussions.
2. As a result of the amendments to the Local Government Act, Council revoke the Informal Gathering Policy (COVID-19).
3. Council's Code of Practice for Access to Council and Committee Meetings and Documents be amended to include the model procedure for the holding of an electronic information or briefing session and this be presented to the next Council meeting for consideration

Seconded Cr. Schmidt

Carried.

10.4.12. Moonta Health and Aged Care Services Inc.

C311:0921

Moved Cr. Sims

That Council:-

1. Authorise the Mayor and Chief Executive Officer to sign and seal the Deed of Release for the Guarantee currently provided for Moonta Health and Aged Care Service Inc. for up to \$730,000.
2. Authorise the Chief Executive Officer to proceed to discharge the Second Mortgage that was registered with the Lands Title Office in 2017 for the Moonta Health and Aged Care Services Inc. of 7-12 Majors Road, Moonta.
3. Council note that the Deed of Priority between BankSA and Council will then be released.

Seconded Cr. Walker

Carried.

10.4.13. Cat Management

C312:1021

Moved Cr. Oswald

That the report on Cat Management be received, subject to amendments to the Cat Trap Loan Agreement, as follows –

- dot point 4 to be deleted;
- add - that the cat traps will not be loaned over the Christmas break when the Council Office is closed; and

- add - that the traps only be set on the hirers private property.

Seconded Cr. Pope  
Carried.

**11. Correspondence:**

11.1. Correspondence for information –

- 11.1.1. Kadina Croquet Club - Thank you for Community Grant funding.
- 11.1.2. Kadina Wallaroo Moonta Band - thank you for Community Grant funding
- 11.1.3. The Hon. Vickie Chapman MP - Joint Planning Board and new PlanSA system
- 11.1.4. Legatus Group - 2021 Annual Report and Audited Financial Statements for year ending 30<sup>th</sup> June 2021
- 11.1.5. Legatus Group - Unconfirmed Minutes from the Annual General Meeting dated 3<sup>rd</sup> September 2021
- 11.1.6. Local Government Association of SA - LGA Membership Subscriptions 2021/22
- 11.1.7. Local Government Association of SA - circular dated 2<sup>nd</sup> September 2021 - Federal Parliamentary Inquiry into primary health services for Regional Australians
- 11.1.8. Local Government Association of SA - Circular dated 16<sup>th</sup> September 2021 - LG Reform - commencement proclamation, associated regulations and notice published in Government Gazette
- 11.1.9. Local Government Association of SA - Circular dated 23<sup>rd</sup> September 2021 - Have your say - Draft Walking Strategy for South Australia
- 11.1.10. Heart Foundation - South Australian Draft Walking Strategy - YourSAy

C313:1021

Moved Cr. Walker

That the information in items 11.1.1 to 11.1.10 inclusive, be received and noted.  
Seconded Cr. Vluggen  
Carried.

11.2. Correspondence with recommendations –

- 11.2.1. Janine Mercer - Request for Refund of Hall Hire Fees

C314:1021

Moved Cr. Oswald

That the Hall Hire fee of \$397.50 be refunded to Janine Mercer to be donated to the Breast Cancer Network Australia organisation.  
Seconded Cr. Walker  
Carried.

11.3. Correspondence for Council consideration - Nil.

**12. Other Business:**

12.1. Execution of Documents/Application of Seal –

C315:1021

**Moved Cr. Pope**

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

- Community Facilities Lease with Northern Yorke Peninsula Quilters Inc. to lease the Wallaroo Mines Institute at 22 Stirling Terrace, Wallaroo Mines.
- Community Facilities Lease with the National Trust of South Australia to lease Lot 2 Blanche Terrace, Moonta and Lot 54, 57 Pryors Lane, Moonta Mines.

**Seconded Cr. Schmidt**

**Carried.**

C316:1021

**Moved Cr. Schmidt**

That the request by the Moonta Football Club for additional land to be included in the existing lease with Council be approved.

**Seconded Cr. Rodda**

**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/cat |

**13. Confidential: (if no confidential items then closure is 13)**

13.1. Copper Coast University Centre

C317:1021

**Moved Cr. Schmidt**

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 Tim Neumann, 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)(h):  
(h) legal advice.

**Seconded Cr. Sims**

**Carried.**

The live streaming to the public ceased, the public in the gallery left the meeting and the Council Chamber was secured at 7.40 pm.

Council resolution C318:1021 is confidential.

Ordinary meeting resumed at 7.45 pm.

**C319:1021**

**Moved Cr. Walker**

That under the provision of Section 91(7) of the Local Government Act, 1999, Council orders that the report, accompanying documents and the minutes relating to item 13.1 from the meeting held on 6<sup>th</sup> October 2021, be kept confidential pursuant to Section 90(3)(h) of the Local Government Act 1999, for a period of twelve (12) months, (expiring on 6<sup>th</sup> October 2022), or such lesser period as may be determined by the Chief Executive Officer.

**Seconded Cr. Rodda**

**Carried.**

13.2. Wallaroo Shores Development

**C320:1021**

**Moved Cr. Oswald**

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 Tim Neumann, 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)(h):  
(h) legal advice.

**Seconded Cr. Schmidt**

**Carried.**

There was no public in the gallery and the Chamber was secured at 7.48 pm.

Cr. Walker requested a short term suspension of standing orders to discuss this matter.

Mayor Talbot, with the approval of two-thirds of the members present, suspended standing orders of the meeting at 7.49 pm to facilitate informal discussions on this matter, and will resume at the discretion of the Mayor.

Meeting resumed at 8.16 pm.

Council resolution C321:1021 is confidential.

Ordinary meeting resumed at 8.21 pm.

**C322:1021**

**Moved Cr. Walker**

That under the provision of Section 91(7) of the Local Government Act, 1999, Council orders that the report, accompanying documents and the minutes relating to item 13.2 from the meeting held on 6<sup>th</sup> October 2021, be kept confidential pursuant to Section 90(3)(h) of the Local Government Act 1999, for a period of twelve (12) months, (expiring on 6<sup>th</sup> October 2022), or such lesser period as may be determined by the Chief Executive Officer.

**Seconded Cr. Oswald**

**Carried.**

### 13.3. Contractual Matters

C323:1021

#### 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, Director Infrastructure Services Tim Neumann, 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)(h):  
(h) legal advice.

Seconded Cr. Walker

Carried.

There was no public in the gallery and the Chamber was secured at 8.22 pm.

Council resolution C324:1021 is confidential.

Ordinary meeting resumed at 8.23 pm.

C325:1021

#### Moved Cr. Schmidt

That under the provision of Section 91(7) of the Local Government Act, 1999, Council orders that the report, accompanying documents and the minutes relating to item 13.3 from the meeting held on 6<sup>th</sup> October 2021, be kept confidential pursuant to Section 90(3)(h) of the Local Government Act 1999, for a period of twelve (12) months, (expiring on 6<sup>th</sup> October 2022), or such lesser period as may be determined by the Chief Executive Officer.

Seconded Cr. Sawley

Carried.

### 13.4. Statewide Cinema - Kadina and Moonta

C326:1021

#### 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, 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 Tim Neumann, 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)(k):



- (k) Tenders for the supply of goods, the provision of services or the carrying out of works

**Seconded Cr. Sims**  
**Carried.**

There was no public in the gallery and the Chamber was secured at 8.24 pm.

Council resolution C327:1021 is confidential.

Ordinary meeting resumed at 8.42 pm.

**C328:1021**

**Moved Cr. Oswald**

That under the provision of Section 91(7) of the Local Government Act, 1999, Council orders that the report, accompanying documents and the minutes relating to item 13.4 from the meeting held on 6<sup>th</sup> October 2021, be kept confidential pursuant to Section 90(3)(k) of the Local Government Act 1999, until such time that a lease has been signed by all parties.

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

13.5 Questions taken on Notice

To allow the Chief Executive Officer to respond to questions asked earlier in the meeting, which were taken on notice for discussion in confidence.

**C329:1021**

**Moved Cr. Sawley**

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 Tim Neumann, 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)(a) and (d)(i)(ii):
  - (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);and
  - (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; and
    - (ii) would, on balance, be contrary to the public interest;

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



There was no public in the gallery and the Chamber was secured at 8.43 pm.

1. Question on current status of Caffe Mia - Section 90(3)(a) and (d)(i)(ii).
2. Question on the Copper Coast Sport and Leisure Centre profit and loss financial statements - Section 90(3)(d)(i)(ii).

**14. Closure:**

The meeting closed at 8.48 pm.

The foregoing Minutes of the Meeting of Council were read and confirmed at the Meeting of Council held on 3<sup>rd</sup> November 2021.

MAYOR.....



**MINUTES OF A MEETING OF THE AUDIT COMMITTEE** held in the Copper Hill Meeting Room, 51 Taylor Street, Kadina, on Monday, 11<sup>th</sup> October 2021, commencing at 9.31 am.

**Members:** Cr. Bruce Schmidt (Chair), Mayor Roslyn Talbot, Cr. Peter Oswald, Mr Ian Monger and Tony Symons at 9.45 am.

**In Attendance:** Mr Russell Peate, Chief Executive Officer.  
Mrs Katrina Borlace, Director Corporate and Community Services  
Ms. Chau Huynh, Accountant  
Mrs. Wanita Gregory, Executive Assistant/Minute Secretary  
Mr. Jim Keogh, Dean Newbery and Partners

There were 0 members of the public in the gallery at the commencement of the meeting.

**1. OPENING BY THE PRESIDING MEMBER:**

1.1 Welcome and Acknowledgement to Country by the Presiding Member.

1.2 Members Declaration of Interest – Nil.

1.3 Emergency Evacuation Procedure –

The Presiding Member advised attendees of the emergency evacuation procedure.

**2. APOLOGIES:**

2.1 Apologies: Nil.

2.2 Leave of Absence: Nil.

**3. MINUTES OF THE PREVIOUS MEETING:**

**A10:1021**

**Moved Member Monger**

That the minutes of the meeting of the Audit Committee held on 7<sup>th</sup> June 2021 be confirmed as a true record of the proceedings of the meeting.

**Seconded Member Oswald**

**Carried.**

**4. BUSINESS ARISING:**

Cyber Security - report will be provided to the November Audit Committee meeting.

**5. DEPUTATIONS AND DELEGATIONS:**

5.1 Jim Keogh - Dean Newbery & Partners

**6. PRESIDING MEMBER'S REPORT:**

Nil.

**7. QUESTIONS WITH AND WITHOUT NOTICE:**

7.1 Questions (without Debate) on Notice - Nil.

7.2 Questions (without Debate) of which notice has not been given.  
Questions without notice - Nil.

**8. NOTICES OF MOTION – Consideration of Motions of which notice has been given -**  
Nil.

**9. REPORTS:**

9.1 Director Corporate & Community Services

9.1.1 Progress Report

A11:1021

Moved Member Oswald  
That the progress report be received.  
Seconded Member Monger  
Carried.

9.1.2 Draft Audited Annual Financial Statements

A12:1021

Moved Member Oswald  
That:-

1. Having reviewed Council's draft 2020/21 Annual Financial Statements, the Audit Committee forms the opinion that they present fairly the affairs of the Council and, as a result, recommends that the associated certification documents be signed as required.

2. The Audit Committee note that there is a valuation being obtained to determine the commercial value of unsold land at Wallaroo Shores from a Commercial Valuer, in comparison to the debt payable to Council.

Seconded Member Symons  
Carried.

**10. CORRESPONDENCE:**

10.1 Correspondence for information –

10.1.1 Copper Coast Council's response to Dean Newbery & Partners for the Interim Audit Report 2020/21 Financial Year

10.1.2 Independent Commissioner Against Corruption - Facilities Management in Local Government - report published

A13:1021

Moved Member Talbot

That the information in items 10.1.1 and 10.1.2 inclusive, be received and noted.

Seconded Member Monger  
Carried.

10.2 Correspondence with recommendations - Nil.

10.3 Correspondence for Council consideration - Nil.

**11. OTHER BUSINESS:**

11.1 Items which must be dealt with as a matter of urgency - Nil.

11.2 Matters of Special Interest - Nil

11.3 Application for leave of absence - Nil

**12. CONFIDENTIAL ITEM:**

12.1 Wallaroo Shores Development

A14:1021

Moved Cr. Oswald

That the Committee, having formed the view that the principle that meetings of the Audit Committee 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, Accountant Chau Huynh, Jim Keogh from Dean Newbery & Partners and Executive Assistant/Minute Secretary Wanita Gregory remain in attendance; and
- the grounds for exclusion be recorded pursuant to Section 90(3)(h):  
(h) legal advice.

Seconded Member Monger

Carried.

There was no public in attendance at the meeting and the meeting room was secured at 10.38 am.

Ordinary meeting resumed at 10.59 am.

**A15:1021 Moved Member Symons**

That the report on the current status of the Wallaroo Shores Development be received.

Seconded Member Monger

Carried.

**A16:1021 Moved Member Oswald**

That under the provision of Section 91(7) of the Local Government Act, 1999, the Audit Committee orders that the report, accompanying documents and the minutes relating to item 12.1 from the Audit Committee meeting held on 11<sup>th</sup> October 2021, be kept confidential pursuant to Section 90(3)(h) of the Local Government Act 1999, for a period of twelve (12) months, (expiring on 11<sup>th</sup> October 2022), or such lesser period as may be determined by the Chief Executive Officer.

Seconded Member Talbot

Carried.

### 13. CLOSURE:

Meeting closed at 10.59 am.

The foregoing Minutes of the Audit Committee were read and confirmed at a meeting of the Audit Committee held on 15<sup>th</sup> November 2021.

PRESIDING MEMBER .....

**5. BUSINESS ARISING**

Nil.

**6. REPORTS BY MEMBERS**

**6.1. MAYOR'S MONTHLY REPORT**

**6.1.1. Monthly Report**

October

11<sup>th</sup> Audit Committee meeting, Kadina.

12<sup>th</sup> Weekly meeting with the Chief Executive Officer, Kadina.  
Kadina Hub Annual General Meeting, Kadina.

13<sup>th</sup> Community Grants BBQ luncheon, Kadina.

20<sup>th</sup> Weekly meeting with the Chief Executive Officer, Kadina.  
Information Session, Kadina.

22<sup>nd</sup> Met in company of the Chief Executive Officer and Director Development Services with the State Member, Fraser Ellis MP, Kadina.

25<sup>th</sup> Gulf FM radio interview, Kadina.

26<sup>th</sup> Weekly meeting with the Chief Executive Officer, Kadina.

27<sup>th</sup> Regional Mayor's Roundtable, Adelaide.

28<sup>th</sup> Local Government Associations Best Practice Showcase and Conference, Adelaide.

November

1<sup>st</sup> Legatus Group - Waste and Resource Recovery Strategy and Action Plan Workshop via Zoom videoconference.

2<sup>nd</sup> Weekly meeting with the Chief Executive Officer, Kadina.

3<sup>rd</sup> Council meeting, Kadina.

**6.1.2. Remembrance Day Services - (Appendices 1 & 2)**

Requests have been received for Council representation at the Remembrance Day Services from Moonta RSL Sub-Branch and Wallaroo RSL Sub-Branch. Services are to be held at Kadina, Moonta and Wallaroo. I am therefore seeking assistance from Elected Members to attend the services.

Kadina -

Moonta -

Wallaroo -

## **6.2. DEPUTY MAYOR'S REPORT**

## **6.3. MEMBERS/DELEGATES REPORTS**

### **6.3.1. Cr. Vluggen**

#### October

6<sup>th</sup> Council meeting, Kadina.

7<sup>th</sup> Meeting with David McDonald (Community Care & Transport), Kadina.  
Lolly Jar Circus workshops, Kadina.

11<sup>th</sup> Community Care & Transport Presentation at Kadina Probus Club Meeting

19<sup>th</sup> LGA Building Inclusive Communities Forum Teams Meeting.

20<sup>th</sup> Information Session, Kadina.

22<sup>nd</sup> Wallaroo and Community Development Association Meeting, Wallaroo.

28<sup>th</sup> Community Care & Transport Annual General Meeting, Minlaton.

#### **Recommendation**

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

## **6.4. COMMITTEE CHAIRPERSON'S REPORT**

### **6.4.1. Audit Committee - Cr. Bruce Schmidt**

#### Background

The Audit Committee meeting was held on 11<sup>th</sup> October 2021.

A copy of the Audit Committee Agenda, appendices and Minutes are available on the following link:

<https://www.coppercoast.sa.gov.au/council/agendas-and-minutes/audit-committee>

## **7. QUESTIONS WITH AND WITHOUT NOTICE**

### **7.1. QUESTIONS (WITHOUT DEBATE) ON NOTICE**

#### **7.1.1. Cr. Walker**

Q1. What would be the financial implications of introducing an annual hard refuse pickup in each of the four towns?

#### Staff Response

It is hard to determine the cost of the introduction of such a service due to variable factors such as:



- Take-up rate by ratepayers.
- Type of waste to be picked up.
- Volume of waste.
- Staff or contractor costs.

It is suggested that the best way forward is to learn from the experience of other Councils. Where some councils introduced a hard waste collection service out of good will at no cost, it is now proposed to introduce a fee for the service to avoid rates increases. Where a fee is not charged, the costs are built into the rates payable to Councils.

#### Adelaide City Council

- Pickup subject to booking with Council.
- Council offers a number of collections (subject to booking with Council) based on the number of dwellings on a property (6 or less and more than 6).
- User pays system for every pick-up at a cost \$70 for up to 2 cubic metres (equivalent of 6 x 4 trailer).

#### Adelaide Hills Council

- Currently offers one free pickup per year.
- Pickup by booking with Council.
- Household entitles to one general hard waste collection and one mattress and/or ensemble collection per Financial Year.
- Due to budgetary constraints suggesting hard waste collection charge of \$44 for up to 2 cubic metres (equivalent of 6 x 4 trailer).
- Due to budgetary constraints suggesting mattress/ensemble charge of \$23/item.

#### Mount Barker Council

- Assumed pickup subject to booking with Council.
- Proposed cost is \$140/collection.

#### Port Pirie Council

- Offers two free hard waste disposals per year (no pickup by Council).
- Recent free disposal day resulted in the following materials being disposed:
  - 366 x Mattresses.
  - More than 153 lounges.
  - 3513 x Tyres.
  - 146 x units of white goods (fridges, freezers, washers, etc)
- Cost to council to dispose of the above items could be estimated at around \$50,000 to \$60,000.
- Had to have 7 staff on site for the day to manage correct disposal of items.
- If items were to be collected, financial impact would have been significantly higher.

**Potential options for consideration:**

OPTIONS	COMMENTS
<p><b><u>Option 1</u></b> Council offer free hard waste kerbside collection service <b><u>on set date</u></b>.</p>	<ul style="list-style-type: none"> <li>- Staff cost = \$6,000 (based on 3 staff/town on a Saturday).</li> <li>- Plant cost unknown.</li> <li>- Cost of disposal of material \$50,000 - \$60,000?</li> <li>- Anecdotal evidence suggests this option may be problematic due to scattering of waste (people scavenging).</li> </ul>
<p><b><u>Option 2</u></b> Council offer one free hard waste disposal service <b><u>on set date</u></b>.</p>	<ul style="list-style-type: none"> <li>- Staff cost = \$3,500 (based on 7 staff to manage disposal)</li> <li>- Plant cost nil</li> <li>- Cost of disposal of material \$50,000 - \$60,000?</li> </ul>
<p><b><u>Option 3</u></b> Council offer free hard waste disposal service <b><u>on set date</u></b> and provide \$50 discount on waste collected.</p>	<ul style="list-style-type: none"> <li>- Staff cost = \$3,500 (based on 7 staff to manage disposal)</li> <li>- Plant cost nil</li> <li>- Cost of disposal of material unknown but expected to be less than \$50,000 due to \$50 subsidy.</li> </ul>
<p><b><u>Option 4</u></b> Council offer one hard waste disposal voucher in lieu of green waste voucher to be used on any day for \$50 discount on waste collected.</p>	<ul style="list-style-type: none"> <li>- Staff cost = no additional cost to normal operations as won't experience peak as per <b><u>set date</u></b>.</li> <li>- Plant cost nil</li> <li>- Cost of disposal of material unknown but expected to be less than \$50,000 due to \$50 subsidy.</li> </ul>

Should Council consider to offer a free or subsidized hard waste service to residents then Option 4 above (or a similar option) would be preferable for the following reasons:

- There will be no “peak period” for disposal of hard waste if the voucher can be used at any date that suits the ratepayer.
- There will be a saving in the sense that one of the green waste vouchers is exchanged for a hard waste voucher (this can be justified now that Council offers a fortnightly green bin kerbside collection service).
- No additional staff will be required for this option.

**[Note:** As the potential impact on Council’s budget is unknown the subsidy can be varied, starting at a lower subsidy figure of say \$20 and an estimated provision be made in the 2022/23 annual budget]

Q2. What progress has been made with the erection of a memorial remembering the importance of the Moonta Powerhouse that was demolished in 2016?

Staff Response

It is recognised that Council has a Motion in 2016 stating the following:-

*“That the old Moonta Power house be demolished as soon as possible due to its unsafe condition. Also that a memorial/cairn of approximately one metre in height be erected in the near vicinity of the Power House. This memorial/cairn to have incorporated within it some of the original stone-work and the original Foundation stone. An interpretive heritage sign to also be situated alongside the memorial/cairn.”*

The location of a memorial/cairn will need to take into account any redevelopment proposal for this land. Investigations are being undertaken regarding where best the memorial/cairn can be located. Research is also being undertaken on the history of the site, so that this Council land can be tidied up to be in a more presentable condition, whilst information is being developed on any possible redevelopment of the land. It is expected that the memorial/cairn will be constructed by July 2022, following the research.

**7.2. QUESTIONS (WITHOUT DEBATE) OF WHICH NOTICE HAS NOT BEEN GIVEN.  
QUESTIONS WITHOUT NOTICE**

**8. PETITIONS AND MEMORIALS**

Nil.

**9. NOTICES OF MOTION - CONSIDERATION OF MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

Nil.

## 10. REPORTS OF OFFICERS – EXECUTIVE SERVICES

### 10.1. DIRECTOR CORPORATE AND COMMUNITY SERVICES

#### 10.1.1. REPORT ON DRAFT FINANCIAL RESULTS 2020/21 & BUDGET UPDATE 1 2021/22

<b>Date:</b>	20 <sup>th</sup> October 2021
<b>Reporting Officer:</b>	Director Corporate and Community Services
<b>Responsible Manager:</b>	Director Corporate and Community Services
<b>Attachments:</b>	Appendix 3 - Capital Expenditure Report 20/21 Appendix 4 - Budget Update 1, 30 <sup>th</sup> September 2021
<b>Strategic Plan:</b>	Governance Objective - Leadership
<b>Goal:</b>	5. To provide leadership and ensure community resources are managed efficiently and effectively.
<b>Key Strategies:</b>	5.2 Finance To have open accurate and effective financial management. 5.3 Legislation To adhere to the requirements of the Local Government Act 1999, regulations and other legislation that influences the operations of Council.

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#### 1. Purpose:

The Report on Financial Results is an accountability document for Council Members to receive audited information on aggregate financial results relative to estimated financial results set out in the original budget for the previous financial year (the latter, of course, being the basis for Council rating decisions).

Local Government (Financial Management) Regulations 2011 also requires that a budget update report is provided at least twice per year.

#### 2. Recommendation:

2.1 That Council, having reviewed the Report on the Draft Financial Results for the 2020/2021 financial year, resolve that the requirements of the Local Government (Financial Management) Regulations 2011 Part 2, Section 10 have been met.

2.2 That Council, having reviewed the September 2021 Budget Review, resolve that the requirements of the Local Government (Financial Management) Regulations 2011, Section 9(1)(a) have been met.

#### 3. Discussion:

Regulation 10 of the Local Government (Financial Management) Regulations 2011 requires the report on financial results to be presented in a manner consistent with the Model Financial

Statements. The Office for State/Local Government Relations has confirmed that the Policy intent of the Regulations is that the report must include each item shown in the four principal financial statements, excluding notes.

It is also recommended within the LGA Information Paper 25 that the report should provide a written explanation of any material (as determined by each Council) variances between actual and budgeted results.

Council is required in Regulation 9(1)(a) of the Local Government (Financial Management) Regulations 2011 to provide a budget update at least twice a year.

The original budget is a fundamental instrument of accountability and an essential pre-requisite to deciding the annual rate impost on the community. As such it is important that variations compared with the original budget be disclosed and explained in a Budget Update at least twice per year.

Year to date budgets often are difficult to compile and year to date actual versus budget comparisons can be misleading, with variations often inconsequential. Instead, a focus of the Budget Update is on the end of year revised forecast in comparison with the original and revised (full year) budget. The information is included for information but commentary is regarding full year budget variances.

The report has been broken into two components to satisfy the requirements under the Local Government (Financial Management) Regulations 2011.

### **3.1 Report on Draft Financial Results 2020/21**

Council's draft financial statements have been presented to the Audit Committee and a presentation and report received from the External Auditors at this time. There is a matter outstanding in regards to a commercial valuation which due to the current property market conditions has been delayed and has therefore delayed the finalisation of the statements. This report on Financial Results for 2020/21 has been prepared with this in mind and any changes after receiving this valuation to the final results will be advised in a future budget review report.

Council reported an operating surplus in 2020/21 of \$3,918,310 compared with an original budgeted deficit of \$998,219. A comparative Statement of Comprehensive Income, Balance Sheet and Statement of Cashflows are presented in Appendix 4 and the following tables summarise the major variances from budgeted items.

The operating surplus was due to a number of factors with the most material being the advance payment of the financial assistance grant of \$1,117,688 which is recognised in Grants, subsidies and contributions. The Commonwealth Government during June 2021 forwarded to Councils their funding under the Financial Assistance Grants Scheme 50% (\$1,117,688) of their 2021/22 allocation. Under the Accounting Standards this income is to be reported in the year of receipt and therefore inflates the Grants, Subsidies, Contributions received for the 2020/21

financial year and also will impact on the 2021/22 year if this distribution method is not continued.

The other significant factor was the substantial increase (54%) in caravan park revenue. This is a positive result due to COVID-19 interstate & overseas travel restrictions. Many Australians are travelling locally and as the Copper Coast is relatively close to Adelaide we have benefited from this. There is associated increases in expenditure as a result (laundry, utilities, etc) but the impact on the revenue is significant.

There is also the reduction of the Council land fill provision in which a reduction of the liability resulted in a recognition of \$625,000 of other income. Work continues with the Environment Protection Authority and other Government entities to bring this project to a conclusion.

Investment income was above budget and this was due to grant funds received in advance, not yet spent held on investment which has increased the actual interest received.

Reported in the review last year, the drought funding not expensed as at 30 June 2020 was recognised in the Balance Sheet as funds received in advance. This has now been recognised as income in 2020/21 as the associated projects are completed and the expense is matched to this.

There have been no other material significant events reported in the financial year. This result is favourable when compared to the original budget primarily due to the above items.

Description	Audited Actual Result 20/21 \$	Original Budget 20/21 \$	Variance	Comment
<b>Operating Income</b>				
Rates	24,647,465	24,530,748	116,717	Budgeted rate income is dependent upon the valuations received by the Valuer General's Office and these are received after the budget is compiled. Growth is a factor which can vary from estimated budgets. Income received is higher than what was budgeted by \$116,717.  This variation also includes the penalty interest received from Wallaroo Shores separate rate which was originally budgeted to be lower due to estimated land sales.
Statutory Charges	967,677	554,000	413,677	Statutory charges are dependent upon the construction industry and any new developments impact on this budget line. 2020/21 the budgeted income met the income received.
User Charges	4,279,313	3,182,750	1,096,563	This item includes user charges such as caravan park fees, retirement maintenance charges, waste

				<p>management fees, CWMS augmentation charges, boat ramp charges, etc</p> <p>Although last year the COVID-19 restrictions had a negative impact on this budget, 20/21 in fact saw the reverse with local travel increases and a 54% increase in caravan park income.</p> <p>COVID-19 stay at home restrictions saw many residents clean up unwanted materials around their homes and an increase in waste fees \$156,000.</p> <p>The local building industry is also experiencing a surge which impacts on fees paid.</p>
Grants, subsidies and contributions	3,065,237	1,845,900	1,219,337	20/21 FAGS income was received in advance in June 2020. Total advance payment was \$1,117,688 as per the explanation above the table.
Investment Income	48,456	15,000	33,456	Timing and cash flow of projected project payments allowed for funds to be invested and interest income earned.
Reimbursements	596,518	326,700	269,818	<p>This budget includes recoveries for costs that have been included in expenditure also and then rebilled onto relevant organisation. During the year the Pt Hughes Jetty sustained damage in a storm and the Council paid (\$124,000) for the repairs to this and then sought reimbursement from DIT as per the lease. This was unbudgeted.</p> <p>There were also other unbudgeted reimbursements from insurance claims due to vandalism.</p>
Other Income	1,222,726	286,300	936,426	Other income includes rebates received, search fees, retirement village fees & licence retention and any reduction in the provision for the landfill. The variance this year is primarily made up of this reduction to the liability for \$625,000.
<b>Total Income</b>	<b>34,827,392</b>	<b>30,741,398</b>	<b>4,085,994</b>	

As per the table indicates actual operating income was \$4,085,994 favourable when it is compared to the original budget. After the removal of the FAGS grant paid in advance this adjusted variance would have been \$2,968,306 and is explained within the comments in the table.

The analysis of the operating expenditure is tabled below.

Description	Audited Actual Result 20/21 \$	Original Budget 20/21 \$	Variance	Comment
<b>Operating Expenditure</b>				
Employee Costs	7,399,171	7,709,800	310,629	Some employee resources are estimated during the budget process as a capitalised expense. This does vary and impact on the operating statement. See table below which is an extract of Note 3 for further comparison of actual costs.
Materials, contracts & other expenses	12,952,886	12,788,990	(163,896)	The budget for materials, contracts & other expenses increased due to costs associated with supporting the community through COVID-19, breakdown and maintenance costs in the CWMS infrastructure and waste disposal levies increasing due to more waste being disposed.
Finance Costs	1,337,929	1,550,137	212,208	Interest expenditure is less than that budgeted and includes those borrowings being repaid by the community groups. Timing of when the funds are drawn down also affects the payment terms as these are only twice per year.
Depreciation, amortisation & impairment	9,219,096	9,690,700	471,604	Asset depreciation decreased during 2020/21 as a result of the revaluation performed on the fixed asset classes.
<b>Total Expenses</b>	<b>30,909,082</b>	<b>31,739,627</b>	<b>830,545</b>	
<b>Operating Surplus/Deficit</b>	<b>3,918,310</b>	<b>(998,229)</b>	<b>4,916,539</b>	

The table below is an extract from Note 3 and Employee Costs from the financial statements for the year ended 30<sup>th</sup> June 2021. The reported costs from 2018/19 are also included for comparative purposes.

	2020/21	2019/20	2018/19
	\$	\$	\$
<b>Employee costs</b>			
Salary and Wages	6,753,625	6,587,266	6,506,328
Employee leave expense	321,399	282,891	40,595
Superannuation – defined contribution plan contributions	466,564	475,917	455,048
Superannuation – defined benefit plan contributions	95,014	107,981	100,628
Workers Compensation Insurance	206,153	199,141	150,180
Other	1,334	927	0
Less: Capitalised and distributed costs	(444,917)	(381,847)	(365,155)
<b>Total Operating Employee Costs</b>	<b>7,399,172</b>	<b>7,272,276</b>	<b>6,887,624</b>
<b>Total Number of Employees</b>	<b>90</b>	<b>89</b>	<b>90</b>

The salary and wages component has increased from the previous year which is reflective of enterprise bargaining conditions and other incremental movements and movement in staffing. The actual expenditure although increasing from previous years was less than budget. Staffing levels remain consistent over the past 3 years.



Employee leave expenses including workers compensation payments are monitored regularly for irregularities. All employees are encouraged to take leave as it falls due. All of these movements from 2020/21 were budgeted for. There has however been an increase in the liabilities on the Balance Sheet as due to COVID-19 travel restrictions there has been a reluctance for staff to take leave during this period.

### Capital Expenditure 2020/2021 Brought Forward

A review of the Capital Works Program ended 30 June 2021 has been completed and there are a number of projects that, for various reasons, need an adjustment to their carried forward budgets.

The table below does not report the actual expenditure of the projects. It is a summary of significant variances from the capital work in progress adopted in the 2021/22 budget. It is only the amount that needs to be carry forward or removed from the carry forward budget previously adopted in July 2021.

Job No	Description	Adopted WIP Budget \$	Audited WIP Budget \$	Variance	Comment
<b>Capital Expenditure</b>					
1082000	IT – Software/Hardware	\$0	(\$29,565)	(\$29,565)	Variance in timing of works, invoices received and reduced budget carried forward
130001	Errington St – Aged Housing	\$0	\$55,584	\$55,584	
130002	Moonta Retirement Units	\$0	\$43,849	\$43,849	
140002	Cemeteries	\$0	\$17,467	\$17,467	Variance in timing of works, budget carried forward
140003	Cemetery – Bell	(\$25,000)	\$0	\$25,000	Insurance Funds received in 2020/21 and budget amended
141005	Kadina Effluent Ponds	\$0	\$17,483	\$17,483	Variance in timing of works, budget carried forward
141083	CWMS – Patricks & WWTP	\$0	\$17,936	\$17,936	
142002	Public Toilets – Other	\$0	\$52,710	\$52,710	
142005	Public Toilet – Apex Toilet	\$0	\$44	\$44	
143002	Recycling Centre Transfer Station	(\$122,625)	(\$118,325)	\$4,300	
147027	Olive Parade Drainage	\$0	\$10,352	\$10,352	
147052	Drainage – Stormwater projects	\$0	\$84,685	\$84,685	Variance in timing of works, budget carried forward
147064	Drainage - CCSLC	\$0	\$17,814	\$17,814	
147071	Drainage – Moonta Rd	\$0	\$88,411	\$88,411	
147072	Drainage – Pannan St	\$0	\$14,456	\$14,456	
149004	Development of Wallaroo Industrial Subdivision	\$0	\$229	\$229	
149009	Wallaroo Marina Land	\$0	(\$3,316)	(\$3,316)	
149020	Other Land Development	\$0	(\$650)	(\$650)	
150023	Moonta Bay Foreshore – Revetment Wall	\$375,000	\$377,764	\$2,764	
160010	Copper Coast Buildings	\$0	\$119,620	\$119,620	
1610010	Kadina Library	\$0	\$10,000	\$10,000	
1610410	Wallaroo Library	\$0	\$10,000	\$10,000	

163026	Reserves	\$223,000	\$218,841	\$4,159	
163047	Entrance Statement – Wallaroo Marina	\$63,217	\$63,217	\$0	
163049	Victoria Square Upgrade	\$0	\$1,937	\$1,937	
163053	Dog Park – Moonta	\$0	\$54,581	\$54,581	
163056	Otago Road Sandrift Study Implementation	(\$55,000)	(\$55,132)	(\$132)	
163057	Ellen St Car Park Beautification	\$0	\$12,573	\$12,573	
163058	McCauley Park, Moonta	(\$32,000)	(\$32,273)	(\$273)	
164020	Port Hughes – Jetty Upgrade	(\$91,442)	\$32,590	\$124,032	Reimbursement from DIT received in 2020/21
164025	Spt & Rec Waterplay Park	\$0	\$8,318	\$8,318	
164396	CCSLC Facility Upgrade	\$97,000	\$97,666	\$666	Retention carried forward
165001	Wallaroo Swim Centre	\$357,199	\$357,199	\$0	
200128	Reseals	\$338,712	\$582,474	\$243,762	
200130	Unsealed Roads Resheeting	\$0	\$86,370	\$86,370	
200149	Rubble Raised Council – Retallick Road	\$0	(\$7,119)	(\$7,119)	
200156	Roads – General	\$705,000	\$683,126	(\$21,874)	
200167	Riley Cove – Community Corp Roads	\$111,318	\$111,318	\$0	Separate Rate
200168	Kadina CBD Roads	\$66,495	\$66,495	\$0	Retention payments
200173	Bay Road Upgrade	\$2,188,801	\$6,492,335	\$4,303,534	Bay Road Funding
200178	Roach St/Agery Road Intersection	\$0	\$138,338	\$138,338	
200179	Wombat Crossing George St, Moonta	(\$21,874)	\$0	\$21,874	
200181	Agery Road/Cunliffe Road upgrade – LGIPP	\$268,722	\$268,722	\$0	
200182	Verran Tce/Arthurton Road Upgrade – LGIPP	\$156,908	\$156,908	\$0	
2000411	LGIPP – Bay Road Reconstruction Grant	(\$2,188,801)	(\$2,188,801)	\$0	
2000461	LGIPP – Upgrade of Regional Commodity & Freight Road	(\$425,630)	(\$425,630)	\$0	
200155	Footpaths – General	\$414,800	\$414,806	\$6	
2000160	Road Construction Other	\$0	(\$22,890)	(\$22,890)	
2070010	OTC – Boat Ramp Plant	\$0	\$14,889	\$14,889	Insurance proceeds
2130000	Wallaroo Holiday Park – Capital	\$175,000	\$175,000	\$0	
213025	WHP – two storey holiday accommodation	\$29,608	\$29,608	\$0	
213028	WHP – Recreation Room	\$60,000	\$60,000	\$0	
2160360	Tourism Infrastructure	\$0	\$15,633	\$15,633	
218002	OES – Capital Land	\$0	(\$5,399)	(\$5,399)	
2190000	UniHub – Furniture & Equip	\$187,532	\$164,695	(\$22,837)	
2190200	UniHub – Purchase Vehicle	\$2,282	\$2,282	\$0	
2190300	UniHub – IT Establishment & Equipment	\$53,922	\$53,922	\$0	
2190400	UniHub – Security Setup	(\$15,050)	(\$15,050)	\$0	
2210000	Plant, Machinery, Capital	\$112,250	\$102,910	(\$9,340)	
2210010	Minor Plant Capital	(\$9,344)	\$0	\$9,344	
222004	Depot Development	\$0	\$7,873	\$7,873	
	<b>TOTAL</b>	<b>\$3,000,000</b>	<b>\$8,516,005</b>	<b>\$5,516,005</b>	

The total capital expenditure (work in progress) including the projects in the table above, was previously adopted in the budget in July 2021 at \$3,000,000. With the adjustments listed in the table the total work in progress brought forward from 2020/21 will now be \$8,516,000. This is an increase in the work in progress budget of \$5,516,000.

A report detailing the final Capital expenditure to budget for the financial year 2020/2021 is included in the appendix to this report and the Capital Expenditure for the financial year 2021/2022 is also included within the Council Agenda.

**3.2 September Budget Review 2021/2022**

A review of the budget as at 30 September, 2021 has been undertaken and a number of adjustments have been made.

The four principal statements have been reviewed and show a revised full year forecast of each item in the budgeted financial statements compared with the estimates set out in the original budget.

**Statement of Comprehensive Income**

**a) Operating Income**

An increase in income of \$220,885 is a result of the adjustments associated with recognising the valuations as adopted when raising the rates and recognising successful grants for Bike SA and Sing Australia. There is also additional CWMS Augmentation charges that have been raised for developments and the associated expenditure for these will be reflected on the Balance Sheet.

The adjustments are as outlined in the table below.

<b>INCOME</b>	<b>\$</b>
Rates	168,235
Statutory charges	0
User charges	54,000
Grants, subsidies and contributions	52,650
Investment income	0
Reimbursements	0
Other income	0
<b>Total Income</b>	<b>274,885</b>

Rates income has been adjusted to match the income raised after valuations were received as part of the annual budget setting process.

**b) Operating Expenditure**

A further \$2,650 has been added to the expenditure of Council and this is distributed throughout the statement of comprehensive income as per the following table with most being offset with additional income recognised above.

<b>EXPENSES</b>	<b>\$</b>
Employee costs	0
Materials, contracts & other expenses	2,650
Depreciation, amortisation & impairment	0
Finance costs	0
<b>Total Expenses</b>	<b>2,650</b>

The items that do not have corresponding income are reflected as increases/decreases on the Balance Sheet in Infrastructure, Property, Plant & Equipment.

**c) Amounts received specifically for new or upgraded assets**

Adjustments (\$509,300) have been made for the grant funding associated with the BBRF Funding for Queens Square and the Wallaroo to Moonta Bike Trail, along with the Bike SA funding and associated CMWS Augmentation charges.

**Balance Sheet**

**a) Non-Current Assets**

The increase in the expenditure of the non-current assets is all related to Council's capital works program on infrastructure, property, plant & equipment.

Adjustments have been made to reflect the balances as at the 30<sup>th</sup> of June 2021 and also the cash balance at this time.

a) Liabilities

Description	Debenture No	Interest Rate	Amount Approved	Amount Borrowed	Balance 30/09/2021	Date of Final Repayment	Comments
Waste Transfer Station	20CC	5.0%	\$ 500,000	\$ 500,000	\$326,727	15/01/2030	
CCSLC Upgrade	23CC	4.45%	\$2,500,000	\$2,500,000	\$1,985,385	15/05/2032	
Wallaroo Shores	24CC	Variable	\$5,250,000	\$5,250,000	\$0	15/08/2033	
Wallaroo Shores	26CC	Variable	\$1,750,000	\$1,750,000	\$0	20/02/2034	
Bay Road & Other Projects	28CC	Variable	\$3,100,000	\$3,100,000	\$0	15/10/2023	
<b>Sub Total General Borrowings</b>			<b>\$13,100,000</b>	<b>\$13,100,000</b>	<b>\$2,312,112</b>		
<b>Sporting Clubs</b>							
Kadina Football Club	16CC	5.3%	\$500,000	\$500,000	\$247,718	17/09/2027	
Wallaroo Sailing Club	18CC	5.6%	\$200,000	\$200,000	\$113,850	17/06/2028	
Wallaroo Netball Club	21CC	4.8%	\$98,000	\$98,000	\$78,257	18/04/2032	
Kadina Hockey Club	27CC	2.3%	\$300,000	\$300,000	\$283,041	15/07/2035	
Wallaroo Golf Club	TBA		\$80,000	\$0	\$0		C262:0919
<b>Sub Total Sporting Clubs</b>			<b>\$1,178,000</b>	<b>\$1,098,000</b>	<b>\$722,866</b>		
<b>CWMS Project</b>							
CWMS Moonta	19CC	6.0%	\$9,754,000	\$9,754,000	\$5,940,816	16/12/2028	
CWMS Moonta	20CC	5.0%	\$12,000,000	\$12,000,000	\$7,841,450	15/01/2030	
CWMS Moonta	22CC	4.45%	\$3,246,000	\$3,246,000	\$2,577,823	15/05/2032	
<b>Sub Total CWMS Project</b>			<b>\$25,000,000</b>	<b>\$25,000,000</b>	<b>\$16,360,089</b>		
<b>General CWMS</b>							
CWMS Plants & Pump Stations	17CC	5.1%	\$6,000,000	\$6,000,000	\$3,159,267	15/11/2027	
<b>Sub Total General CWMS</b>			<b>\$6,000,000</b>	<b>\$6,000,000</b>	<b>\$3,159,267</b>		
<b>Caravan Parks</b>							
Wallaroo Holiday Park	17CC	5.1%	\$500,000	\$500,000	\$263,272	15/11/2027	
Wallaroo Holiday Park	19CC	6.0%	\$600,000	\$600,000	\$365,439	16/12/2028	
Wallaroo Holiday Park	25CC	3.6%	\$2,480,000	\$2,480,000	\$1,826,502	15/08/2028	
<b>Sub Total Caravan Parks</b>			<b>\$3,580,000</b>	<b>\$3,580,000</b>	<b>\$2,455,213</b>		
<b>Total Borrowings</b>			<b>\$48,858,000</b>	<b>\$48,778,000</b>	<b>\$25,009,547</b>		

This above table outlines the LGFA borrowings and is prepared to assist readers in interpreting the information contained in the report. All borrowings are with the Local Government Finance Authority and have a term of 15 years from the date the facility was made available apart from the SLGIP loan which is for 10 years and at a 0.5% reduction from the public rate. All loans are repaid with principal and interest.

### Statement of Cash Flows

The statement of cash flows summarises the impact on the cash flow for Council of the changes made to the budget.

There are no significant changes to the cash flow at this stage for 21/22 apart from those resulting from changes to the Income Statement which are outlined above however the review of the 30<sup>th</sup> June 2021 balances has reflected the net resultant impact to the cash on hand. This is reflective of the timing of project expenditure across financial years and the repayment of variable debentures.

### Financial Indicators

Included in the financial information is a review of the impact that the changes to the budget have made on the financial indicators as per the table below.

Financial Indicator		Original Budget Target	Revised Forecast Target
<b>Operating Surplus/(Deficit)</b>		-498,500	-226,265
<b>Operating Surplus Ratio</b>			
Operating Surplus (a)		-498,500	-226,265
General and Other Rates (net of rebates and NRM levy) (b)		24,463,267	24,631,502
<b>Operating Surplus Ratio = (a) divide (b)</b>		-2%	-1%
<b>Net Financial Liabilities Ratio</b>			
Net Financial Liabilities (Total Liabilities less Financial Assets) (c)		26,881,008	27,464,871
Operating Revenue (excluding NRM Levy) (d)		31,111,567	31,386,452
<b>Net Financial Liabilities Ratio = (c) divide (d)</b>		86%	88%
<b>Asset Sustainability Ratio</b>			
Capital Expenditure on renewal and replacement of assets (e )		3,116,490	3,262,525
Depreciation/Optimal level of asset renewal and replacement expenditure as per I&AMP (f)		9,624,000	9,624,000
<b>Asset Sustainability Ratio = (e ) divide (f)</b>		32%	34%

As a result of the changes to the budget there has been a slight impact on the original budgeted indicators.

### 3.3 Capital Expenditure Report 2021/2022

A report summarising the capital expenditure projects is included in the Director of Infrastructure report to Council.

#### **4. Statutory Responsibilities:**

Regulation 9 of the Local Government (Financial Management) Regulations 2011

- (1) A council, council subsidiary or regional subsidiary must prepare and consider the following reports:
  - a. at least twice, between 30 September and 31 May (both dates inclusive) in the relevant financial year (where at least 1 report must be considered before the consideration of the report under sub regulation (1)(b), and at least 1 report must be considered after consideration of the report under sub regulation (1)(b) – a report showing a revised forecast of its operating and capital investment activities for the relevant financial year compared with the estimates for those activities set out in the budget presented in the manner consistent with the note in the Model Financial Statements entitled *Uniform Presentation of Finances*;
  - b. between 30 November and 15 March (both dates inclusive) in the relevant financial year – a report showing a revised forecast of each item shown in its budgeted financial statements for the relevant financial year compared with estimates set out in the budget presented in a manner consistent with the Model Financial Statements.
  
- (2) A council must also include in a report under sub regulation (1)(b) revised forecasts for the relevant financial year of the Council's operating surplus ratio, net financial liabilities ratio and asset sustainability ratio compared with estimates set out in the budget presented in a manner consistent with the note in the Model Financial Statements entitled *Financial Indicators*.

#### **5. Financial Implications:**

The financial implications are as detailed in the budget review.

#### **6. Risk Assessment:**

Based on the Copper Coast Council Risk Management Framework and Policy the risks to Council associated with the adoption of the recommendations contained in this report are low.

**10.2. DIRECTOR DEVELOPMENT SERVICES****10.2.1. REFUNDING AND WAIVING OF DEVELOPMENT AND WASTEWATER CONTROL SYSTEM APPLICATION FEES POLICY - REVIEW**

<b>Date:</b>	15 <sup>th</sup> October 2021
<b>Reporting Officer:</b>	Governance Officer
<b>Responsible Officer:</b>	Director Development Services
<b>Attachments:</b>	Appendix 5 - <i>Current</i> Refunding and Waiving of Development and Waste Control System Application Fees Policy. Appendix 6 - <i>Draft</i> Development Assessment Application Fee Refund and Waiver Policy. Appendix 7 - <i>Draft</i> On-site Wastewater System Application Fee Refund Policy.
<b>Strategic Plan:</b>	Governance Objective - Leadership
<b>Goal:</b>	5. To provide leadership and ensure community resources are managed efficiently and effectively.
<b>Key Strategies:</b>	5.3 Legislation To adhere to the requirements of the Local Government Act 1999, regulations and other legislation that influences the operations of Council.

**1. Purpose:**

To advise Council that the existing Refunding and Waiving of Development and Waste Control System Application Fees Policy is outdated following the implementation of the Planning, Development and Infrastructure Act on 19 March 2021.

**2. Recommendation:**

That:-

1. Council revokes the existing *Refunding and Waiving of Development and Waste Control System Application Fees Policy*.
2. Council adopts the *Draft Development Application Fee Refund and Waiver Policy*.
3. Council adopts the *Draft On-site Wastewater System Application Fee Refund Policy*.
4. The *Draft Development Application Fee Refund and Waiver Policy* and the *Draft On-site Wastewater System Application Fee Refund Policy* be publicly advertised for public comment in accordance with Council's *Public Notification Policy*.
5. The *Draft Development Application Fee Refund and Waiver Policy* and the *Draft On-site Wastewater System Application Fee Refund Policy* be presented to Council for final adoption once the public notification process is finalised.

**3. Discussion:**

Application fees are payable when application is made to obtain approval for a development or for the approval of an On-site Wastewater Control System (it should be noted that the term "On-site



*Waste Water Control System*” includes on-site septic tanks, soakage areas, aerobic systems and CWMS connections).

It happens from time to time that when applications are lodged and the application fees paid, that part or all of the fees may be refunded to the applicant for reasons such as withdrawal of the application, the applicant engaging private certifiers to do part of the assessment, etc. To provide staff with the clear intention of Council and to authorise staff to refund fees in certain circumstances in a consistent manner, Council adopted a policy titled “*Refunding and Waiving of Development and Waste Control System Policy*” on 4 July 2012. This policy is attached as Appendix 5 to this report. Since the policy was adopted there had been no need to make any amendments to improve the effectiveness and functionality of the policy as it worked well.

As members are aware, the *Planning and Design Code* under the Planning, Development and Infrastructure Act 2016 (PDI Act) came into effect on 19 March 2021. The nature of the PDI Act and the manner in which the new *Planning and Design Code* guides the assessment process for Development Applications makes it impractical to deal with refunding of fees under one policy since the assessment pathways of the two types of applications are too different. It therefore requires Council to separate the existing policy into two new policies.

The following draft policies are attached to this report for consideration:

- *Draft Development Application Fee Refund and Waiver Policy* (refer to Appendix 6)
- *Draft On-site Wastewater System Application Fee Refund Policy* (refer to Appendix 7)

It is recommended that Council adopts the draft *Development Assessment Application Fee Refund and Waiver Policy* and the draft *On-site Wastewater System Application Fee Refund Policy* to commence with the public notification process in accordance with Council’s *Public Notification Policy*.

#### **4. Statutory Responsibilities:**

Local Government Act 1999.

Planning, Development and Infrastructure Act 2016.

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019.

SA Public Health Act 2011.

Water Industry Act 2012.

South Australian Public Health (Wastewater) Regulations 2013.

Community Wastewater Management System (CWMS) Policy.

#### **5. Financial Implications:**

There are no significant financial implications to Council as a result of the recommendations in this report.

#### **6. Risk Assessment:**

Based on the Copper Coast Council’s Risk Management Framework and Policy the risks to Council associated with the adoption of the recommendations contained in this report are low.

**10.2.2. DEVELOPMENT SERVICES STATISTICS – JULY TO SEPTEMBER 2021**

<b>Date:</b>	28 <sup>th</sup> October 2021
<b>Reporting Officer:</b>	Müller Mentz
<b>Responsible Officer:</b>	Director Development Services
<b>Attachments:</b>	Nil
<b>Strategic Plan:</b>	Environment Objective - Sustainability
<b>Goal:</b>	2. To responsibly manage the natural and built environment to ensure its sustainability and diversity to the community.
<b>Key Strategies:</b>	2.1 Planning To establish planning and development policies, in accordance with legislation, economic and community demand.  2.6 Health Management To enhance the quality of life of the community.  2.12 Sewerage and Waste To provide and maintain solid waste infrastructure to all our communities.
<b>Goal:</b>	1. To enhance the quality of life of our community by encouraging health, wellbeing and safety.
<b>Key Strategies:</b>	1.4 Public Order and Safety To play a lead role in the development of a safe and orderly community for all residents

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**1. Purpose:**

To provide the Elected Members with the following Development Services statistical information for the months July to September 2021:

A. Development Statistics

- Development Applications received for 2021
- Developments approved for 2020/2021 Financial Year
- The accumulative total for the 2020/2021 Financial Year
- Plan SA Statistics (July – September 2021)

B. Environmental Health

- Waste water – Approvals, Inspections and monitoring
- Food Inspections

C. Dog and Cats Management

- Dogs – Registered, impounded, attacks etc.
- Cats – Numbers recorded on 'Dogs And Cats Online' (DACO)

D. Local Nuisance and Litter Control

- Complaints / Offences

E. Compliance

- Enforcement of relevant legislation by Council

F. Waste Management

- Kerbside Collection – Landfill Waste Diversion %
- Kerbside Collection – Bins Collected 2021/2022
- Kerbside Collection – Tonnes Collected 2021/2022

**2. Recommendation:**

That the Development Services statistics report be received.

**3. Discussion:**

Most of the statistical information included in this report is self-explanatory. As far as the statistics relating to Development Applications received are concerned, there are a number of difficulties in trying to present accurate statistics as a result of the following:

- a) The new Planning & Design Code (P&D Code) commenced on 19 March 2021.
- b) Prior to 19 March 2021 reports to demonstrate the statistics were generated by using Council's own system (Synergy).
- c) Since 19 March 2021 all Development Statistics reports are created through the SA Planning Portal. The portal is not functioning and the statistics generated in these reports are completely misleading.
- d) The statistics generated through the Planning Portal cannot be "married" to the statistics in Council's Synergy system.
- e) For the reasons set out above, staff manually prepared graphic presentations of the applications received, all developments approved and dwellings approved without providing actual figures. From these figures it is clear that, although there is a significant increase in the number of applications received, the number of applications approved does not reflect the same trend. The reasons for this are as follows:
  - Staff still in the process of familiarising themselves with the use of the new Planning Portal and ongoing changes to the system.
  - In its current form the assessment of development applications through the Planning Portal is more time consuming compared to the "old" system.
  - Staff are spending more time on telephone enquiries with applicants/developers due to difficulties experienced by applicants/developers with the Planning Portal.

Council staff have been liaising and is continuing to liaise with Plan SA staff to try to resolve the problems to provide accurate reports in the future. Since there are significant “teething problems” being worked through by Plan to make the Planning Portal more sufficient, generating reports appears not to be a priority which is understandable.

**4. Statutory Responsibilities:**

There are no statutory responsibilities to prepare this report.

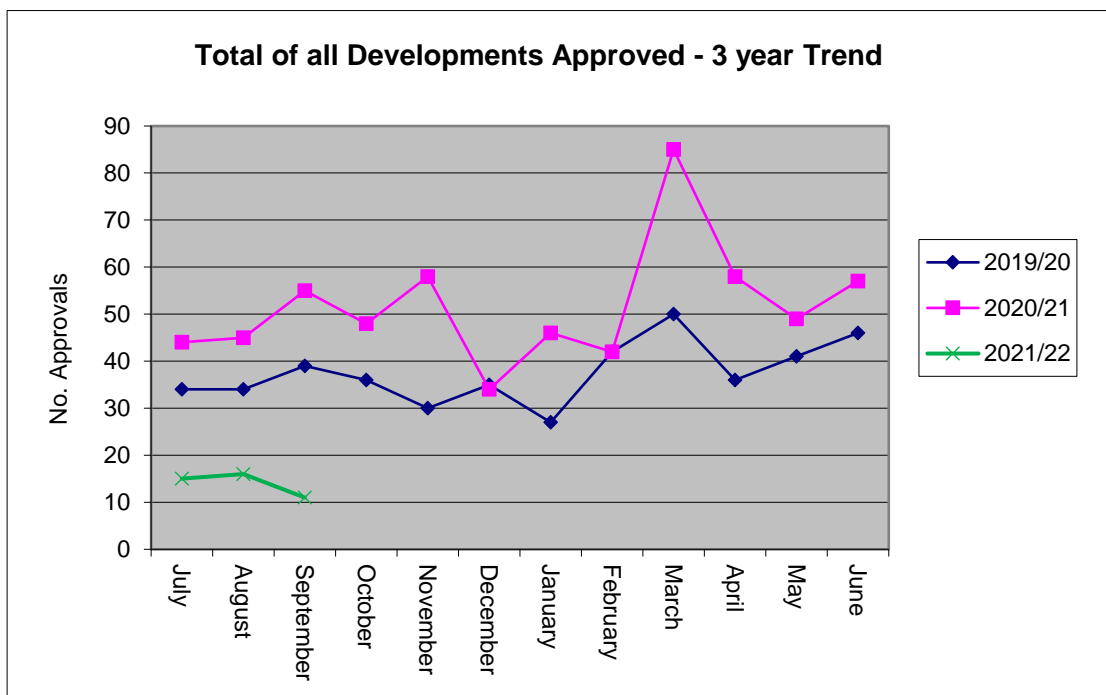
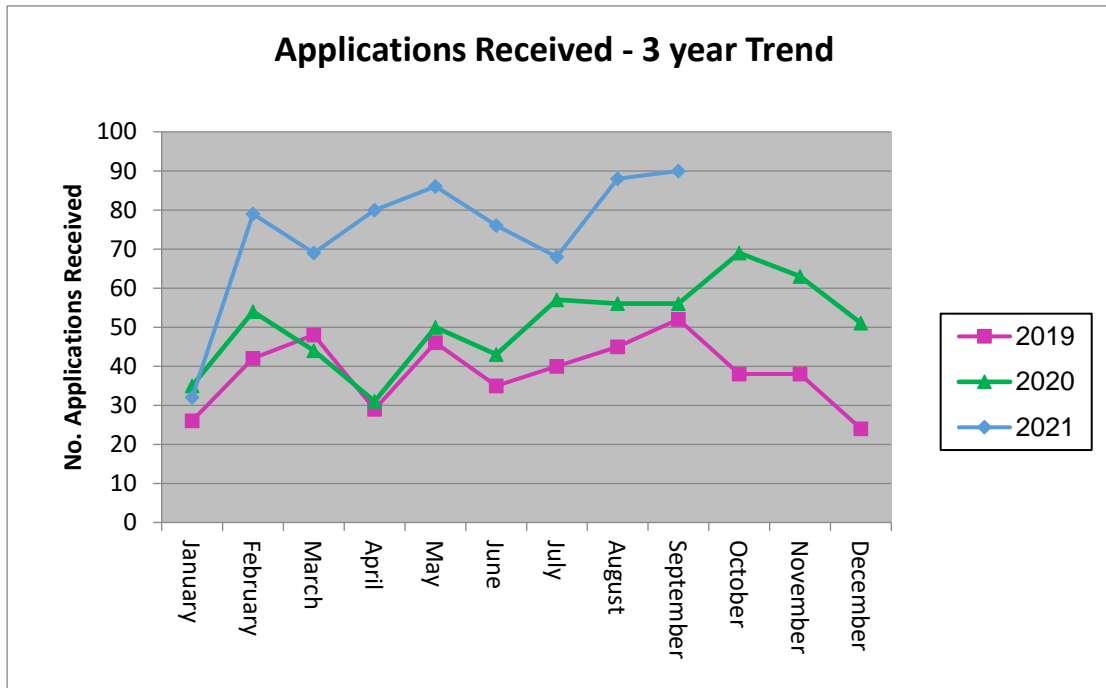
**5. Financial Implications:**

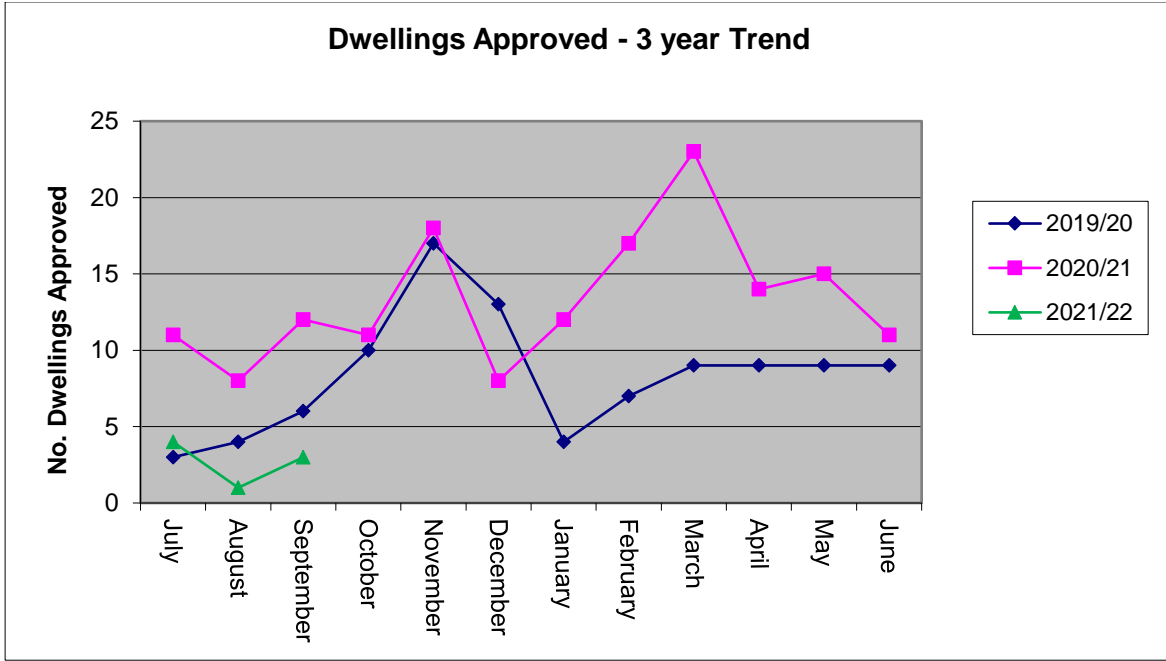
There are no financial implications to Council as a result of the recommendations in this report.

**6. Risk Assessment:**

Based on the Copper Coast Council’s Risk Management Framework and Policy the risks to Council associated with the adoption of the recommendations contained in this report are low.

**A. DEVELOPMENT**

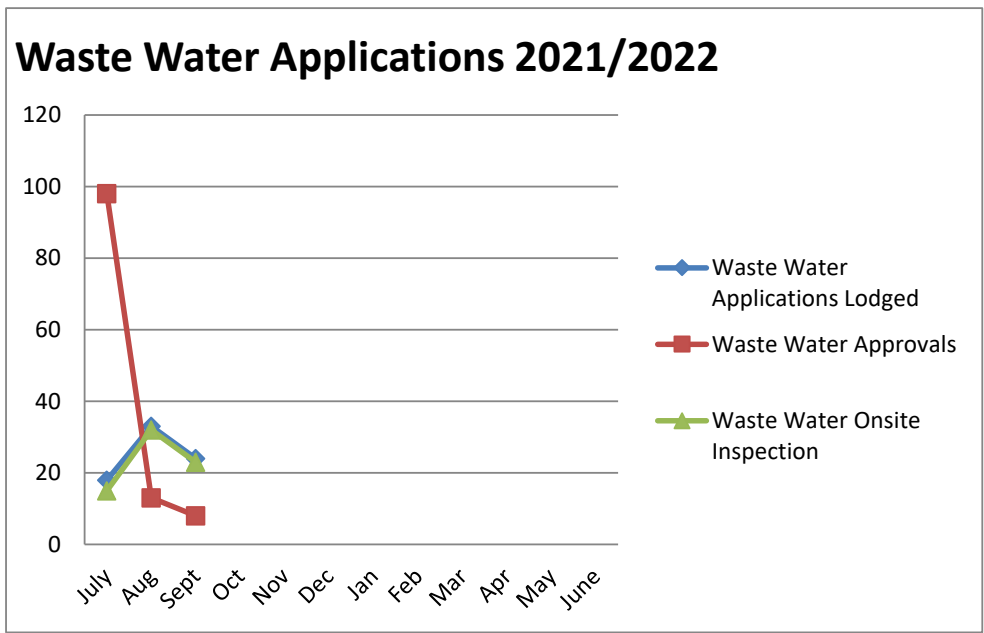




**B. ENVIRONMENTAL HEALTH**

**HEALTH REPORT 2021-2022**

	July	Aug	Sept	TOTAL
Waste Water Applications Lodged	18	33	24	75
Waste Water Approvals	98	13	8	119
CWMS Approval	3	2	7	12
Waste Water Onsite Inspection	15	32	23	70
Unsatisfactory Conditions	0	0	0	0
Food Inspection	0	35	3	38
Fire Prevention (Blocks Slashed by Council)	0	0	0	0



**C. DOG AND CAT MANAGEMENT****DOG STATISTICS 2021/2022**

	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Total</b>
Total number of dogs registered	1,679	1,415	401	3,495
Number of wandering dog complaints	15	7	9	31
Number of dogs impounded	4	2	3	9
Number of dogs returned to owners	10	5	5	20
Number of dog attacks on humans				0
Number of dog attacks on animals	1	1		2
Number of barking dog complaints	1	1	2	4
Number of dogs euthanized				
Dogs signed over to rescue groups	1	2	3	6

**CAT STATISTICS 2021/2022****Dogs and Cats Online**

	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Total</b>
Total number of CATS registered (renewed)	223	154	166	543
Total number of CATS registered (new)	29	39	15	83
<b>TOTAL</b>				<b>626</b>

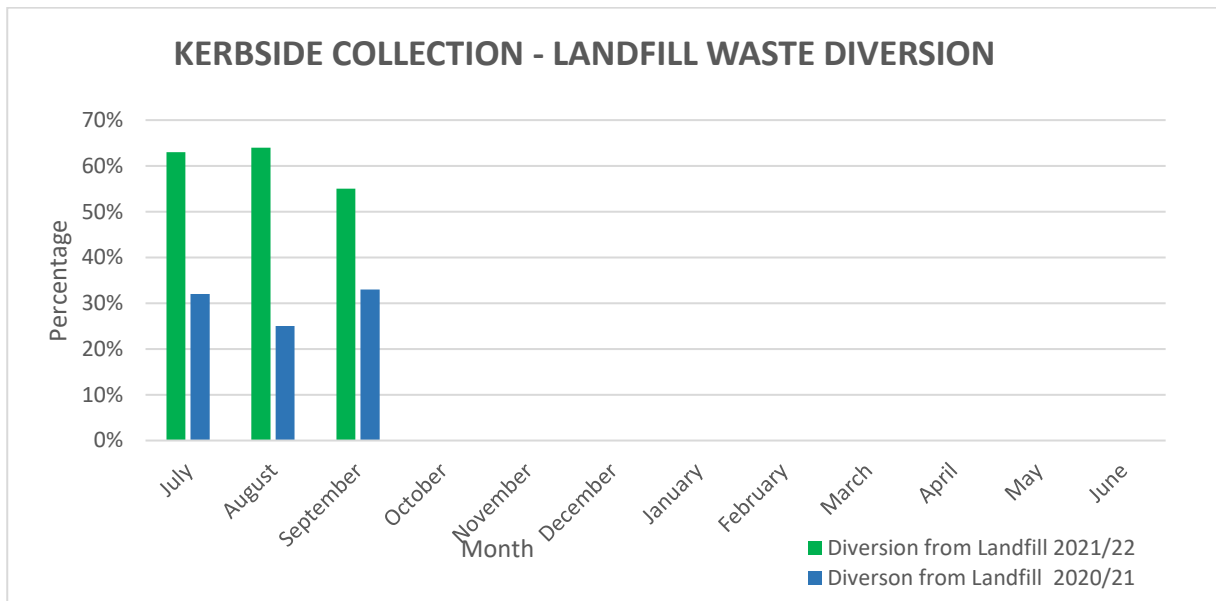
**D. LOCAL NUISANCE AND LITTER CONTROL**

	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Total</b>
Number of complaints - Litter Control	3	1	3	7
Number of complaints - Local Nuisance	3	5	4	12
Number of offences expiated - Litter Control	0	0	0	0
Number of offences expiated - Local Nuisance	0	0	0	0
Number of offences prosecuted - Litter Control	0	0	0	0
Number of offences prosecuted - Local Nuisance	0	0	0	0
Number of Litter Abatement Notices issued	0	0	0	0
Number of Nuisance Abatement Notices issued	0	0	0	0
Civil penalties negotiated under Section 34	0	0	0	0
Applications by council to the Court for orders for civil penalties under Section 34	0	0	0	0
Orders made by the Court on those applications	0	0	0	0
Any other functions performed by council under the Act	0	0	0	0

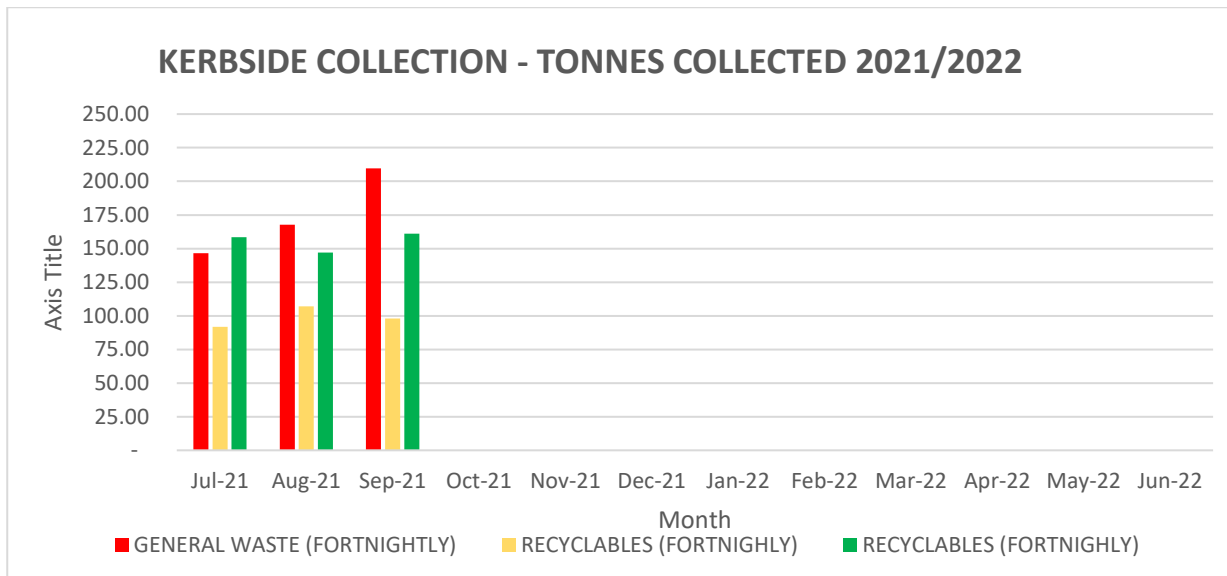
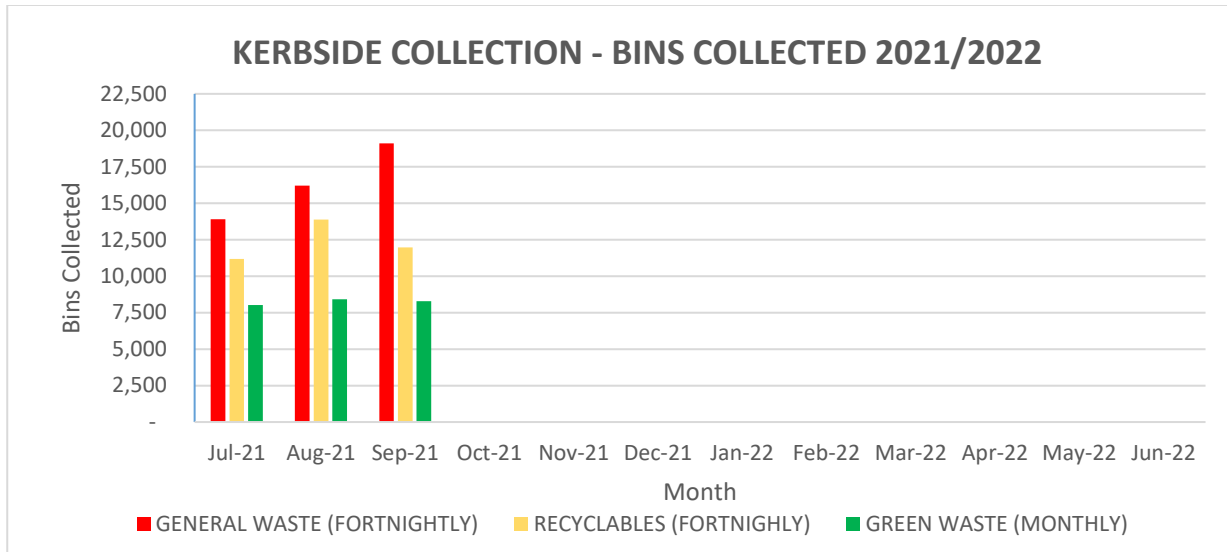
**E. COMPLIANCE**

	July	Aug	Sept	Total
Abandoned vehicles - Local Government Act	1	0	1	2
By-law breaches	1	1	1	3
Development Act - Breach of DA	0	0	1	1
Development Act - Illegal Development	2	2	3	7
Development Act - illegal change of use	0	2	1	3
Development Act - Section 84	0	0	0	0
EPA - Air Quality Policy	3	2	4	9
EPA - Water Quality Policy	0	0	1	1
LNLC Act - Litter	3	1	3	7
LNLC Act - Nuisance	3	5	4	12
Failure to comply with Section 105F	0	0	0	0
Aust.road rules expiations	0	0	0	0
Other department compliance issues	0	12	17	29
<b>TOTAL COMPLIANCE ENFORCED</b>				<b>74</b>

**F. WASTE MANAGEMENT**







### 10.3. DIRECTOR INFRASTRUCTURE SERVICES

<b>10.3.1. UPDATE ON CURRENT STATUS OF PROJECTS AND PROGRAMS</b>
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<b>Date:</b>	22 <sup>nd</sup> October 2021
<b>Reporting Officer:</b>	Director Infrastructure Services
<b>Responsible Officer:</b>	Director Infrastructure Services
<b>Attachments:</b>	Appendix 8 - Capital Expenditure
<b>Strategic Plan:</b>	Environment Objective - Sustainability
<b>Goal:</b>	To responsibly manage the natural and built environment to ensure its sustainability and diversity to the community.
<b>Key Strategies:</b>	<p>2.4 Infrastructure and Services To implement ecologically sustainable programs for development of infrastructure and management of waste.</p> <p>2.12 Sewerage and Waste To provide and maintain sewerage and solid waste infrastructure to all our communities.</p> <p>2.14 Foreshores To encourage conservation, management and appropriate utilisation of our foreshores.</p> <p>2.15 Stormwater To reduce the impact of flooding on people and their property through effective stormwater infrastructure and management.</p> <p>2.16 Public Facilities and Council Property To facilitate continual improvement of Council assets and maintenance of Council property.</p>

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#### 1. Purpose:

Following information is provided as an update on current projects.

##### Bay Road

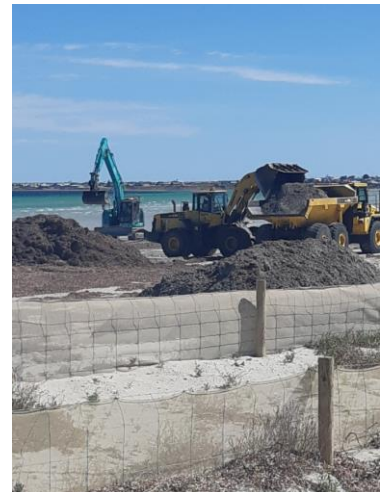
- Stormwater works from Coast Rd towards the sea making great progress.
- The contractor, together with Council staff, are working with SA Water where trenching impacts aged SA water mains. Special consideration is required in crossing each water main resulting in temporary shut downs whilst the pipe work is laid and backfilled. Residents affected are notified in advance and SA Water are providing alternative water solutions.
- Focus is to complete the entire stage 3 section, including the smaller branches of storm water and kerbing. This will allow the road construction contractor enough work to mobilise the site and begin the road construction.
- Traffic management and project update notices have been provided to residents along Bay Road and all associated side roads via mail, VMS boards, Council social media platforms and Yorke Peninsula Country Times to the community

- Council is working with SAPN in the installation of electrical conduits for future proofing the undergrounding of powerlines.



### North Beach Sand Works

- Restoration works on the fore dune system, which will continue to provide protection against sand drift and coastal erosion, commenced on the 12th October 2021.
- These works included mechanically building up the dune to the remaining fence line and building the dunes where the fences have been washed out.
- Mechanical restoration of the dunes removes the need to repair and remove damaged fences and fast-tracks the provision of protection to properties behind the dunes.
- The sand has been harvested from the beach, particularly from along the marina wall where it has built up.
- Deposited seaweed has been combined with the sand to improve the sand's consistency.
- Once completed the dune is to be capped with additional seaweed to improve moisture holding capacity for planting in 2022.
- Students from Kadina Memorial School interested in Coastal Management will assist in dune levelling in the next week and planting in 2022.



Cemetery Walls - Moonta

- Recent fine weather has assisted in repairing the breach on the Southern wall.
- Works will then commence on the Northern wall.
- A large section of wall affected by a falling tree branch many years ago has been removed and re-laid.



North Beach Foreshore Toilet

- Externally, the blue board has been rendered and timber cladding installed
- Internally, the walls are being lined and nearing completion
- Final painting will proceed these works as will the plumbing and electrical fit-out that complete the construction works.
- Concrete paths and fencing are scheduled for November to finalise the project.



John Terrace - Wallaroo

- Paths and retaining wall are completed
- Irrigation and reseeded of lawn completed
- Garden bed planted and mulched
- Awaiting relocation of power for installation of BBQ, followed by installation of the table and seats



### Wallaroo to Moonta Shared Path

- Project start-up walkover with the construction crew and site mobilisation has been undertaken
- Construction team has begun on Coota Road clearing shrubs and widening the existing trail as they head South toward Moonta

### Sir Richard Williams Statue

- Council working with contractor have installed the concrete slab, memorial rock and granite bench in readiness for the statue installation.
- Area surrounding the memorial site has had roll out lawn placed in readiness for the opening ceremony on 7<sup>th</sup> November 2021.

### Unsealed Roads - Patrol Grading

New Holland Road, Sixth Street, Fifth Street, School Terrace, Stoney Ridge Road, Railway Terrace, Drewett Road, West Ella Road, Black Oak Road, Myponie Point Road, Green Plains Road, Rodda Road, Stenning Road, Busshenschutt Road, Copper Hill Road, Pontifex Road, Harrop Road, Holman Road, Paskeville Road, Second Street, Bowey Road, Kainton Road, Point Riley Road, Rosslyn Road, Copper Hill Road, Mitchell Road, Daddow Road.

## **2. Recommendation:**

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

**10.3.2. 5 YEAR TRANSPORT PLAN**

<b>Date:</b>	Date 22 <sup>nd</sup> October 2021
<b>Reporting Officer:</b>	Director Infrastructure Services
<b>Responsible Officer:</b>	Director Infrastructure Services
<b>Attachments:</b>	Appendix 9 - 5 Year Transport Plan – Reseal, Reconstruct & Re-sheeting Appendix 10 - 5 Year Sealed Footpath Plan Appendix 11 - 5 Year Stormwater Management Plan Appendix 12 - Sealing of Unsealed Roads within Built-up Areas Appendix 13 - Unsealed Road Map for 5 Years Program
<b>Strategic Plan:</b>	Environment Objective - Sustainability
<b>Goal:</b>	To responsibly manage the natural and built environment to ensure its sustainability and diversity to the community.
<b>Key Strategies:</b>	2.4 Infrastructure and Services To implement ecologically sustainable programs for development of infrastructure and management of waste.  2.7 Traffic Corridors To identify appropriate vehicle routes for use as a heavy vehicle traffic corridors  2.8 Alternative Transport To establish and maintain safe routes for pedestrians, cyclists and other modes of transport  2.15 Stormwater To reduce the impact of flooding on people and their property through effective stormwater infrastructure and management

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**1. Purpose:**

To provide the Elected Members updated information on the draft 5 Year Transport Plan and to seek endorsement to adopt the Plan.

**2. Recommendation:**

That:

1. The report on the draft 5 Year Transport Plan for the Copper Coast Council be received.
2. The following four separate documents that form the 5 Year Transport Plan be adopted:-
  - a. Reseal, Reconstruct and Re-sheeting;
  - b. Sealed Footpath Plan;
  - c. Stormwater Management Plan and
  - d. Sealing of Unsealed Roads within Built-up Areas.
3. That publicity be provided on the adopted 5 Year Transport Plan.

### **3. Discussion:**

As members are aware, the first version of the draft 5 Year Transport Plan was tabled on 2<sup>nd</sup> September, 2020. Valuable feedback was provided and a Motion was passed by Council to commence public consultation. As a result of such, plus additional work undertaken by staff to improve the information within the documents, the plans have been amended to what is presented in the Appendices.

These amendments were discussed at the recent informal gathering, 20<sup>th</sup> October 2021. Highlights of the changes are;

1. Reseal, Reconstruct and Re-sheet document gives more attention to unsealed roads
2. Unsealed roads budget has increased considerably
3. Reseal program is to have a more strategic approach
4. Unsealed to Sealed document includes a 5 year upgrade list and assessment scores attributed to the main unsealed roads within the town boundaries.
5. All budget figures have been reviewed and updated

Version two of the 5 Year Plan has taken into account feedback from public consultation and extensive investigations undertaken by staff into Councils road assets.

Council utilises asset management software systems within the Geographic Information System (GIS) and Conquest (hosted software) to capture and record road data such as sealing dates, condition and inspection ratings and construction of pavements. The above-mentioned is used in collaboration with Council's engineers and Tonkin Consulting PTY LTD to determine the end of life of each Council asset and the point in time when road intervention works are required. This intervention point allows Council to determine the asset replacement/maintenance lists and the associated costs involved.

A result of these investigations highlights a required focus on the unsealed road network throughout the Copper Coast. The unsealed road network has been defined into three categories as per the service and standard levels of the roads. A large proportion of unsealed roads have been classified as "High Use" or Category 1; as such the focus of the 5 Year Road Transport Plan has prioritised the roads that can be achieved to a satisfactory level and within budget over this 5 year period.

### **4. Statutory Responsibilities:**

Local Government Act 1999.

### **5. Financial Implications:**

As per the report.

### **6. Risk Assessment:**

Based on the Copper Coast Council Risk Management Framework and Policy the risks to Council associated with the adoption of the recommendations contained in this report are low.



**10.4. CHIEF EXECUTIVE OFFICER****10.4.1. MONTHLY REPORT - OCTOBER/NOVEMBER 2021**

<b>Date:</b>	22 <sup>nd</sup> October 2021
<b>Reporting Officer:</b>	Chief Executive Officer
<b>Responsible Officer:</b>	Chief Executive Officer
<b>Attachments:</b>	Nil.
<b>Strategic Plan:</b>	Governance Objective - Leadership
<b>Goal:</b>	5. To provide leadership and ensure community resources are managed efficiently and effectively.
<b>Key Strategies:</b>	5.3 Legislation To adhere to the requirements of the Local Government Act 1999, regulations and other legislation that influences the operations of Council.

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**1. Meetings/Representations:**October

- 8<sup>th</sup> Zoom meeting with Chief Executive Officer, Yorke and Mid North Regional Development Australia.
- 11<sup>th</sup> Gulf FM radio interview, (on behalf of the Mayor), Kadina.  
Audit Committee Meeting, Kadina.  
Met with representatives from the Wallaroo Swimming and Aquatic Group, Kadina.
- 12<sup>th</sup> Zoom meeting in relation to Contractual Matters.
- 13<sup>th</sup> Community Grants BBQ luncheon, Kadina.  
Met with Cr. Walker, Moonta.
- 14<sup>th</sup> Meals on Wheels deliveries, Kadina.  
Attended the Local Jobs and Careers Expo, Kadina.  
Met with representatives from the Kadina and District Gymnastics Centre, Kadina.
- 15<sup>th</sup> Met with Lessee of Caffe Mia, Kadina.  
Met with the Chief Executive Officer, National Trust of SA, Kadina.  
Met with representative from Swanbury Penglase, Kadina - re. Moonta Town Hall.  
Moonta Mines National Heritage Project Steering Group Meeting, Kadina.
- 18<sup>th</sup> Met with representative from Wallbridge Gilbert Aztec, Adelaide - re. Contractual matter.
- 19<sup>th</sup> Met with representative from the Department for Infrastructure and Transport, Adelaide - re. Contractual matter.  
Zoom video meeting with Alinea Group.
- 20<sup>th</sup> Met with Ray White representative, Kadina.

Information Session, Kadina.

21<sup>st</sup> Attended in company of the Director Corporate and Community Services the Wallaroo Retirement Units Annual General Meeting, Wallaroo.

Attended in company of the Director Corporate and Community Services the Moonta Retirement Units Annual General Meeting, Moonta.

22<sup>nd</sup> Met in the company of the Mayor and the Director Development Services with the State Member, Fraser Ellis MP, Kadina.

Online meeting for the CWMS Management Committee.

25<sup>th</sup> Moonta Croquet Club, Kadina.

Met with interested parties for Caffe Mia, Kadina.

26<sup>th</sup> Met with resident (Mark Schilling).

Met with the Chief Executive Officer from Yorke and Mid North Regional Development Australia, Kadina - re. Vision for the Copper Coast

Met with representatives from Crown Lands, Kadina.

Attended the Salvation Army Anti-Poverty Games, Kadina.

28<sup>th</sup> Local Government Association's Best Practice Showcase and Conference Adelaide.

29<sup>th</sup> Local Government Association's CEO Breakfast, Adelaide.

Local Government Finance Authority Annual General Meeting, Adelaide.

Local Government Association's Annual General Meeting, Adelaide.

### November

1<sup>st</sup> Met with representative from Statewide Cinema, Kadina.

Met with a resident from Otago Road, Wallaroo.

2<sup>nd</sup> Met with the Yorke Peninsula Regional Field Officer, Kadina.

3<sup>rd</sup> Met with NYP Quilters, Kadina.

Council Meeting, Kadina.

## **2. General Duties:**

- Meetings with local business operators, developers and residents.
- Weekly meetings with the Mayor.
- Weekly meetings with Executive staff to discuss administration, Council meeting actions and works programs.
- Individual meetings with Elected Members as requested.
- Monthly all staff meetings.
- Ad hoc meetings as required to progress daily management issues.
- Leadership – advocacy and representation.

## **3. Recommendation**

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

**10.4.2. CONSIDERATION OF CAMPING PERMITS FOR SPORTING CLUBS IN TOWNS**

<b>Date:</b>	15 <sup>th</sup> October 2021
<b>Reporting Officer:</b>	Chief Executive Officer
<b>Responsible Manager:</b>	Chief Executive Officer
<b>Attachments:</b>	Appendix 14 - Email received on 8 <sup>th</sup> October 2021 Appendix 15 - Email sent 14 <sup>th</sup> October 2021 Appendix 16 - Council resolution dated 7 <sup>th</sup> April 2021
<b>Strategic Plan:</b>	Social Objective - Wellbeing
<b>Goal:</b>	1. To enhance the quality of life of our community by encouraging health, wellbeing and safety.
<b>Key Strategies:</b>	1.4 Public Order and Safety To play a lead role in the development of a safe and orderly community for all residents.

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**1. Purpose:**

To advise Elected Members of the recent issues experienced by the Kadina Hockey Club in relation to camping permits.

**2. Recommendation:**

That a draft Policy be developed regarding camping permits for sporting Clubs in the Copper Coast holding events within the towns for consideration by Council.

**3. Discussion:**

As some members may be aware, on the weekend of the 16<sup>th</sup> and 17<sup>th</sup> October the Kadina Hockey Club hosted a carnival for various teams to attend throughout the State. I understand that some camping has occurred on their land adjoining their shed for many years. No permit has been issued for this in the past.

Whilst no reference is in the lease with the Kadina Hockey Club regarding camping, a permit is required for such camping.

I have attached emails received on Friday 8<sup>th</sup> October 2021 from the Kadina Hockey Club and response forwarded on Thursday 14<sup>th</sup> October 2021 after taking into account information and circumstances. I understand that the initial request to Council for approval was made by phone call.

My understanding is that camping on Council land for sporting Clubs has not been approved apart from the recent Masters Games where all accommodation was fully booked. A copy of this Council resolution dated 7<sup>th</sup> April 2021 is attached.

In relation to the Kadina Hockey Club, there is the Kadina Village Motel a few hundred metres away as well as caravan parks and other accommodation in Kadina and the Copper Coast. Basketball host many teams at the Copper Coast Sport and Leisure Centre, as do other sports throughout the Copper Coast on occasions. The only permit issued to my knowledge previously has been the Kadina BMX Club for eight people.

My experience indicates that motels, caravan parks and other accommodation outlets who pay rates do not appreciate camping permits being issued by Council for camping on land at no cost. I have personally attended for up to 15 years State country titles, State titles and many other carnivals for junior soccer, cricket and swimming in many locations, including Adelaide throughout the State. Never has camping been offered nor provided as an option for accommodation in any town or in Adelaide. Accommodation has always been through Motel or caravan parks.

In my view, a Policy should be developed, so that a camping permit is not issued for sporting clubs to hold events in the Copper Coast Council area in towns, unless it can be demonstrated that all accommodation outlets are fully booked. It is suggested that a Policy be developed regarding camping permits for sporting clubs holding events within towns and submitted to the next Council meeting.

#### **4. Statutory Responsibilities:**

Local Government Act 1999.

#### **5. Financial Implications:**

There are no significant financial implications to Council as a result of the recommendations in this report.

#### **6. Risk Assessment:**

Based on the Copper Coast Council Risk Management Framework and Policy, the risks to Council associated with the adoption of the recommendations contained in this report are low.

**10.4.3. SPECIAL LOCAL ROADS FUNDING FOR ROACH STREET, KADINA**

<b>Date:</b>	21 <sup>st</sup> October 2021
<b>Reporting Officer:</b>	Chief Executive Officer
<b>Responsible Manager:</b>	Chief Executive Officer
<b>Attachments:</b>	Appendix 17 - Letter received from Minister for Planning and Local Government dated 21 <sup>st</sup> September 2021 Appendix 18 Letter from Minister for Planning and Local Government sent to the Legatus Group dated 22 <sup>nd</sup> September 2021
<b>Strategic Plan:</b>	Economic Objective - Sustainability
<b>Goal:</b>	2. To responsibly manage the natural and built environment to ensure its sustainability and diversity to the community.
<b>Key Strategies:</b>	2.7 Traffic Corridors To identify appropriate vehicle routes for use as heavy vehicle traffic corridors.

---

**1. Purpose:**

To advise Council of the Special Local Roads Funding received for Roach Street, Kadina to be reconstructed and resurfaced.

**2. Recommendation:**

That:-

1. The letters from the Deputy Premier and Minister for Planning and Local Government addressed to the Mayor of the Copper Coast Council dated 21<sup>st</sup> September 2021 and letter from Deputy Premier and Minister for Planning and Local Government addressed to the Chief Executive Officer of the Legatus Group dated 22<sup>nd</sup> September 2021 advising of the Financial Assistance Grants and Special Local Roads Funding payable to the Copper Coast Council and all South Australian Councils be received.
2. Council note the approval of the funding allocation of \$267,500 for Roach Street, Kadina.
3. Property owners adjoining this section of Roach Street be advised of the funding received and when works are estimated to commence and to be completed.

**3. Discussion:**

I have attached the letter received from the Deputy Premier and Minister for Planning and Local Government Vicki Chapman addressed to the Mayor dated 21<sup>st</sup> September 2021 advising of the total Financial Assistance Grants and Special Local Roads Funding payable to the Copper Coast Council for the 2021/22 financial year. I have also attached letter sent to the Chief Executive Officer of the Legatus Group by the Deputy Premier and Minister for Planning and Local Government regarding the Financial Assistance Grants payable to all Councils in South Australia.

As can be seen, the Copper Coast Council has been successful in obtaining funding of \$267,500 towards Roach Street, Kadina. Council will contribute an estimated \$180,000.

The works involve the following:-

- The works include reconstruction of the section of Roach Street from the Copper Coast Highway to the intersection of Roach Street and Agery Road. This section of road is approximately 450 metres in total. This is a high level reconstruction due to the high traffic and heavy vehicle usage.



The works are estimated to commence in February 2022 and be completed by the end of June 2022.

#### **4. Statutory Responsibilities:**

Local Government Act 1999.

#### **5. Financial Implications:**

As per the report.

#### **6. Risk Assessment:**

Based on the Copper Coast Council Risk Management Framework and Policy, the risks to Council associated with the adoption of the recommendations contained in this report are low.

<b>10.4.4. PREPARATION OF REGIONAL PLANS - STATE PLANNING COMMISSION</b>
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<b>Date:</b>	21 <sup>st</sup> October 2021
<b>Reporting Officer:</b>	Chief Executive Officer
<b>Responsible Manager:</b>	Chief Executive Officer
<b>Attachments:</b>	Appendix 19 - Letter received by the Mayor from State Planning Commission dated 15 <sup>th</sup> October 2021 Appendix 20 - Letter sent to Chair of the State Planning Commission dated 27 <sup>th</sup> October 2021 Appendix 21 - Report to Council dated 7 <sup>th</sup> July 2021 Appendix 22 - Resolution of Council dated 7 <sup>th</sup> July 2021
<b>Strategic Plan:</b>	Economic Objective - Sustainability
<b>Goal:</b>	2. To responsibly manage the natural and built environment to ensure its sustainability and diversity to the community.
<b>Key Strategies:</b>	2.1 Planning To establish and implement planning and development policies in accordance with legalisation, economic and community demand.

**1. Purpose:**

To advise of the letter received from the State Planning Commission regarding the Preparation of Regional Plans.

**2. Recommendation:**

That Council note the letter received from the Chair of the State Planning Commission dated 15<sup>th</sup> October 2021 regarding the Preparation of Regional Plans and the letter forwarded to the Chair of the State Planning Commission dated 27<sup>th</sup> October 2021.

**3. Discussion:**

I have attached letter addressed to the Mayor from the Chair of the State Planning Commission dated 15<sup>th</sup> October 2021 regarding the Preparation of Regional Plans. I have also attached copy of previous report to Council dated 7<sup>th</sup> July 2021, including attachments and resolution of Council from the meeting held on 7<sup>th</sup> July 2021.

Further, the letter sent to the State Minister for Planning and Local Government dated 16<sup>th</sup> July 2021 is attached. The letter sent to the Minister states in part the following:-

*As you are aware, the Alliance wrote to the then Minister for Planning, Hon Stephen Knoll MP (letter dated 13 July 2020) requesting that the following additional clauses be included in the JPA template to give the JPB more ownership of the Regional Plan:*

- 1. The JPB will determine the scope of the Regional Plan (which may, as agreed to during the Planning Arrangements Pilot Project, include detail at site level that would allow for a code amendment without further research) for approval by the Minister.*

2. *Any proposal to amend the Planning and Design Code that is not consistent with the provisions of the Regional Plan will not be supported unless the proposed amendment is supported by the JPB in writing.*
3. *The Regional Plan cannot be amended without the consent of both the JPB and the Minister.*

I have attached letter sent to the Chair of the State Planning Commission for members' information dated 27<sup>th</sup> October 2021. Until such time as the Regional Plan cannot be amended without the consent of both a Joint Planning Board and the Minister, there is no point in pursuing such a Regional Plan.

A recent example could involve, for example, under the new State Planning and Design Code an application to the State Minister for a bulky goods development in Kadina contrary to the Regional Plan developed by the Joint Planning Board, which would have a significant detrimental effect on the Kadina CBD.

#### **4. Statutory Responsibilities:**

Local Government Act 1999.

#### **5. Financial Implications:**

There are no significant financial implications to Council as a result of the recommendations in this report.

#### **6. Risk Assessment:**

Based on the Copper Coast Council Risk Management Framework and Policy, the risks to Council associated with the adoption of the recommendations contained in this report are low.



#### **10.4.5. YORKE PENINSULA INCLUSIVE AND ACCESSIBLE TOURISM EXPERIENCES REPORT**

<b>Date:</b>	22 <sup>nd</sup> October 2021
<b>Reporting Officer:</b>	Chief Executive Officer
<b>Responsible Manager:</b>	Chief Executive Officer
<b>Attachments:</b>	Appendix 23- Inclusive and Accessible Tourism Experiences Yorke Peninsula Report
<b>Strategic Plan:</b>	Cultural Objective - Opportunity
<b>Goal:</b>	4. To promote community identity by supporting rich lifestyle experiences including arts, heritage, culture and leisure activities.
<b>Key Strategies:</b>	4.1 Sport and Recreation To facilitate a diverse range of quality sporting venues with recreational opportunities for all ages and abilities.

---

#### **1. Purpose:**

To advise Council of the draft Yorke Peninsula Inclusive and Accessible Tourism Experiences Report.

#### **2. Recommendation:**

That:-

1. The report on the Yorke Peninsula Inclusive and Accessible Tourism Experiences be received.
2. Council note the report and the recommendations and the workshop scheduled on Monday 15<sup>th</sup> November 2021 to discuss the report, recommendations and priorities.
3. A further report be submitted to Council following the workshop and identification of priorities for consideration by Council.

#### **3. Discussion:**

As members may be aware, the Copper Coast Council together with Barunga West and Yorke Peninsula Councils have worked with Legatus who have appointed Consultants to undertake research and consultation in relation to inclusive and accessible tourism on the Yorke Peninsula. A copy of the report produced following the research and consultation is attached.

A meeting is scheduled with representatives from the Councils and Legatus together with the Consultants to discuss the report produced on the 15<sup>th</sup> November 2021 at the Kadina Town Hall. A further report will be submitted to Council following this workshop and any amendment or comments to the recommendations and the report produced.

#### **4. Statutory Responsibilities:**

Local Government Act 1999.

**5. Financial Implications:**

There are no significant financial implications to Council as a result of the recommendations in this report.

**6. Risk Assessment:**

Based on the Copper Coast Council Risk Management Framework and Policy, the risks to Council associated with the adoption of the recommendations contained in this report are low.

**10.4.6. COUNCIL LAND AT THE CORNER BLANCHE / BLYTH TERRACES, MOONTA**

<b>Date:</b>	24 <sup>th</sup> August 2021
<b>Reporting Officer:</b>	Chief Executive Officer
<b>Responsible Manager:</b>	Chief Executive Officer
<b>Attachments:</b>	Appendix 24 - Expression of Interest document – November 2014 Appendix 25 - Signage development for the land for potential redevelopment Appendix 26 - Advertisement in the YPCT dated 14 <sup>th</sup> October 2014 Appendix 27 - Council report and resolution dated 6 <sup>th</sup> August 2014 Appendix 28 - Council report and resolution dated 4 <sup>th</sup> October 2014 Appendix 29 - Plans showing Section 2279 Appendix 30 - Council resolution dated 2 <sup>nd</sup> March 2016 Appendix 31 - Photographs of cairns
<b>Strategic Plan:</b>	Cultural Objective - Opportunity
<b>Goal:</b>	4. To promote community identity by supporting rich lifestyle experiences including arts, heritage, culture and leisure activities.
<b>Key Strategies:</b>	4.1 Sport and Recreation To facilitate a diverse range of quality sporting venues with recreational opportunities for all ages and abilities.

---

**1. Purpose:**

To provide Council an update of the Council land situated at the Corner Blanche and Blyth Terraces, Moonta.

**2. Recommendation:**

That:-

1. The report of Council land at the corner of Blanche/Blyth Terraces, Moonta be received.
2. Council note that works over the next twelve months will be undertaken to tidy up and clear the land, so that it is in a more presentable condition.
3. Prior to such works being undertaken, Council note that research will be undertaken on previous uses of the land prior to such works being undertaken.
4. Council note that investigations will be undertaken and a memorial/cairn installed in close proximity to the old Power House site, which will incorporate within it some of the original stone-work and the original Foundation stone.

**3. Discussion:**

As members are aware, redevelopment proposals for Council land at the Corner Blanche/Blyth Terraces described as Section 2279 Blanche Terrace, Moonta were considered confidentially at the Council meeting on 5<sup>th</sup> May 2021 and subsequently, confidentially at the Information Gathering on

the 15<sup>th</sup> September 2021. The recommendation from the Council meeting on 5<sup>th</sup> May 2021 remains confidential.

Notwithstanding this, I have attached the following for members' information and so that the public are aware.

- Expression of Interest document – November 2014
- Signage development for the land for potential redevelopment
- Advertisement in the YPCT dated 14<sup>th</sup> October 2014
- Council report and resolution dated 6<sup>th</sup> August 2014
- Council report and resolution dated 4<sup>th</sup> October 2014
- Plans showing Section 2279
- Council resolution dated 2<sup>nd</sup> March 2016
- Photographs of memorials/cairns

The Confidential Valuation Report obtained on 26<sup>th</sup> December 2012 has not been included. Whilst further work is being undertaken in relation to the Council land, I have requested for the Council land to be tidied up to be in a more presentable condition. This will involve some research regarding previous uses of the land prior to such works being undertaken.

As part of this, we will be considering the potential best location for a memorial/cairn of approximately one metre in height to be erected in close proximity to the old Power House site, which will incorporate within it some of the original stone-work and the original Foundation stone.

#### **4. Statutory Responsibilities:**

Local Government Act 1999.

#### **5. Financial Implications:**

As per the report.

#### **6. Risk Assessment:**

Based on the Copper Coast Council Risk Management Framework and Policy, the risks to Council associated with the adoption of the recommendations contained in this report are low.

**10.4.7. CODE OF PRACTICE – ACCESS TO COUNCIL AND COMMITTEE MEETINGS AND DOCUMENTS - REVIEW**

<b>Date:</b>	27 <sup>th</sup> October 2021
<b>Reporting Officer:</b>	Governance Officer
<b>Responsible Officer:</b>	Chief Executive Officer
<b>Attachments:</b>	Appendix 32 - Code of Practice Access to Council and Committee Meetings and Documents – Draft Version Appendix 33 - Code of Practice Access to Council and Committee Meetings and Documents – Current Version Appendix 34 - Local Government Act 1999 Extract
<b>Strategic Plan:</b>	Governance Objective - Leadership
<b>Goal:</b>	5. To provide leadership and ensure community resources are managed efficiently and effectively.
<b>Key Strategies:</b>	5.3 Legislation To adhere to the requirements of the Local Government Act 1999, regulations and other legislation that influences the operations of Council.

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**1. Purpose**

To update Elected Members on the recent Local Government Reform changes that apply to the previous Informal Gatherings and Discussions under the Local Government Act 1999.

**2. Recommendation:**

That Council:

1. The Code of Practice - Access to Council and Committee Meetings and Documents be received and placed on public consultation for comment.
2. A further report be presented to Council (including any comments received) at the conclusion of the public consultation.

**3. Discussion:**

As members are aware, Local Government Reforms (Round 1) came into effect on the 20<sup>th</sup> September 2021 and at the October 2021 meeting the Informal Gathering Policy was revoked with a copy of the adopted Minutes in part as follows:

*3. Council's Code of Practice for Access to Council and Committee Meetings and Documents be amended to include the model procedure for the holding of an electronic information or briefing session and this be presented to the next Council meeting for consideration.*

Chapter 6 Meetings of the Local Government Act 1999 outlines the legal requirements for Public Access to Council meetings and documents, which includes:-

- Part 1 – Council meetings
- Part 2 – Committee meetings

- Part 3 – Public access to Council and committee meetings which includes Section 90A – Information or briefing sessions
- Part 4 – Minutes of Council and committee meetings and release of documents
- Part 5 – Code of Practice which state the requirement of a Council to have a The Code of Practice Access to Council and Committee Meetings and Documents mandatory document under the Local Government Act 1999.

The Code of Practice must comply with the Local Government Act 1999 and can add additional content without taking away the intent of the Act.

The Local Government Association of South Australia provides templates and examples for Council mandatory documents which has not been updated to reflect the COVID-19 Notice 1 inclusion.

Therefore the draft document demonstrates open and transparent governance without repeating the Act unnecessarily and expands on live streaming of all meetings and sessions.

Before a council adopts, alters or substitutes a Code of Practice under section 92(5) of the Local Government Act 1999, Council must—

- (a) make copies of the proposed code, alterations or substitute code (as the case may be) available for inspection or purchase at the council's principal office and available for inspection on a website determined by the Chief Executive Officer; and
- (b) follow the relevant steps set out in its public consultation policy.

#### **4. Statutory Responsibilities:**

Local Government Act 1999

Statues Amendment (Local Government Review) Act 2021

#### **5. Financial Implications:**

There are no significant financial implications to Council as a result of the recommendations in this report.

#### **6. Risk Assessment:**

Based on the Copper Coast Council Risk Management Framework and Policy the risks to Council associated with the adoption of the recommendations contained in this report are low.

**Recommendation**

That the Chief Executive Officer’s reports numbered 10.4.8 to 10.4.9 inclusive, be received and noted.

**10.4.8. INQUIRY INTO COAST PROTECTION BOARD AND COASTAL LEGISLATION**

**Date:** 15<sup>th</sup> October 2021  
**Reporting Officer:** Chief Executive Officer  
**Responsible Officer:** Chief Executive Officer  
**Attachments:** Appendix 35 - Submission to the Environment Resource and Development Committee dated 18<sup>th</sup> February 2021  
 Appendix 36 - Council resolution dated 10<sup>th</sup> February 2021  
 Appendix 37 - Council’s presentation on 15<sup>th</sup> June 2021  
 Appendix 38 - Extracts from the Environment Resource and Development Committee report dated 12<sup>th</sup> October 2021  
**Strategic Plan:** Governance Objective - Leadership  
**Goal:** 5. To provide leadership and ensure community resources are managed efficiently and effectively.  
**Key Strategies:** 5.3 Legislation  
 To adhere to the requirements of the Local Government Act 1999, regulations and other legislation that influences the operations of Council.

**1. Purpose**

To advise Council of the report by the State Environment Resource and Development Committee Inquiry into the Coast Protection Board and Coastal Legislation.

**2. Recommendation:**

That the report by the State Environment Resource and Development Committee Inquiry into the Coast Protection Board and Coastal Legislation be received.

**3. Discussion:**

As Members are aware, the State Government through the State Environment Resources and Development Committee established an Inquiry into the Coast Protection Board and Coastal Legislation.

A copy of Council’s submission to the Environment Resource and Development Committee dated 18<sup>th</sup> February 2021, Council resolution from its meeting held on the 10<sup>th</sup> February 2021, Council’s presentation to the Committee on 15<sup>th</sup> June 2021 and extracts from the report by the Environment Resource and Development Committee dated 12<sup>th</sup> October 2021 are attached.

**4. Statutory Responsibilities:**

Planning Development and Infrastructure Act 2016.

**5. Financial Implications:**

There are no material financial implications as a result of adopting the recommendations in this report.

**6. Risk Assessment:**

Based on the Copper Coast Council Risk Management Framework and Policy the risks to Council associated with the adoption of the recommendations contained in this report are low.



**10.4.9. PUBLIC INITIATED COUNCIL BOUNDARY CHANGE PROPOSAL**

<b>Date:</b>	15 <sup>th</sup> October 2021
<b>Reporting Officer:</b>	Chief Executive Officer
<b>Responsible Officer:</b>	Chief Executive Officer
<b>Attachments:</b>	Appendix 39 - Initial proposal submitted by Mr. Dale Morphett dated 16 <sup>th</sup> September 2019
	Appendix 40 - Letter from Mildwaters Lawyers dated 24 <sup>th</sup> March 2021
	Appendix 41 - Plan showing the area involved
	Appendix 42 - Response sent to Mildwaters Lawyers dated 11 <sup>th</sup> August 2021
	Appendix 43 - Letter from the SA Local Government Boundaries Commission dated 21 <sup>st</sup> August 2020 (including attachments)
	Appendix 44 - Letter from the South Australian Local Government Boundaries Commission dated 29 <sup>th</sup> September 2021
	Appendix 45 - Letter sent to the South Australian Local Government Boundaries Commission dated
<b>Strategic Plan:</b>	Governance Objective - Leadership
<b>Goal:</b>	5. To provide leadership and ensure community resources are managed efficiently and effectively.
<b>Key Strategies:</b>	5.3 Legislation To adhere to the requirements of the Local Government Act 1999, regulations and other legislation that influences the operations of Council.

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**1. Purpose**

To advise Council of the letter dated 29<sup>th</sup> September 2021 from the South Australian Local Government Boundaries Commission regarding a public initiated proposal.

**2. Recommendation:**

That the letter from the South Australian Local Government Boundaries Commission dated 21<sup>st</sup> August 2021 and the report on the publicly initiated Council boundary change proposal by Mr. Morphett be received.

**3. Discussion:**

As some members may be aware, Mr. Dale Morphett has proposed a minor boundary change between the Copper Coast Council and Barunga West Council in the area of Tickera. I have attached the following for member's information:-

- Initial proposal submitted by Mr. Morphett dated 16<sup>th</sup> September 2019
- Letter from Mildwaters Lawyers dated 24<sup>th</sup> March 2021

- Plan showing the area involved
- Response sent to Mildwaters Lawyers dated 11<sup>th</sup> August 2021
- Letter from the South Australian Local Government Boundaries Commission dated 21<sup>st</sup> August 2020 (including attachments)
- Letter received from the South Australian Local Government Boundaries Commission dated 29<sup>th</sup> September 2021

It is noted in the letter to both the Mayor of the Copper Coast Council and the Mayor of Barunga West Council that;

“in the opinion of the Commission the boundary seeks to correct an anomaly that is generally recognised”

This is disappointing that the South Australian Local Government Boundaries Commission has made this statement in my view without taking into account the facts, circumstances, history and relevant information. The Copper Coast Council has not been afforded any opportunity to comment on a determination by the boundaries commission that the proposal is an anomaly.

Indeed, I have attached letter dated 21<sup>st</sup> August 2009 sent to DMAW Lawyers by the then Chief Executive Officer Mr. Peter Dinning, and letter sent to Mr. David Winderlich, Australian Democrats on the 31<sup>st</sup> August 2009 by the previous Chief Executive Officer, Mr. Peter Dinning.

It is important to highlight in my view the response by Mr. Dinning to Mr. Winderlich which states inter alia:

“As part of the consultation on the DC Barunga West’s Towns and Minor Townships PAR the DC Copper Coast was provided with an opportunity to make comment on proposed zoning changes. DC Barunga West was seeking to amend the General Farming Zone abutting the Tickera township to a proposed Country Living Zone. Our Council did not support the rezoning of the land as the land opposing where the proposed change was planned was to remain as General Farming land in our Council area. The alteration proposed to District Council Barunga West’s PAR by District Council Copper Coast was requested to ensure that the policies in the Development Plans for those adjoining areas of both Councils would be complementary, by leaving a substantial buffer of land zoned General Farming on both sides adjoining our common Council boundary line. The request for alteration was made on planning grounds to retain a consistent land use zoning of General Farming where land comprises larger land holdings than in a Country Living Zone where land holdings and allotments are general smaller in area and have the potential to create land use conflict.”

It is considered that clarification be sought regarding the proposal as an administrative proposal to correct an anomaly.

I have attached a letter dated 27<sup>th</sup> October 2021 that I have sent to the South Australian Local Government Boundaries Commission for members’ information.

**4. Statutory Responsibilities:**

Planning Development and Infrastructure Act 2016.

**5. Financial Implications:**

There are no material financial implications as a result of adopting the recommendations in this report.

**6. Risk Assessment:**

Based on the Copper Coast Council Risk Management Framework and Policy the risks to Council associated with the adoption of the recommendations contained in this report are low.

## 11. CORRESPONDENCE

### 11.1. CORRESPONDENCE FOR INFORMATION

#### 11.1.1. Yorke Peninsula Tourism - Yorke Peninsula Visitor Statistics for Year Ending 30<sup>th</sup> June 2021 – (Appendix 46)

##### Recommendation

That the information in items 11.1.1 be received and noted.

### 11.2. CORRESPONDENCE WITH RECOMMENDATIONS

#### 11.2.1. Brenton March (Kadina Freight Service) – Request to Lease Portion of Section 3037, Kennett Street North, Kadina – (Appendix 47 & 48)

##### **Recommendation**

That:

1. The request from Kadina Freight Service to lease or purchase a part of Section 3037 Kennett Street North, Kadina dated 12<sup>th</sup> July 2021 be received.
2. Kadina Freight Service be advised that the best administrative process is for a lease of the land which will be subject to public consultation and consideration of any submissions by Council.
3. Subject to the concurrence of Kadina Freight Services, Public Consultation be undertaken to the proposal for the Kadina Freight Services for the land in Kennett Street under the care and control of the Council.

##### **Background**

A request has been received from Brenton March of Kadina Freight Service to, either lease or purchase a portion (1,716m<sup>2</sup>) of Section 3037 Kennett Street North, Kadina, at the rear of their premises for off street parking for their staff and work vehicles. Their letter dated 12<sup>th</sup> July 2021 is attached.

In 2013/2014 Council undertook Public Consultation to allow for twenty-one year leases on Industrial Land in Kadina. Section 3037 Kennett Street North, Kadina, was one of the parcels of land included in the public consultation. No written submissions were received during this consultation period.

Council, on the 22<sup>nd</sup> January 2014 resolved the following:-

*‘to approve 21 year leases on Industrial Land in Kadina and that the Mayor and Chief Executive Officer be authorised to sign and execute any approved leases with the District Council of the Copper Coast common seal’.*

Kadina Freight Service initially applied to lease / purchase a larger portion of land (2,595m<sup>2</sup>), which was considered by Council on 7<sup>th</sup> December 2016. This application was rejected. The map below indicates the current request in red and previous request from 2016 in yellow.



The land is Crown Land as a Conservation and Plantation Reserve with Council as custodian (copy attached).

Council has a Community Land Management Plan (adopted 19 January 2005) which includes public parks, to which the section of land is owned by The Crown, under the custodian of Council (care and control).

Section 202 of the Local Government Act 1999 indicates that a Council may grant a lease or licence over community land, but must undertake the steps in our Public Consultation Policy. That is a minimum of twenty one days consultation on the proposal. If the land was to be purchased, this would need to undergo a longer process involving revocation of part of the community land through public consultation, consideration of any submissions and alternatively the decision by the Minister.

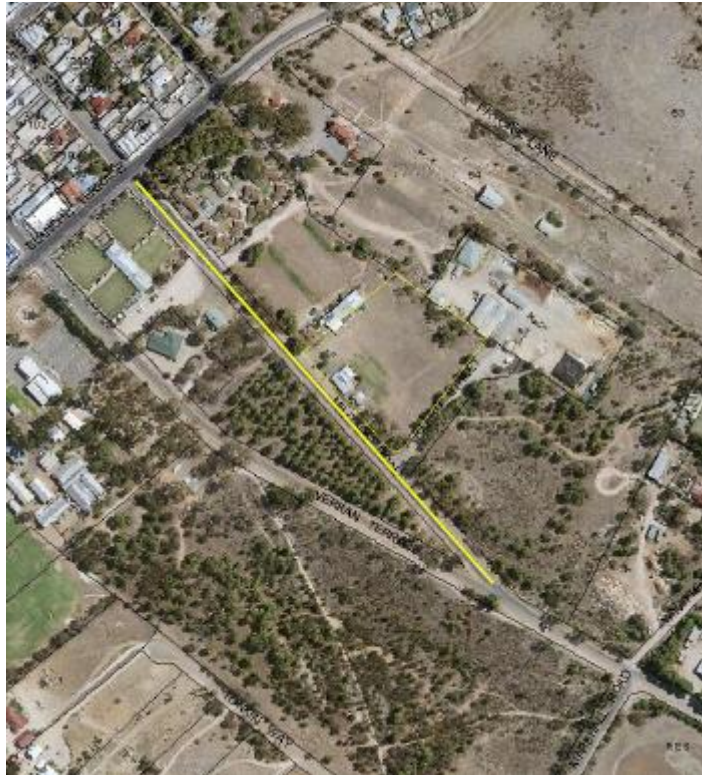
**11.2.2. Vietnam Veterans Copper Coast Sub-Branch – Request for reduction in speed limit along Military Road, Moonta – (Appendix 49)**

**Recommendation**

That a copy of the correspondence from the Vietnam Veterans Copper Coast Sub-Branch be sent to the Department for Infrastructure and Transport for their consideration of a reduction in the speed limit along Military Road, Moonta.

**Background**

A request has been received from the Vietnam Veterans Copper Coast Sub-Branch for the reduction in the speed limit from 80kph to 50kph along Military Road, Moonta. Military Road is a Council Road, therefore a copy of the correspondence received will be forwarded to the Department for Infrastructure and Transport for comment, as any changes to speed limits is within their care and control.



**11.3. CORRESPONDENCE FOR COUNCIL CONSIDERATION**

**12. OTHER BUSINESS**

**12.1. EXECUTION OF DOCUMENTS / APPLICATION OF SEAL**

Nil.

**12.2. ITEMS WHICH MUST BE DEALT WITH AS A MATTER OF URGENCY**

**Recommendation**

That the meeting accept a late item regarding \_\_\_\_\_ as a matter of urgency due to \_\_\_\_\_, and that leave of the meeting be granted.

**Recommendation**

(As per the matter of urgency).

**12.3. MATTERS OF SPECIAL INTEREST**

Matters of special interest which Members wish to draw to the attention of the meeting (without debate or questions)

**12.4. APPLICATION FOR LEAVE OF ABSENCE**

**Recommendation**

That Cr. xxxxxxxx be granted leave of absence from his/her duties, as requested.

**13. CONFIDENTIAL ITEM**

13.1. Lease - Caffe Mia

Confidential Item pursuant to Section 90(3)(b)(i) & (ii) –

**Recommendation:**

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 Tim Neumann, 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)(i)(d)(i):
    - (b) information the disclosure of which –
      - (i) could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council; and
      - (ii) would, on balance, be contrary to the public interest.

**Recommendation:**

That under the provision of Section 91(7) of the Local Government Act, 1999, Council orders that the report, accompanying documents and the minutes relating to item 13.1 from the meeting held on 3<sup>rd</sup> November 2021, be kept confidential pursuant to Section 90(3)(b)(i) & (ii) of the Local Government Act 1999, for a period of twelve (12) months, (expiring on 3<sup>rd</sup> November 2022), or such lesser period as may be determined by the Chief Executive Officer.

13.2. Wallaroo Swimming Enclosure

Confidential Item pursuant to Section 90(3)(h) –

(h) legal advice;

**Recommendation:**

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 Tim Neumann, 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)(k):  
(h) legal advice;

**Recommendation:**

That under the provision of Section 91(7) of the Local Government Act, 1999, Council orders that the report, accompanying documents and the minutes relating to item 13.2 from the meeting held on 3<sup>rd</sup> November 2021, be kept confidential pursuant to Section 90(3)(h) until the Tender has been awarded and Tender contracts signed by all parties, or as may be determined by the Chief Executive Officer.

13.3. Council Freehold Land, Kadina

Confidential Item pursuant to Section 90(3)(d)(i) & (ii) –

**Recommendation:**

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 Tim Neumann, and Executive Assistant/Minute Secretary Wanita Gregory remain in attendance; and
- the grounds for exclusion be recorded pursuant to Section 90(3)(d)(i) and (ii):  
(d) information 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; and
  - (ii) would, on balance, be contrary to the public interest.

**Recommendation**

That under the provision of Section 91(7) of the Local Government Act, 1999, Council orders that the report, accompanying documents and the minutes relating to item 13.3 from the meeting held on 3<sup>rd</sup> November 2021, be kept confidential pursuant to Section 90(3)(d)(i) & (ii) of the Local Government Act 1999, for a period of twelve (12) months, (expiring on 3<sup>rd</sup> November 2022), or such lesser period as may be determined by the Chief Executive Officer.

13.4. Hedonbar Proposal

Confidential Item pursuant to Section 90(3)(d)(i) & (ii) –

**Recommendation:**

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 Tim Neumann, and Executive Assistant/Minute Secretary Wanita Gregory remain in attendance; and
- the grounds for exclusion be recorded pursuant to Section 90(3)(d)(i) and (ii):
  - (d) information 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; and
    - (ii) would, on balance, be contrary to the public interest.

**Recommendation**

That under the provision of Section 91(7) of the Local Government Act, 1999, Council orders that the report, accompanying documents and the minutes relating to item 13.4 from the meeting held on 3<sup>rd</sup> November 2021, be kept confidential pursuant to Section 90(3)(d)(i) & (ii) of the Local Government Act 1999, for a period of twelve (12) months, (expiring on 3<sup>rd</sup> November 2022), or such lesser period as may be determined by the Chief Executive Officer.

13.5. Extension of Confidentiality - Copper Coast Sport and Leisure Centre - Contract

Confidential Item pursuant to Section 90(3)( h) –

(h) legal advice.

**Recommendation:**

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, Acting Director Infrastructure Services Tim Neumann, Co-ordinator Executive Services Roylene Schild and Executive Assistant/Minute Secretary Wanita Gregory/Jenny Bruce remain in attendance; and
- the grounds for exclusion be recorded pursuant to Section 90(h):
  - (h) legal advice.

**Recommendation:**

That under the provision of Section 91(7) of the Local Government Act, 1999, Council orders that the report, accompanying documents and the minutes relating to item 13.1 from the meeting held on 4<sup>th</sup> November 2020, be kept confidential pursuant to Section 90(3)(h) of the Local Government Act 1999, for a period of twelve (12) months, (expiring on 4<sup>th</sup> November 2022), or such lesser period as may be determined by the Chief Executive Officer.

## 14. CLOSURE

\*\* Denotes that the attachments in this agenda are subject to copyright or confidentiality purposes and are therefore excluded from public access.

### **APPENDICES SUMMARY:**

- Appendix 1 - Letter from Moonta RSL Sub-Branch - Remembrance Day Service
- Appendix 2 - Email from Wallaroo RSL Sub-Branch - Remembrance Day Service
- Appendix 3 - Capital Expenditure Report 20/21
- Appendix 4 - Budget Update 1, 30<sup>th</sup> September 2021
- Appendix 5 - *Current* Refunding and Waiving of Development and Waste Control System Application Fees Policy.
- Appendix 6 - *Draft* Development Assessment Application Fee Refund and Waiver Policy.
- Appendix 7 - *Draft* On-site Wastewater System Application Fee Refund Policy
- Appendix 8 - Capital Expenditure
- Appendix 9 - 5 Year Transport Plan – Reseal, Reconstruct & Re-sheeting
- Appendix 10 - 5 Year Sealed Footpath Plan
- Appendix 11 - 5 Year Stormwater Management Plan
- Appendix 12 - Sealing of Unsealed Roads within Built-up Areas
- Appendix 13 - Unsealed Road Map for 5 Years Program
- Appendix 14 - Email received on 8<sup>th</sup> October 2021
- Appendix 15 - Email sent 14<sup>th</sup> October 2021
- Appendix 16 - Council resolution dated 7<sup>th</sup> April 2021
- Appendix 17 - Letter received from Minister for Planning and Local Government dated 21<sup>st</sup> September 2021
- Appendix 18 - Letter from Minister for Planning and Local Government sent to the Legatus Group dated 22<sup>nd</sup> September 2021
- Appendix 19 - Letter received by the Mayor from State Planning Commission dated 15<sup>th</sup> October 2021
- Appendix 20 - Letter sent to Chair of the State Planning Commission dated 27<sup>th</sup> October 2021
- Appendix 21 - Report to Council dated 7<sup>th</sup> July 2021
- Appendix 22 - Resolution of Council dated 7<sup>th</sup> July 2021
- Appendix 23- Inclusive and Accessible Tourism Experiences Yorke Peninsula Report
- Appendix 24 - Expression of Interest document – November 2014
- Appendix 25 - Signage development for the land for potential redevelopment
- Appendix 26 - Advertisement in the YPCT dated 14<sup>th</sup> October 2014
- Appendix 27 - Council report and resolution dated 6<sup>th</sup> August 2014
- Appendix 28 - Council report and resolution dated 4<sup>th</sup> October 2014
- Appendix 29 - Plans showing Section 2279
- Appendix 30 - Council resolution dated 2<sup>nd</sup> March 2016
- Appendix 31 - Photographs of cairns
- Appendix 32 - Code of Practice Access to Council and Committee Meetings and Documents – Draft Version
- Appendix 33 - Code of Practice Access to Council and Committee Meetings and Documents – Current Version
- Appendix 34 - Local Government Act 1999 Extract

- Appendix 35 - Submission to the Environment Resource and Development Committee dated 18<sup>th</sup> February 2021
- Appendix 36 - Council resolution dated 10<sup>th</sup> February 2021
- Appendix 37 - Council's presentation on 15<sup>th</sup> June 2021
- Appendix 38 - Extracts from the Environment Resource and Development Committee report dated 12<sup>th</sup> October 2021
- Appendix 39 - Initial proposal submitted by Mr. Dale Morphett dated 16<sup>th</sup> September 2019
- Appendix 40 - Letter from Mildwaters Lawyers dated 24<sup>th</sup> March 2021
- Appendix 41 - Plan showing the area involved
- Appendix 42 - Response sent to Mildwaters Lawyers dated 11<sup>th</sup> August 2021
- Appendix 43 - Letter from the SA Local Government Boundaries Commission dated 21<sup>st</sup> August 2020 (including attachments)
- Appendix 44 - Letter from the South Australian Local Government Boundaries Commission dated 29<sup>th</sup> September 2021
- Appendix 45 - Letter sent to the South Australian Local Government Boundaries Commission dated
- Appendix 46 - Yorke Peninsula Tourism - Yorke Peninsula Visitor Statistics for Year Ending 30<sup>th</sup> June 2021
- Appendix 47 - Brenton March (Kadina Freight Service) – Request to Lease Portion of Section 3037, Kennett Street North, Kadina
- Appendix 48 - Crown Record 5579/751
- Appendix 49 - Vietnam Veterans Copper Coast Sub-Branch – Request for reduction in speed limit along Military Road, Moonta