Minutes of the Council Meeting
Held on 16 December 2019
in the
Community Chambers “Wal Yuntu Warrin”
Commencing at 5.02PM
ALEXANDRINA COUNCIL

MINUTES OF THE COUNCIL MEETING
HELD ON MONDAY 16 DECEMBER 2019 COMMENCING AT 5.02 PM
IN THE COUNCIL COMMUNITY CHAMBERS “WAL YUNTU WARRIN” GOOLWA

TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>SUBJECT</th>
<th>PAGE NO.</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONFLICT OF INTEREST</td>
<td></td>
<td>6</td>
</tr>
<tr>
<td>1.</td>
<td>CONFIRMATION OF MINUTES</td>
<td>6</td>
</tr>
<tr>
<td>2.</td>
<td>INDEX OF FUTURE ITEMS</td>
<td>6</td>
</tr>
<tr>
<td>2.1</td>
<td>Adjourned Debate</td>
<td>6</td>
</tr>
<tr>
<td>2.2</td>
<td>Adjourned Debate - Cr Coomans Changes to Council Meeting Schedule</td>
<td>6</td>
</tr>
<tr>
<td>2.3</td>
<td>Adjourned Debate - Partial Waiver of A Building Envelope Clause</td>
<td>6</td>
</tr>
<tr>
<td>2.4</td>
<td>Contained In a Land Management Agreement Between The Owner of Lot</td>
<td>7</td>
</tr>
<tr>
<td>2.4</td>
<td>4 Monument Road, Hindmarsh Island (CT 6145/719) and Alexandrina Council</td>
<td>7</td>
</tr>
<tr>
<td>2.4</td>
<td>Listing of Reports Requested By Council</td>
<td>7</td>
</tr>
<tr>
<td>3.</td>
<td>QUESTIONS WITH NOTICE</td>
<td>8</td>
</tr>
<tr>
<td>3.1</td>
<td>Cr Scott - 66kV Powerline - Middleton to Goolwa</td>
<td>8</td>
</tr>
<tr>
<td>3.2</td>
<td>Cr Lewis - Marketing Strategy</td>
<td>8</td>
</tr>
<tr>
<td>3.3</td>
<td>Cr Lewis - Port Elliot - Middleton Master Plan</td>
<td>8</td>
</tr>
<tr>
<td>3.4</td>
<td>Cr Farrier - Green Waste</td>
<td>8</td>
</tr>
<tr>
<td>3.5</td>
<td>Cr Stewart - Alexandrina Playgrounds</td>
<td>8</td>
</tr>
<tr>
<td>3.6</td>
<td>Cr Lewis - Alexandrina Playgrounds with Public Toilets</td>
<td>8</td>
</tr>
<tr>
<td>3.7</td>
<td>Cr Farrier - Watercraft Zone Near Bristow Smith Reserve</td>
<td>8</td>
</tr>
<tr>
<td>3.8</td>
<td>Cr Rebbeck - Alexandrina Sustainable Agricultural Round Table (ASART)</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>Survey</td>
<td>8</td>
</tr>
<tr>
<td>3.9</td>
<td>Cr Keily - Plan for Plaques in Townships</td>
<td>8</td>
</tr>
<tr>
<td>3.10</td>
<td>Cr Keily - Stormwater Works Near Gasworks, Strathalbyn</td>
<td>8</td>
</tr>
<tr>
<td>3.11</td>
<td>Cr Keily - Traffic Management in Strathalbyn and Arterial Roads</td>
<td>8</td>
</tr>
<tr>
<td>3.12</td>
<td>Cr Keily - Roadside Vegetation Management</td>
<td>8</td>
</tr>
<tr>
<td>3.13</td>
<td>Cr Keily - Roadside Timber Management</td>
<td>8</td>
</tr>
<tr>
<td>4.</td>
<td>QUESTIONS WITHOUT NOTICE</td>
<td>8</td>
</tr>
<tr>
<td>5.</td>
<td>NOTICES OF MOTION</td>
<td>8</td>
</tr>
<tr>
<td>5.1</td>
<td>Cr Rebbeck - Climate Emergency Declaration</td>
<td>8</td>
</tr>
<tr>
<td>5.2</td>
<td>Cr Keily - Long Valley Road - Advocacy</td>
<td>11</td>
</tr>
<tr>
<td>5.3</td>
<td>Cr Keily - SA Rural Women's Gathering - Acknowledgement</td>
<td>11</td>
</tr>
<tr>
<td>6.</td>
<td>PETITIONS</td>
<td>11</td>
</tr>
<tr>
<td>7.</td>
<td>DEPUTATIONS/REPRESENTATIONS</td>
<td>12</td>
</tr>
<tr>
<td>7.1</td>
<td>DA 455/661/19 &amp; 455/339/19, Building Envelope Waiver - Ms Anna Jones</td>
<td>12</td>
</tr>
</tbody>
</table>
### 7.2 Dr Kerri Muller - Murray Darling Basin Climate Change Issues and Opportunities .................................................. 12
### 7.3 Mr Jim Davis - Funding Agreement of the Building and Upgrades to Three Lifesaving Clubs in Alexandrina .................................................. 12
### 8. ENVIRONMENT - REPORTS FOR COUNCIL DECISION .................................................. 12
### 8.1 Clayton Bay Public Lighting - Post Consultation Summary Report .................................................. 12
### 8.2 Ratalang Basham Beach and Horseshoe Bay Advisory Committee
Minutes 15 August 2019 ......................................................................................................................................................... 12
### 8.3 Ratalang Basham Beach and Horseshoe Bay Advisory Committee
Minutes 14 November 2019 ......................................................................................................................................................... 13
### 9. GROWTH - REPORTS FOR COUNCIL DECISION .................................................................................. 13
### 9.1 South Australian Wooden Boat Festival Committee Reporting .................................................. 13
### 10. WELLBEING - REPORTS FOR COUNCIL DECISION ........................................................................ 14
### 10.1 Strathalbyn Woodshed Section 41 Committee - Proposal to Dissolve .................................................. 14
### 10.2 Surf Life Saving South Australia - Request for Financial Support .................................................. 14
### 11. RESOURCES - REPORTS FOR COUNCIL DECISION ........................................................................ 14
### 11.1 Audit Committee Minutes 25 November 2019 .................................................................................. 14
### 11.2 Adelaide Hills Region Waste Management Authority First Quarter Budget Review as at 30 September 2019 .................................................................................................................................................. 15
### 11.3 Encounter Bay Rotary Club - Public Consultation Outcomes on Proposal to Relocate Port Elliot Markets .................................................................................................................................................. 15
### 11.4 Port Elliot Holiday Park - DA 455/294/19 Construction of Tourist Accommodation Cabins .................................................................................................................................................. 15
### 11.5 Coorong Cafe - Mobile Food Vendor Licence Request .................................................................................................................................................. 15
### 11.6 Strathalbyn Wood Craft Group Rates Rebate Request .................................................................................................................................................. 16
### 11.7 Building Upgrade Finance .................................................................................................................................................. 16
### 11.8 Fleurieu Regional Waste Authority (FRWA) Budget Initiatives .................................................................................................................................................. 17
### 12. OFFICE OF THE CHIEF EXECUTIVE OFFICER - REPORTS FOR COUNCIL DECISION .................................................................................................................................................. 17
### 12.1 Chief Executive Officer's Report .................................................................................................................................................. 17
### 12.2 Community Energy Program .................................................................................................................................................. 18
### 13. ELECTED MEMBERS’ REPORTS (INCLUDING VERBAL UPDATES) ........................................ 18
### 13.1 Mayor’s Report .................................................................................................................................................. 18
### 13.2 Elected Members' Reports .................................................................................................................................................. 18
### 13.3 Cr Rebbeck and Cr Scott (With Glenn Rappensberg, CEO) - Report of the Murray Darling Association 75th National Conference, Toowomba, 22-24 October 2019 .................................................................................................................................................. 19
### 14. CONFIDENTIAL REPORTS ........................................................................................................ 20
### 14.1 Australia Day Awards (Confidential) ........................................................................................................ 20
### 14.2 Business Enterprise Centre (Confidential) ........................................................................................................ 21
### 14.3 Bristow Smith Reserve Jetty Options (Confidential) ........................................................................................................ 22
14.4  Fleurieu Regional Aquatic Centre Authority Management Options  
(Confidential) .................................................................................................................. 23
14.5  Section 184 Sale of Land - A4090 and A4094 ........................................................ 24
15.  CONFIDENTIAL QUESTIONS WITH NOTICE  
15.1  Cr Lewis - External Funding Opportunity (Confidential) ........................................ 26
16.  CLOSURE ...................................................................................................................... 27
MINUTES OF THE ALEXANDRINA COUNCIL MEETING
HELD IN THE ALEXANDRINA COUNCIL COMMUNITY CHAMBERS
"WAL YUNTU WARRIN", GOOLWA
ON MONDAY 16 DECEMBER 2019 AT 5:02PM

PRESENT

Mayor Keith Parkes, Councillors Bronwyn Lewis, Karyn Bradford, Craig Maidment, Mike Farrier, John Carter, James Stewart, Melissa Rebbeck, Michael Scott, Margaret Gardner and Rex Keily

APOLOGIES

Cr Bill Coomans

IN ATTENDANCE

Glenn Rappensberg (Chief Executive Officer), Simon Grenfell (General Manager Environment), Anne Liddell (Group Manager Leadership), Kathy Hayter (General Manager Wellbeing), Mark van der Pennen (General Manager Growth), Elizabeth Williams (General Manager Resources) and Sarah Rose (Governance Administration Officer) and Tanya Cregan (Elected Member Support Officer).

GALLERY

Six members of staff, fifty two members of the public and a representative from the Victor Harbor Times.

LOCAL GOVERNMENT PRAYER

Almighty God, we humbly beseech thee to grant thy blessing upon the works of this Council, guide us in our deliberations for the advancement and the true welfare of the people of the district.

ACKNOWLEDGMENT OF TRADITIONAL OWNERS

The Alexandrina Council and its communities acknowledge the Ngarrindjeri people as the traditional custodians of the lands and waters of our Council district.
CONFLICT OF INTEREST

Elected Members are reminded of the requirements for disclosure by Members of any conflict of interest in items listed for consideration on the Agenda.

Section 74 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.

Each Member of a Council has a duty to vote at all meetings unless excepted by legislation.

The major exception being where a Member has a conflict of interest.

1. CONFIRMATION OF MINUTES

ACM19398 Moved Cr Farrier seconded Cr Gardner:

That the Minutes of the Alexandrina Council meeting held on Monday 18 November 2019, as circulated to members, be received as a true and correct record.

CARRIED UNANIMOUSLY

2. INDEX OF FUTURE ITEMS

2.1 Adjourned Debate

ACM19399 Moved Cr Maidment seconded Cr Keily:

That the update be received.

CARRIED UNANIMOUSLY

Meeting moved to Agenda Item 7 Deputations at 5.05 pm

2.2 Adjourned Debate - Cr Coomans Changes to Council Meeting Schedule

The motion was withdrawn (in writing).
2.3 Adjourned Debate - Partial Waiver of a Building Envelope Clause Contained In a Land Management Agreement Between The Owner of Lot 4 Monument Road, Hindmarsh Island (CT 6145/719) and Alexandrina Council

ACM19400 Moved Cr Carter seconded Cr Gardner:

1. That Council does not endorse the waiver of the building envelope requirements contained within Figures 3 and 4 of the Landscape Management Plan, which forms part of the Land Management Agreement, to enable the siting of the outbuildings as proposed within Development Application 455/339/19.

AND

2(a) That Council does not endorse the waiver of the building envelope requirements contained within Figures 3 and 4 of the Landscape Management Plan, which forms part of the Land Management Agreement, to enable the siting of a dwelling as proposed within Development Application 455/661/19.

AND

2(b) If the Applicant was to amend the siting of the dwelling on DA 455/661/19, such that it is centered on the allotment to minimise the extent of the encroachment within the fire break zone, then Council endorses the waiver of the building envelope requirements contained within Figures 3 and 4 of the Landscape Management Plan, which forms part of the Land Management Agreement, by permitting the Mayor and Chief Executive to sign a letter of waiver in accordance with Clause 3 of the Land Management Agreement.

LOST

FORESHADOWED MOTION

ACM19401 Moved Cr Farrier seconded Cr Keily:

That the administration consider new information from the proponent and bring a revised report back to the January 2020 council meeting.

CARRIED UNANIMOUSLY

2.4 Listing of Reports Requested by Council

ACM19402 Moved Cr Stewart seconded Cr Rebbeck:

That the report be received.

CARRIED UNANIMOUSLY
Meeting moved to Agenda Item 5 Notices of Motion at 5.35 pm

3. QUESTIONS WITH NOTICE

3.1 Cr Scott - 66kV Powerline - Middleton to Goolwa

3.2 Cr Lewis - Marketing Strategy

3.3 Cr Lewis - Port Elliot - Middleton Master Plan

3.4 Cr Farrier - Green Waste

3.5 Cr Stewart - Alexandrina Playgrounds

3.6 Cr Lewis - Alexandrina Playgrounds with Public Toilets

3.7 Cr Farrier - Watercraft Zone Near Bristow Smith Reserve

3.8 Cr Rebbeck - Alexandrina Sustainable Agricultural Round Table (ASART) Survey

3.9 Cr Keily - Plan for Plaques in Townships

3.10 Cr Keily - Stormwater Works Near Gasworks, Strathalbyn

3.11 Cr Keily - Traffic Management In Strathalbyn And Arterial Roads

3.12 Cr Keily - Roadside Vegetation Management

3.13 Cr Keily - Roadside Timber Management

4. QUESTIONS WITHOUT NOTICE

Several questions without notice were asked.

5. NOTICES OF MOTION

5.1 Cr Rebbeck - Climate Emergency Declaration

Moved Cr Rebbeck seconded Cr Stewart:

1. Declares that we are in a state of climate emergency and acknowledges that unless all levels of government take action and lead their communities to restore a safe climate, there will be further dramatic and negative impacts on our community and globally.

2. Notes that it is still possible to restore a safe climate and prevent most of the anticipated long-term climate impacts – but only if all levels of government around the globe adopt an emergency mode of action, actively working with their communities, to restore a safe and healthy planet at the necessary scale and speed.
3. Actively collaborate with and advocate for neighbouring local governments, state governments and the federal government to join with us by accelerating the adoption of a climate emergency response and developing their own Climate Emergency Plan.

4. Requests the Mayor write to State and Federal Members of Parliament whom represent the Alexandrina Council region, advising them of Council's resolution and request they also act with urgency to address climate change.

5. In accordance with the above declaration; assigns a high priority to the following climate emergency responses in the 2020-21 Annual Business Plan and Budget deliberation process namely;
   a. Creation of a Climate Emergency Advisory Committee of Council (as per section 41 of the LGA) and related Secretariat support;
   b. Allocation of additional resources and staffing to apply for grants and utilise rebates to develop and implement projects and programs including:
      1. Initiation of climate change mitigation and adaptation initiatives eg. energy reduction, and carbon sequestration programs.
      2. Development and implementation of a Climate Emergency Plan as part of Council's strategic planning framework.
      3. Reviewing existing Council policies and plans with a view to facilitating a climate emergency response.
      4. Rolling out staff and public education and support-building a campaign in order to achieve broad community support for the move into climate emergency mode.

AMENDMENT

Moved Cr Farrier seconded Cr Carter:

1. Declares that we are in a state of climate emergency and acknowledges that unless all levels of government take action and lead their communities to restore a safe climate, there will be further dramatic and negative impacts on our community and globally.

2. Notes that it is still possible to restore a safe climate and prevent most of the anticipated long-term climate impacts – but only if all levels of government around the globe adopt an emergency mode of action, actively working with their communities, to restore a safe and healthy planet at the necessary scale and speed.
3. Actively collaborate with and advocate for neighbouring local governments, state governments and the federal government to join with us by accelerating the adoption of a climate emergency response and developing their own Climate Emergency Plan.

4. Requests the Mayor write to State and Federal Members of Parliament whom represent the Alexandrina Council region, advising them of Council’s resolution and request they also act with urgency to address climate change.

Cr Lewis called for a DIVISION:

Voting in the AFFIRMATIVE:
Councillors Carter, Maidment and Farrier

Voting in the NEGATIVE:
Councillors Stewart, Scott, Bradford, Lewis, Keily, Gardner and Rebbeck

The Mayor declared the motion LOST.

The original motion was put:

ACM19405 Moved Cr Rebbeck seconded Cr Stewart:

1. Declares that we are in a state of climate emergency and acknowledges that unless all levels of government take action and lead their communities to restore a safe climate, there will be further dramatic and negative impacts on our community and globally.

2. Notes that it is still possible to restore a safe climate and prevent most of the anticipated long-term climate impacts – but only if all levels of government around the globe adopt an emergency mode of action, actively working with their communities, to restore a safe and healthy planet at the necessary scale and speed.

3. Actively collaborate with and advocate for neighbouring local governments, state governments and the federal government to join with us by accelerating the adoption of a climate emergency response and developing their own Climate Emergency Plan.

4. Requests the Mayor write to State and Federal Members of Parliament whom represent the Alexandrina Council region, advising them of Council’s resolution and request they also act with urgency to address climate change.

5. In accordance with the above declaration; assigns a high priority to the following climate emergency responses in the 2020-21 Annual Business Plan and Budget deliberation process namely;
   a. Creation of a Climate Emergency Advisory Committee of Council (as per section 41 of the LGA) and related Secretariat support;
b. Allocation of additional resources and staffing to apply for grants and utilise rebates to develop and implement projects and programs including:
   1. Initiation of climate change mitigation and adaptation initiatives eg. energy reduction, and carbon sequestration programs.
   2. Development and implementation of a Climate Emergency Plan as part of Council’s strategic planning framework.
   3. Reviewing existing Council policies and plans with a view to facilitating a climate emergency response.
   4. Rolling out staff and public education and support-building a campaign in order to achieve broad community support for the move into climate emergency mode.

CARRIED UNANIMOUSLY

5.2 Cr Keily - Long Valley Road - Advocacy

ACM19410 Moved Cr Keily seconded Cr Stewart:

That Council write to the State Government welcoming the recent announcement of funding to upgrade Long Valley Road but expresses concern that the announcement mentions the addition of only one passing lane and advocate that the State Government redress this and ensure that adequate passing lanes are included to support improved safety and reduce the risk of fatality.

CARRIED UNANIMOUSLY

5.3 Cr Keily - SA Rural Women’s Gathering - Acknowledgement

ACM19411 Moved Cr Keily seconded Cr Maidment:

That Council congratulate the organising Committee for the Rural Women’s Gathering held recently in Strathalbyn and commend them for their event which showcased the best of the township and resulted in generous donations to the Strathalbyn & Communities Suicide Prevention Network and Strathalbyn Neighbourhood Centre.

CARRIED UNANIMOUSLY

Meeting returned to Agenda Item 3 Questions with Notice at 6.16 pm

6. PETITIONS

Nil
7. DEPUTATIONS/REPRESENTATIONS

7.1 DA 455/661/19 & 455/339/19, Building Envelope Waiver - Ms Anna Jones (Proxy for Mr Leigh Dighton)

The Mayor thanked Ms Anna Jones (Proxy for Mr Leigh Dighton) for her Deputation to Council.

7.2 Dr Kerri Muller - Murray Darling Basin Climate Change Issues and Opportunities

The Mayor thanked Dr Kerri Muller for her Deputation to Council.

7.3 Mr Jim Davis - Funding Agreement of the Building and Upgrades to Three Lifesaving Clubs in Alexandrina

The Mayor thanked Mr Jim Davis for his Deputation to Council.

Meeting returned to Agenda Item 2.2 Adjourned Debate - Cr Coomans Changes to Council Meeting Schedule at 5.28pm

8. ENVIRONMENT - REPORTS FOR COUNCIL DECISION

8.1 Clayton Bay Public Lighting - Post Consultation Summary Report

ACM19412 Moved Cr Rebbeck seconded Cr Bradford:

1. That Council receives and acknowledges the report and the findings from the public consultation.

2. That Council grants the Administration consent to prepare a Public Lighting Plan for Clayton Bay which addresses the potential for lighting the road reserve to Australian Standards (AS1158:2005) and the low light ambitions of the community.

CARRIED UNANIMOUSLY

8.2 Ratalang Basham Beach and Horseshoe Bay Advisory Committee Minutes 15 August 2019

ACM19413 Moved Cr Lewis seconded Cr Stewart:

1. That the minutes of the Ratalang Basham Beach and Horseshoe Bay Advisory Committee from 15 August 2019 be received.

2. That the Council does not endorse a change to the Ratalang Basham Beach And Horseshoe Bay Advisory Committee Terms of Reference to amend the Quorum to be half of the members rounded down provided that number is never less than three.

CARRIED UNANIMOUSLY
Ratalang Basham Beach and Horseshoe Bay Advisory Committee Minutes 14 November 2019

ACM19414 Moved Cr Lewis seconded Cr Stewart:

1. That the minutes of the Ratalang Basham Beach and Horseshoe Bay Advisory Committee from 14 November 2019 be received.

2. That Council note the Ratalang Basham Beach and Horseshoe Bay Advisory Committee resolution in relation to the placement of cabins in the Port Elliot Holiday Park and note that this will be dealt with in report 11.4

3. That Council endorse Uncle Archie Kartinyeri to become a committee member of the Ratalang Basham Beach and Horseshoe Bay Advisory Committee.

CARRIED UNANIMOUSLY

GROWTH - REPORTS FOR COUNCIL DECISION

9.1 South Australian Wooden Boat Festival Committee Reporting

ACM19415 Moved Cr Gardner seconded Cr Maidment:

1. To endorse the appointment of the following as the committee members of the 2021 South Australian Wooden Boat Festival Committee for a two (2) year term.
   • Derek Bowman
   • Stephen Conway
   • Bryan Francis
   • Greg Hamilton
   • Bart O’Brien
   • Richard Stokes

2. That Councillors Stewart and Carter be endorsed as the Council representatives on the South Australian Wooden Boat Festival Committee.

3. To endorse the appointment of Richard Stokes as the Chair of the 2021 South Australian Wooden Boat Festival Committee for a two (2) year term.

4. That Council endorse the amended South Australian Wooden Boat Festival Committee Terms of Reference.

CARRIED UNANIMOUSLY
10. WELLBEING - REPORTS FOR COUNCIL DECISION

10.1 Strathalbyn Woodshed Section 41 Committee - Proposal to Dissolve

ACM19416 Moved Cr Maidment seconded Cr Bradford:

1. That the Section 41 Committee of Council known as the Strathalbyn Woodshed Committee be dissolved as at 1 February 2020.

2. That Council gift to the Strathalbyn Woodcraft Group Incorporated all equipment, tools and machinery, that are currently located on the premises (97a Milnes Road, Strathalbyn).

3. That all remaining funds of the Strathalbyn Woodshed Section 41 Committee be transferred to the Strathalbyn Woodcraft Group Incorporated as at 1 February 2020.

CARRIED UNANIMOUSLY

10.2 Surf Life Saving South Australia - Request for Financial Support

ACM19417 Moved Cr Rebbeck seconded Cr Stewart:

1. That Council provide financial support to Surf Life Saving South Australia to provide surf life saving services at Goolwa Beach as per SLSSA Proposal - duration of 22 days from 23 December 2019 to 24 January 2020 at a cost of $17,116.55 (ex GST) and that Council's Annual Business Plan and Budget be amended to reflect this.

2. That SLSSA be asked to provide additional information about their patrol arrangements next year should a further request for funding be forthcoming.

CARRIED

11. RESOURCES - REPORTS FOR COUNCIL DECISION

11.1 Audit Committee Minutes 25 November 2019

ACM19418 Moved Cr Keily seconded Cr Farrier:

1. That Council endorse the revised KPI Target for Debtors outstanding over 90 Days from the current 7% to 18%.

2. That Council endorse the revised KPI Target for Rate Debtors outstanding over 90 Days from the current 3% to an annual average of 7%.

3. That the Audit Committee Minutes 25 November 2019 be received.

CARRIED UNANIMOUSLY
11.2 Adelaide Hills Region Waste Management Authority First Quarter Budget Review as at 30 September 2019

ACM19419 Moved Cr Farrier seconded Cr Lewis:

That Council endorse the Adelaide Hills Region Waste Management Authority 2019-20 Budget Review for the period ending 30 September 2019 detailing a projected operating surplus of $9,000 and estimated cash at end of reporting period of $26,000.

CARRIED UNANIMOUSLY

11.3 Encounter Bay Rotary Club - Public Consultation Outcomes on Proposal to Relocate Port Elliot Markets

ACM19420 Moved Cr Lewis seconded Cr Scott:

That Council does not grant consent for the Rotary Club of Encounter Bay to permanently relocate the Port Elliot Markets from Lakala Reserve Port Elliot to Continental Park on The Strand at Port Elliot.

CARRIED UNANIMOUSLY

11.4 Port Elliot Holiday Park - DA 455/294/19 Construction of Tourist Accommodation Cabins

ACM19421 Moved Cr Lewis seconded Cr Scott:

That Council does not consent to the placement of 6 commercial tourist accommodation cabins within the proposed location on the Eastern side of the leased grounds of the Port Elliot Holiday Park located on a portion of Basham Parade Port Elliot, Certificate of Title Volume 5744 Folio 924 Hundred of Goolwa in accordance with Development Application 455/294/19.

CARRIED UNANIMOUSLY

11.5 Coorong Cafe - Mobile Food Vendor Licence Request

ACM19422 Moved Cr Gardner seconded Cr Lewis:

1. That Council grants consent to issue a 3 year Mobile Food Vendor Licence to Peter and Heather Oliver trading as Coorong Café from 1 January 2020 to 31 December 2022 from a portion of Sugars Beach Reserve Hindmarsh Island, Section 501 Crown Record Volume 5763 Folio 664, and authorise the Mayor and Chief Executive Officer to sign and seal the Licence documentation.
2. That consent is granted for Administration to amend Clause 16 of the 2020 draft licence attached to this report as required to permit:

a. The placement of temporary hay bales on site during the summer season each year;

b. A portable toilet to be parked and locked on site on those days when the business is open for trade on the following day;

c. The bollards, plastic tables and chairs to be either:
   i. stored overnight in the marquee on those days when the business is open for trade on the following day; or
   ii. permitted to remain set up on site on those days when the business is open for trade on the following day; and

d. use of a second marquee within the licence area under the same terms and conditions that apply to the existing marquee.

CARRIED

11.6 Strathalbyn Wood Craft Group Rates Rebate Request

ACM19423 Moved Cr Maidment seconded Cr Keily:

That Council grants the Strathalbyn Wood Craft Group an additional 25% Discretionary Rate Rebate to a total of 100% for three years.

CARRIED

11.7 Building Upgrade Finance

ACM19443 Moved Cr Rebbeck seconded Cr Keily:

1. That Council approves to participate in Building Upgrade Finance by offering to enter into Building Upgrade Agreements, as defined by Schedule 1B of the Local Government Act 1999.

2. That Council authorises the Chief Executive Officer to:
   • Enter into, or to vary or terminate, a Building Upgrade Agreement;
   • Declare and levy a Building Upgrade Charge under a Building Upgrade Agreement; and
   • Set late payment and services fees in a Building Upgrade Agreement, as defined by the Local Government Act 1999 (SA).

3. That Council adopts the Building Upgrade Finance Policy.

FORMAL MOTION
ACM19444  Moved Cr Farrier seconded Cr Lewis:

That the item be adjourned to a future workshop.

CARRIED UNANIMOUSLY

Meeting adjourned for recess at 7.16 pm
Meeting resumed at 7.25 pm

Cr Scott did not return to the Chamber at 7.25 pm

11.8  Fleurieu Regional Waste Authority (FRWA) Budget Initiatives

ACM19424  Moved Cr Rebbeck seconded Cr Maidment:

1. That Council advises the Fleurieu Regional Waste Authority that it supports the following cost saving and revenue raising initiatives for further consideration by the FRWA Board for implementation as soon as practical:
   • Reduction in opening hours of the Goolwa Waste and Recycling Depot by an hour per day;
   • Closure of the Strathalbyn Waste and Recycling Depot on Mondays;
   • A 20% increase to commercial gate fees; and
   • A 7% increase to non-commercial gate fees.

Cr Scott returned to the Chamber at 7.26 pm

CARRIED

12. OFFICE OF THE CHIEF EXECUTIVE OFFICER - REPORTS FOR COUNCIL DECISION

12.1  Chief Executive Officer’s Report

ACM19425  Moved Cr Stewart seconded Cr Gardner:

That the Chief Executive Officer’s Report be received.

CARRIED UNANIMOUSLY
12.2 Community Energy Program

ACM19426 Moved Cr Rebbeck seconded Cr Keily:

That Council:

1. Note the report and attachments;

2. Acknowledge the resources developed by the Community Energy Program research project will be published for use by the community, industry and the local government sector; and

3. Note Council’s involvement in the Community Energy Program research project will be wound up upon acquittal of all relevant grant agreements.

CARRIED UNANIMOUSLY

13. ELECTED MEMBERS’ REPORTS (INCLUDING VERBAL UPDATES)

13.1 Mayor’s Report

ACM19427 Moved Cr Carter seconded Cr Maidment

That the Mayor’s Report for November 2019 be received.

CARRIED UNANIMOUSLY

13.2 Elected Members’ Reports

ACM19428 Moved Cr Keily seconded Cr Carter:

That the Elected Member Reports for the months of September, October and November 2019 be received.

Cr Maidment verbally advised that his elected member report contained in this meeting agenda was for November in lieu of October.

Cr Rebbeck provided a verbal update on the Murray Darling Association regarding issues in relation to New South Wales’ reaction to the Murray Darling Basin Plan.

Cr Stewart provided a verbal update regarding positive feedback from new business members at Goolwa regarding staff at the Goolwa Visitor Information Centre.

Cr Lewis provided a verbal update advising that she attended the opening of the Kuti Shack, Goolwa Beach and the Contemplation Site launch at Port Elliot.

The Mayor noted that the Member for Mayo announced $75,000 funding for Woodchester Tennis Courts.

CARRIED UNANIMOUSLY
13.3 Cr Rebbeck and Cr Scott (with Glenn Rappensberg, CEO) - Report of the Murray Darling Association 75th National Conference, Toowomba, 22-24 October 2019

ACM19429 Moved Cr Stewart seconded Cr Lewis:

That the report be received.

CARRIED UNANIMOUSLY
14. CONFIDENTIAL REPORTS

14.1 Australia Day Awards (Confidential)

ACM19407 Moved Cr Maidment seconded Cr Keily:

That pursuant to Sections 90 (2) and (3) (a) of the Local Government Act 1999, the Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, General Managers, Minute Taker and the officer responsible for the report, on the basis that the Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider information by way of a report and associated documents in relation to agenda item 14.1 Australia Day Awards 2020 and the Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation contains/involves:

Substantiation:
Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); including the discussion of award nominees.

CARRIED UNANIMOUSLY

ACM19409 Moved Cr Keily seconded Cr Carter:

1. That pursuant to Sections 91(7) and (9) of the Local Government Act 1999 (SA) (Act), the Council orders that the report, minutes, attachments and associated documents of the Council meeting held on 16 December 2019 in relation to confidential item number 14.1 and titled Australia Day Awards 2020 having been considered and dealt with by the Council on a confidential basis under Part 3 of the Act, are to be kept confidential and not available to the public for a period of twelve months from the date of this confidentiality order, or unless revoked earlier by the Chief Executive Officer in accordance with paragraph 1 of this resolution, on the basis that they contain the following information or matter:

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

2. That pursuant to section 91(9)(c) of the Local Government Act 1999, the Council delegates to the Chief Executive Officer the power to revoke, in whole or in part, the order made in paragraph 1 of this resolution at anytime.

CARRIED
14.2 Business Enterprise Centre and Business Plan (Confidential)

ACM19430 Moved Cr Lewis seconded Cr Farrier:

Pursuant to section 90(2) of the Local Government Act 1999, the Council orders that all members of the public be excluded, with the exception of CEO and General Managers, Minute Taker and the officer responsible for the report on the basis that it will receive and consider Item 14.2 titled Business Enterprise Centre and Business Plan.

The Council is satisfied, pursuant to section 90(3)(b)(k) of the Act, that the information to be received, discussed or considered in relation to this Agenda Item is 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

(k) tenders for the supply of goods, the provision of services or the carrying out of works.

The Council is satisfied that the principle that the meeting should be conducted in a place open to the public has been outweighed in the circumstances because of commercial in confidence discussions with potential future partners and sponsors of the Business Enterprise Centre.

CARRIED UNANIMOUSLY

ACM19431 Moved Cr Keily seconded Cr Rebbeck:

1. That having considered Agenda Item 14.2 Business Enterprise Centre and Business Plan in confidence under section 90(b) and (k) of the Local Government Act 1999, the Council, pursuant to section 91(7) and (9) of the Local Government Act 1999, orders that:

1.1 The Agenda, minutes, audio recording, report and Business Plan of the Council meeting held on 16 December 2019 in relation to Agenda Item 14.2 Business Enterprise Centre and Business Plan, are to remain confidential and will not be available for public inspection for the period of 12 months on the basis that disclosure of information would;

(b)(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

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

1.2 That this order be reviewed at least once every 12 months.
2. That pursuant to section 91(9)(c) of the Local Government Act 1999, the Council delegates to the Chief Executive Officer the power to revoke, in whole or in part, the order made in paragraph 1 of this resolution at any time.

CARRIED

14.3 Bristow Smith Reserve Jetty Options (Confidential)

ACM19432 Moved Cr Stewart seconded Cr Maidment:

Pursuant to section 90(2) of the Local Government Act 1999, the Council orders that all members of the public be excluded, with the exception of CEO and General Managers, Minute Taker and the officer responsible for the report on the basis that it will receive and consider Item 14.3 titled Bristow Smith Reserve Jetty Options.

The Council is satisfied, pursuant to section 90(3)(b)(i)(ii) of the Act, that the information to be received, discussed or considered in relation to this Agenda Item is 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;

The Council is satisfied that the principle that the meeting should be conducted in a place open to the public has been outweighed in the circumstances because the information provided in this report contains financial information that may be sought via an Expressions of Interest process or tender process within the next 12 months.

CARRIED UNANIMOUSLY

ACM19433 Moved Cr Stewart seconded Cr Rebbeck:

1. That having considered Agenda Item 14.3 titled Bristow Smith Reserve Jetty Options in confidence under section 90(2) and (3)(b)(i)(ii) of the Local Government Act 1999, the Council, pursuant to section 91(7) and (9) of the Local Government Act 1999, orders that:

1.1 The minutes, audio recording, reports and attachments of the Council meeting held on 16 December 2019 in relation to Agenda Item 14.3 and titled Bristow Smith Reserve Jetty Options are to remain confidential and will not be available for public inspection for the period of 12 months on the basis of 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;

2. That pursuant to section 91(9)(c) of the Local Government Act 1999, the Council delegates to the Chief Executive Officer the power to revoke, in whole or in part, the order made in paragraph 1 of this resolution at any time.

CARRIED UNANIMOUSLY

14.4 Fleurieu Regional Aquatic Centre Authority Management Options (Confidential)

ACM19434 Moved Cr Keily seconded Cr Bradford:

Pursuant to section 90(2) of the Local Government Act 1999, the Council orders that all members of the public be excluded, with the exception of Chief Executive Officer, General managers, Minute Taker and the officer responsible for the report, on the basis that it will receive and consider Item 14.4 Fleurieu Regional Aquatic Centre Authority Management Options (Confidential).

The Council is satisfied, pursuant to section 90(3)(b)(i)(ii) of the Act, that the information to be received, discussed or considered in relation to this Agenda Item is information that would disclose section 90(3)(b)(i)(ii).

The Council is satisfied that the principle that the meeting should be conducted in a place open to the public has been outweighed in the circumstances because of (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;

Substantiation:

The information provided in this report contains financial and business information that if disclosed, may result in damage to a party's commercial interests, intellectual property or trade secrets.

CARRIED UNANIMOUSLY
ACM19438 Moved Cr Gardner seconded Cr Stewart:

1. That having considered Agenda Item 14.4 Fleurieu Regional Aquatic Centre Authority Management Options (Confidential) in confidence under section 90(2) and (3) (b)(i)(ii) of the Local Government Act 1999, the Council, pursuant to section 91(7) and (9) of the Local Government Act 1999, orders that:

1.1 The Agenda, minutes, audio recording, report, attachments, associated documents’ as applicable of the Council meeting held on 16 December 2019 in relation to Agenda Item 14.4 Fleurieu Regional Aquatic Centre Authority Management Options (Confidential), are to remain confidential and will not be available for public inspection for the period of 12 months on the basis that disclosure of information would disclose section 90(3)(b)(i)(ii).

The Council is satisfied that the principle that the meeting should be conducted in a place open to the public has been outweighed in the circumstances because of (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.

1.2 That this order be reviewed at least once every 12 months.

2. That pursuant to section 91(9)(c) of the Local Government Act 1999, the Council delegates to the Chief Executive Officer the power revoke, in whole or in part, the order made in paragraph 1 of this resolution at any time.

CARRIED UNANIMOUSLY

14.5 Section 184 Sale of Land - A4090 And A4094

ACM19439 Moved Cr Keily seconded Cr Gardner:

Pursuant to section 90(2) of the Local Government Act 1999, the Council orders that all members of the public be excluded, with the exception of Chief Executive Officer and General Managers on the basis that it will receive and consider Item 14.5 Sale of Land – Pursuant to Chapter 10, Division 9, Section 184 Local Government Act 1999.
The Council is satisfied, pursuant to section 90(3)(a) of the Act, that the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

The Council is satisfied that the principle that the meeting should be conducted in a place open to the public has been outweighed in the circumstances to receive, discuss or consider in confidence any matter which would involve the unreasonable disclosure of information concerning the personal affairs of any person.

CARRIED UNANIMOUSLY

ACM19440 Moved Cr Gardner seconded Cr Councillor Rebbeck:

1. That having considered Agenda Item 14.5 Sale of Land – Pursuant to Chapter 10, Division 9, Section 184 Local Government Act 1999 in confidence under section 90(2) and (3) (a) of the Local Government Act 1999, the Council, pursuant to section 91(7) and (9) of the Local Government Act 1999, orders that:

   1.1 The minutes, audio recording, report and associated documents as applicable of the Council meeting held on 16 December 2019 in relation to Agenda Item 14.5 Sale of Land – Pursuant to Chapter 10, Division 9, Section 184 Local Government Act 1999 are to remain confidential and will not be available for public inspection for the period of 12 months on the basis that disclosure of information would to receive, discuss or consider in confidence any matter which would involve the unreasonable disclosure of information concerning the personal affairs of any person.

   1.2 That this order be reviewed at least once every 12 months.

2. That pursuant to section 91(9)(c) of the Local Government Act 1999, the Council delegates to the Chief Executive Officer the power revoke, in whole or in part, the order made in paragraph 1 of this resolution at any time.

CARRIED UNANIMOUSLY
15. CONFIDENTIAL QUESTIONS WITH NOTICE

15.1 Cr Lewis - External Funding Opportunity (Confidential)

ACM19441 Moved Cr Lewis seconded Cr Stewart:

Pursuant to section 90(2) of the Local Government Act 1999, the Council orders that all members of the public be excluded, with the exception of Chief Executive officer, General Managers and Minute Taker on the basis that it will receive and consider Item 15.1 Cr Lewis – External Funding Opportunity.

The Council is satisfied, pursuant to section 90(3)(j) of the Act, that the information to be received, discussed or considered in relation to this Agenda Item is information that would disclose:

(i) Would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and

(ii) Would, on balance, be contrary to the public interest;

The Council is satisfied that the principle that the meeting should be conducted in a place open to the public has been outweighed in the circumstances as it involves a question related to a confidential agenda item on external grant funding opportunity for which Council had been requested to retain in confidence at the time.

CARRIED UNANIMOUSLY

ACM19442 Moved Cr Lewis seconded Cr Stewart:

1. That having considered Agenda Item 15.1 titled Cr Lewis – External Funding Opportunity in confidence under section 90(2) and 90(3)(j) of the Local Government Act 1999, orders that:

1.1 The minutes, audio recording, reports and attachments of the Council meeting held on 16 December 2019 in relation to Agenda Item 15.1 and titled Cr Lewis – External Funding Opportunity are to remain confidential and will not be available for public inspection for the period of 12 months on the basis of information the disclosure of which:

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

2. That pursuant to section 91(9)(c) of the Local Government Act 1999, the Council delegates to the Chief Executive Officer the power to revoke, in whole or in part, the order made in paragraph 1 of this resolution at any time.

CARRIED UNANIMOUSLY

16. CLOSURE

The Mayor declared the meeting closed at 8.21pm

MINUTES CONFIRMED .......................... DATE.........................

MAYOR K PARKES