

MAYORAL STATEMENT Penneshaw Sculpture Trail

The Memorandum of Understanding entered into by the Council and the Penneshaw Progress Association (PPA) was not prepared with the benefit of legal assistance. It is a grossly deficient, poorly written and confused document which has not achieved and does not achieve what is understood to have been the objectives of the parties.

The Memorandum of Understanding was not sighted by, commented upon or approved by the elected members before it was executed by the former CEO of the Council.

The electricity supply from the PPA to the Council, as envisaged by the Memorandum of Understanding and as the basis for Council payments to the PPA, has never been achieved.

The Memorandum of Understanding requires the PPA to operate in the complex and highly regulated 'electricity market' as a retailer of electricity to the Council. This is a role that the PPA, with the benefit of hindsight, has agreed was never intended or envisaged for it and one which it is not skilled or resourced to do.

The Council provided support to the PPA to obtain Federal funding of approximately \$50k to purchase the solar panels. The payment for the panels was, therefore, an indirect payment by the Federal Government, not a payment that the PPA had to make from its own reserves.

The sale of the solar panels by the Council to the PPA occurred without any regard to and, hence, was contrary to, the Council's Procurement and Asset Disposal Policy.

In all of the circumstances, the option for the PPA to negotiate a replacement lease with the Council which is of a more contemporary, progressive and appropriate nature, remains an option for the parties. Indeed, to some extent, this process has already commenced through the current dialogue.

Penneshaw Sculpture Trail - not under threat!

The Mayor of Kangaroo Island Council, Michael Pengilly, has expressed his concern over, and disappointment with, a widely distributed Penneshaw Progress Association (PPA) flyer titled 'The Sculpture Trail needs YOUR HELP', and the resultant, social media posts that misrepresent the Council's position regarding the future of the Penneshaw Sculpture Trail.

"First, I think I need to make it perfectly clear that contrary to the claims made in the flyer, the PPA does not need any form of community help in this matter. The reason being quite simply, that Council is fully supportive of the Sculpture Trail continuing," Mayor Pengilly said.

"Further, there are many other assertions in the flyer which are not correct, or otherwise fail to include critical information.

"The lease between Council and the PPA expires in twelve months, on 28 February 2022 and Council is considering options for the Sculpture Trail beyond this date. This does not prevent the option of negotiating a new, contemporary, lease with the PPA," Mayor Pengilly said.

"Council recognises the importance of the Trail, its potential and the contribution it makes to the Island, and is supportive of its continuing success.

"However, as the Kangaroo Island Community understands, particularly given the Council's current financial pressures, Elected Members are obligated to ensure the best interests of all on the

Island are considered when renewing any lease involving the use of ratepayers assets and the expenditure of ratepayers money," he said.

"The 1.2km trail is situated on 4.45 hectares of land under the care and control of Council and, since its development off the back of a Federal government grant in 2017, some matters today require Council to revisit arrangements that may have appeared to be commercially viable at that time, but which are not recognised as being so today," he said.

"Our negotiations on this matter with the PPA have been held in good faith and always with a view to continuing the Trail. The publication of misinformation and spin is disappointing. It is the Council's intention that the Sculpture Trail will continue to add benefit to the socio-economic wellbeing of Kangaroo Island

Importantly, aspects of the negotiations between the Council and the Association, including the decisions of Council, have been made confidential for very good reason. The Council will, however, update the community as necessary and will remove any confidentiality as soon as it is appropriate to do so.

"I would like to reiterate, the Sculpture Trail is not under threat," said Mayor Pengilly.

For more information contact:
Mayor **Michael Pengilly**
Mobile Number 0419 030 564
15 February 2021

VANDALISM COSTS

Sadly, we are reporting the high cost of a recent spate of vandalism to Council infrastructure. This comes at a direct cost to ratepayers.

At the Bay of Shoals boating facility, the Boat Launching Ticket Machine was stolen overnight on Tuesday 9 February. The replacement cost of this unit will be in excess of \$7,000 to the community.

Further to the most recent vandalism, the pay-as-you-go envelope "Iron Ranger" unit at the same site has been vandalised several times in the last 6 months and contents stolen as a result.

The cost to replace this Iron Ranger will be \$1500.

In addition, the subsequent loss of revenue to Council is expected to be in excess of \$5,000 - much needed funds that Council uses for maintenance and infrastructure improvements.

Other localised and pointless vandalism has occurred regularly in recent months to street signs, white roadside guide posts - vital road safety items, and township entrance signs. This pointless, costly and targeted vandalism has primarily occurred throughout the Kingscote and Emu Bay areas.

If you are aware of who may be undertaking this vandalism and crime, please assist Council and Kangaroo Island ratepayers by reporting any information to SAPOL.

ROAD WORKS

Works have begun resheeting Turkey Lane from Playford Highway to Johncock Road.

This work forms part of the Grant supplied by Department of Infrastructure and Transport for Councils unsealed road network.

The resheeting of Redbanks Road from Boundary Road to American River will also form part of this year's program. Road works signage and speed limits will be in place during the works.

HAVE YOU VOTED?

If you have received your ballot packages in the mail, please vote by return post or depositing in the box at 43 Dauncey Street Kingscote office of Kangaroo Island Council before Friday 1 March 2021.

Candidate profiles can be viewed online at <https://ecsa.sa.gov.au/?view=article&id=1311#COT>



Council Meetings

Mayoral Bushfire Fund Committee
1:00pm Tuesday 23 February 2021

Informal Gathering
9:30am Thursday 25 February 2021

Council Meeting
11:00am Tuesday 9 March 2021

Meetings are held in Council Chambers and are currently restricted to 20 people in total (including Elected Members and staff).



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STATE
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COMMISSION



Government of South Australia
Attorney-Generals Department



GAZETTE PUBLIC NOTICE

Notice under Local Government Act 1999 – section 246 (3) (e) & (4a) - Designated Areas applying under Foreshore and Boat Facilities By-Law No.8 (2017)

NOTICE is given that at the 9 February 2021 Council meeting, it was resolved that the following Designations operate in respect of certain activities under Foreshore and Boat Facilities By-Law No 8 (2017).

Foreshore and Boat Facilities By-Law No 8, Clause 7.11.1:

A boat may be launched or retrieved from or onto certain foreshore areas without using a boat ramp. These areas are defined in maps available on the Council website at www.kangarooisland.sa.gov.au/ByLaws and are portions of Island Beach, Strawbridge point, Nepean Bay (Western Cove), Snellings Beach, Stokes Bay, KI Yacht Club, Castle Rock, Hanson Bay, Nepean Bay (Coastal Settlement), D'Estrees Bay, Boxing Bay, Emu Bay and Brownlow Beach.

Emu Bay Beach is not altered in respect of the By-Law or Designation with vehicular access retained under the Road Traffic Act 1961.

Greg Georgopoulos
Chief Executive Officer

KANGAROO ISLAND TOWN CENTRES PROJECT

KINGSCOTE - PENNESHAW - AMERICAN RIVER - PARNDANA

KINGSCOTE

Tuesday 23 February, Council Chambers, 5:00 - 6:00pm

AMERICAN RIVER

Thursday 25 February, Community Hall, 6:00 - 7:00pm

PARNDANA

Thursday 18 February, Town Hall, 5:00 - 6:00pm

Due to COVID restrictions please RSVP via email to louise.custance@kicouncil.sa.gov.au

NOTICE OF ROAD CLOSURE

Section 33 Road Traffic Act 1961

Notice is hereby given that the Kangaroo Island Council make the following order:

That the Council exercises the power pursuant to Section 33(1) of the Road Traffic Act 1961 and Clause F of the Instrument of General Approval of the Minister dated 17 June 2006 to:

1. Pursuant to Section 33(1) of the Road Traffic Act 1961, declare that the events described below ("the Event") that is to take place on the roads described below ("the Roads") is an event to which Section 33 of the Road Traffic Act 1961 applies; and

2. Pursuant to Section 33(1)(a) of the Road Traffic Act 1961, make an order directing that the Roads on which the Event is to be held and any adjacent or adjoining roads specified below, be closed to traffic for the periods specified on 7 March 2021:

Roads: Arranmore Rd, between Angle Pole Rd and Hog Bay Road

Event: CAMS Time Trial

Date: Sunday 7 March 2021

Time: Between 7:00AM and 7:00PM

3. Pursuant to Section 33(1)(b) of the Road Traffic Act 1961, make an order directing that persons taking part in the Event be exempted, in relation to the Roads, from the duty to observe the Australian Road Rules specified in Clause F4 of the Instrument of General Approval of the Minister.

4. Detours will be placed to divert traffic around this site. For information please call Kangaroo Island Council on 8553 4500.