

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY, 16 JANUARY 2019 IN THE COUNCIL CHAMBERS, COMMENCING AT 2PM.

PRESENT: Mayor D N Johnson, Cr A M Lienert (Deputy Mayor), Cr G J Baldock, Cr P S Rayson, Cr B S Cant, Cr T Harris, Cr P L Willmott, D Larwood (Chief Executive Officer) and L Keane (Manager Corporate Services)

APOLOGIES: L Collins (Manager Development Services), M Inglis (Works Manager)

OBSERVERS: Mark Stewart, Robyn Stewart, Bev Baldock

CONFIRMATION OF MINUTES:

1.2019 *That the minutes of the Ordinary Meeting of Council held on Monday, 12 December 2018 at 2pm be confirmed as a true and correct record of that meeting.*

Cr A M Lienert/Cr B S Cant
CARRIED

BUSINESS ARISING: Nil

Action List

Refer to Action List

CONFLICT OF INTEREST:

Elected Members were advised of provisions for conflict of interest in accordance with sections 73, 74, 75 and 75A of the *Local Government Act 1999*.

MEMBERS' REPORTS:

2.2019 *That the Members' Reports be endorsed and received as presented.*

Cr G J Baldock/Cr P S Rayson
CARRIED

MAYOR'S REPORT – COUNCIL ACTIVITIES:

17/12/2018	ABC Radio interview re: local government reform Audit Committee Meeting Anthony Gray – Alliance Resources Ltd
19/12/2018	SAROC Special Meeting (Adelaide) SAROC/GAROC workshop (Adelaide)
20/12/2018	Meeting with Minister for Health and Wellbeing Chief-of-Staff (Adelaide) ABC Radio interview re: SAROC meeting
21/12/2018	Call from Dr Sue Merrett re: Kimba general practitioner recruitment Kimba Christmas pageant
02/01/2019	Correspondence to Senator Rex Patrick re: Kimba visit
10/01/2019	SBS interview re: general practitioner recruitment/regional health crisis Dental services workshop
15/01/2019	Meeting with Premier re: Kimba general practitioner recruitment

MEMBERS' REPORTS – COUNCIL ACTIVITIES:

Deputy Mayor Lienert 17/12/2018 Audit Committee Meeting

Cr Baldock	21/12/2018	Kimba Christmas pageant
Cr Rayson		No report presented
Cr Willmott	17/12/2018	Audit Committee Meeting
Cr Harris		No report presented
Cr Cant	17/12/2018	Audit Committee Meeting

DEFERRED ITEMS: Nil

QUESTIONS WITH OR WITHOUT NOTICE: Nil

NOTICES OF MOTION: Nil

RECEIPT OF COMMITTEES REPORTS AND RECOMMENDATIONS:

3.2019 *That Council receive and note the minutes of the Audit Committee Meeting held on Monday, 17 December 2018 at 3.31pm.*

Cr B S Cant/Cr P S Rayson
CARRIED

Recommendations of Audit Committee meeting held 17 December 2018 at 3.31pm:

A14.2018 *That the Audit Committee endorse the draft Long-Term Financial Plan 2019-2028 as presented.*

Cr A M Lienert/Cr P L Willmott
CARRIED

A15.2018 *That the Audit Committee endorse the 2018-19 Budget Review #1 as presented.*

Cr B S Cant/Cr P L Willmott
CARRIED

A16.2018 *That the Audit Committee endorse the Annual Report on Financial Results 2017-18 as presented.*

Cr A M Lienert/Cr B S Cant
CARRIED

4.2019 *That Council endorse the recommendations of the Audit Committee Meeting held on Monday, 17 December 2018 at 3.31pm.*

Cr B S Cant/Cr P S Rayson
CARRIED

OFFICERS' REPORTS:

5.2019 *That the Chief Executive Officers Report, Manager Corporate Services Report, Works Managers Report and Manager of Development Services Report be received as presented.*

Cr A M Lienert/Cr G J Baldock
CARRIED

CHIEF EXECUTIVE OFFICER REPORT:

Report on activities

The CEO provided a report on activities undertaken for the month.

Local Government Association CEO Advisory Committee Meeting

The CEO provided an update on her successful appointment to the LGA CEO Advisory Committee, the first meeting of which will be held in Adelaide on 18 February 2019. Elected Members were invited to present CEO with any issues they believed could benefit from being tabled at the meeting.

2019 Eyre Peninsula Local Government Association Conference road closure

6.2019

That the District Council of Kimba exercise the power subject to Section 33 of the Road Traffic Act 1961 and clause F of the instrument of general approval of the Minister dated 22nd August 2013 to make an order that High Street, from the edge of the roundabout located at the Cross Street - High Street intersection to the southern side of the Kimba Café, remain closed between 7.00am and 7.00pm on Tuesday 26th February 2019 for the purpose of facilitating the Eyre Peninsula Local Government Association Conference.

*Cr G J Baldock/Cr T Harris
CARRIED*

Review of delegations

7.2019

The Council hereby revokes its previous delegations to the Eastern Eyre Peninsula Regional Development Assessment Panel (EPRDAP) and the Council's Manager Development Services (MDS) of powers and functions under the Development Act 1993 and Development Regulations 2008.

*Cr A M Lienert/Cr B S Cant
CARRIED*

8.2019

In exercise of the powers contained in Sections 20 and 34(23) of the Development Act 1993, the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the proposed Instrument of Delegation January 2019 (attached separately to this report and marked Appendix 2) are hereby delegated this 16th day of January 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.

Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.

*Cr P S Rayson/Cr T Harris
CARRIED*

9.2019

That Council hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following:

2.12.18 Liquor Licensing Act 1997

2.17.18 South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013 and South Australian Public Health (General) Regulations 2013

*Cr G J Baldock/Cr P L Willmott
CARRIED*

10.2019

In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instrument of Delegation January 2019 (attached separately to this report and marked Appendix 12 and Appendix 17 each of which is identified as below) are hereby delegated this 16th day of January 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

2.12.18 Liquor Licensing Act 1997

2.17.18 South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013 and South Australian Public Health (General) Regulations 2013.

Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

***Cr B S Cant/Cr P S Rayson
CARRIED***

11.2019 Community Benefit Programme – Kimba Skate Park Precinct Plan
That the Kimba Youth Activity Park Draft Concept Design Report January 2019 be released for public consultation concluding on 6 February 2019 at 5pm.

***Cr A M Lienert/Cr G J Baldock
CARRIED***

Draft Eyre Peninsula Strategic Plan – December 2019

The CEO provided a report on the draft plan and invited Elected Members to provide feedback.

12.2019 Amendment to Council resolution 292.2018 – disposal of KPMV Unit 9
That pursuant to regulation 21(1) of the Local Government (Procedures at Meetings) Regulations 2013, Council amend resolution 292.2018 to:

- (a) remove the fixed sale price of \$15,000 (GST Excl.); and***
- (b) delegate authority to the Chief Executive Officer to negotiate a sale price that aligns with Council operational considerations.***

***Cr T Harris/Cr A M Lienert
CARRIED***

Request to install mosaic artwork on Institute wall

The CEO advised Elected Members that a request has been made by the Kimba Art Prize committee to meet with Council and outline a plan to install mosaic artwork on the wall of the Kimba Soldiers Memorial Institute. Consensus that CEO, MCS and any interested Elected Members should meet with committee first before full deputation.

MANAGER CORPORATE SERVICES REPORT:

Report on activities

The MCS provided a report on activities undertaken for the month.

Bank Summaries:

Operating Account	\$ 87,056.17
24 Hour at Call Account	\$ 1,321,010.13
Reserve Accounts	\$ 1,545,358.07

December 2018 Income and Expenditure Report

13.2019 ***That Council receive and note the Monthly Income and Expenditure Report for the period 1 July 2018 to 31 December 2018.***

***Cr P L Willmott/Cr G J Baldock
CARRIED***

Cr P L Willmott left the chambers at 3.31pm

2019 EPLGA Conference

The MCS provided an update on the conference scheduled to be held in Kimba 25-26 February 2019.

Cr P L Willmott returned to the chambers at 3.34pm.

Cr G J Baldock declared a material conflict of interest in agenda item 13.2.5 and left the chambers at 3.38pm.

14.2019 Appointment of community representatives to Kimba Tourism Committee
That Council appoint Heather Baldock, Sue Woolford and Pat Beinke as community representatives on the Kimba Tourism Committee until January 2021.

***Cr P S Rayson/Cr P L Willmott
CARRIED***

Cr G J Baldock returned to the chambers at 3.39pm.

Update on 2018-19 Audit Committee Work Program

The MCS provided a report on the status of Council's 2018-19 Audit Committee Work Program following the Audit Committee Meeting on 17 December 2018.

15.2019 Drought Communities Programme Extension applications
That pursuant to clause 5 of the Contracts, Tenders and Purchasing Policy, Council approve a select tender process for the provision of the goods and services required to complete the Kimba Peace Memorial Swimming Pool Change Rooms Upgrade and Solar Heating Project in a manner that aligns with the objectives and time frame stipulated by the Drought Communities Programme Extension.

***Cr P L Willmott/Cr A M Lienert
CARRIED***

16.2019 ***That pursuant to clause 5 of the Contracts, Tenders and Purchasing Policy, Council approve a select tender process for the provision of the goods and services required to complete the Roora Dam Stormwater Catchment Project in a manner that aligns with the objectives and time frame stipulated by the Drought Communities Programme Extension.***

***Cr B S Cant/Cr T Harris
CARRIED***

Elected Member Leadership Program

The Mayor, Deputy Mayor, Cr Willmott, Cr Harris and Cr Rayson will be attending the Elected Member Leadership Program hosted by the LGA in Adelaide on 7 February 2019.

WORKS MANAGER REPORT:

KPMV upgrade

The new KPMV units are scheduled to be delivered on 6 February 2019.

School playground private works

An update was provided on the status of this private works project.

MANAGER DEVELOPMENT SERVICES REPORT:

- Applications Approved
- Year to Date – Value of Applications
- An update was provided of applications currently under review.

ENVIRONMENTAL HEALTH OFFICER REPORT:

January 2019 inspections

On the 7-8 January 2019 Michael Stephenson from Rashlee Pty Ltd conducted Environmental Health inspections in Kimba in accordance with the relevant legislation.

A total of 12 food safety assessments were undertaken, one hairdressing salon was inspected and the swimming pool evaluated as part of the inspection process. In general no major issues were identified however, some follow-up actions were acknowledged. A copy of the inspection sheet was provided to all owners/ relevant personnel and where required follow up visits will be undertaken.

There were eight businesses that were unavailable at the time of the inspection, but it is intended that a further inspection opportunity will be available in February 2019. A schedule for future visits is currently being planned.

The meeting was adjourned for afternoon tea at 3.45pm.

The meeting was reconvened at 4.05pm.

CORRESPONDENCE:

17.2019 *That correspondence for discussion/decision, for information and available on request be received.*
Cr B S Cant/Cr G J Baldock
CARRIED

FOR DISCUSSION/DECISION: Nil

FOR INFORMATION:

LGA Circulars

- Weekly Summary Report 50 – 13 December 2018
- Weekly Summary Report 51 – 20 December 2018
- Weekly Summary Report 01 – 3 January 2019

Local infrastructure expenditure improvements

Correspondence to Council from the Hon. Michael McCormack MP, Minister for Infrastructure, Transport and Regional Development, regarding collaborations with councils to improve local infrastructure expenditure.

State Public Health Plan 2019-2024

Correspondence to Council from SA Health regarding the release of the State Public Health Plan 2019-2024.

STARCLUB Field Officer Program 2019-2020

Correspondence to Council from the South Australian Government Office of Sport, Recreation and Racing regarding the STARCLUB Field Officer Program 2019-2020.

Eyre Peninsula investment - RDAWEP

Information from Regional Development Australia Whyalla and Eyre Peninsula regarding investment in the region during 2018.

Review of the Viewer Access Satellite Television (VAST) Service – Final Report

Government funding for the VAST commercial channels is scheduled to end by 30 June 2020. As a result the Department for Communications and Arts was requested to conduct a review and evaluate the performance of VAST and consider options for future delivery. The outcomes of the review has been presented as a final report and is included in the Agenda for members' information.

OTHER BUSINESS:

South Australian Agricultural Town of the Year Award

The Mayor suggested Council should investigate this new award with a view to submitting an application before the 15 February 2019 deadline.

2018-19 Community Grants Program Round 2 funding recipients

Pursuant to resolution 293.2018, the six successful applications to Round 2 of the 2018-19 Community Grants Program were:

1. Kimba Uniting Church – linoleum floor for op shop (\$3,000);
2. Kimba Pony Club – timing equipment (\$2,075);
3. Kimba Christmas Tree Committee – community Christmas decorations (\$3,000);

4. Kimba Peace Memorial Swimming Centre – defibrillator (\$2,129.95);
5. Buckleboo Cricket Club – junior training equipment (\$680); and
6. Kimba Community Development Group – life education (\$1,343).

The MCS has sent letters and cheques to the six organisations.

E-waste collection

Cr G J Baldock advised that he had received community feedback requesting Council coordinate another e-waste collection. Senior Management Team will investigate feasibility and report back to Council.

Kimba-Cowell Road

Cr T Harris raised concerns in respect to the increased traffic that may occur on the Kimba-Cowell Road as a direct result of the T-Ports Project. Contact to be made with the District Council of Franklin Harbour to investigate the possibility of facilitating the transfer of the road to the Department of Planning, Transport & Infrastructure.

NEXT ORDINARY MEETING OF COUNCIL: Wednesday, 13 February 2019 at 2pm in the Council chambers.

CLOSURE: Meeting closed at 4.31pm.

CONFIRMED THIS _____ DAY OF _____ 2019

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MAYOR