MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY, 10TH SEPTEMBER, 2008, IN COUNCIL CHAMBERS, COMMENCING AT 2.00 PM:

PRESENT: Cr J B Schaefer (Mayor), Cr C I Haskett (Deputy Mayor), Cr D N Johnson, Cr D M Hamlyn, Cr D D McDonald, Cr C A Rayson, D A Cearns (CEO), D Larwood (MAS)

APOLOGIES: Cr K B Mathews

CONFIRMATION OF MINUTES:

131.2008 That the minutes of the Ordinary meeting of Council held on Wednesday, 13th August, 2008, be confirmed as a true and correct record of that meeting.

Cr C A Rayson/Cr D D McDonald

CARRIED

BUSINESS ARISING:

Update on action list:

- Landswap with ABB Grain nearing completion
- Landfill Environment Management Plan - waiting for reply from E.P.A.
- Tourism Lookout - Buckleboo Road (Bascombe Rocks Hill). Inspected on 10th September, 2008
- List of duplicated road names - still to complete
- Overdimensional route - Kimba & Railway Terrace – Holding discussions with DTEI.
- Specifications for new Council chamber/meeting room have arrived for discussion at September meeting
- Costs for new Better Development Plan have arrived
- Bus services downgrade in Kimba
- Discussions with outside staff regarding new EB Agreement taking place

Development Section 224, Hundred of Solomon

Report received from Maunsell Australia outlining proposal and issues that may affect the provision of services or intended use of the land.

MEMBERS REPORTS:

132.2008 That the Members and Representatives Reports as presented, be endorsed and received.

Cr D M Hamlyn/Cr D N Johnson

CARRIED

MAYOR’S REPORT:

Mayor J B Schaefer 10/9/08 Audit Committee meeting
10/9/08 Buckleboo Road inspection

DELEGATES & REPRESENTATIVES REPORTS:

Cr Haskett 22/8/08 ERDB meeting – Port Lincoln
5/9/08 EPLGA meeting – Whyalla
20/8/08 SRC junior KAS induction

133.2008 That Council nominate Kimba to be part of the Adelaide University project ‘Designing Sustainable Communities III/IV’.

Cr C I Haskett/Cr D M Hamlyn
CARRIED

Cr McDonald  2/9/08  Community Development Group Meeting
10/9/08  Buckleboo Road inspection

Cr Hamlyn   29/8/08  Public Meeting – Library Board AGM
8/9/08  School Council meeting
10/9/08  Buckleboo Road inspection

Cr Rayson   28 & 29/8/08  Road & Works Conference – Port Lincoln
10/9/08  Buckleboo Road inspection

Cr Johnson  28 & 29/8/08  Road & Works Conference – Port Lincoln
2/9/08  Community Development Group meeting
10/9/08  Audit Committee meeting
10/9/08  Buckleboo Road inspection

- NON-COUNCIL DELEGATED ACTIVITIES:

Mayor J B Schaefer  7/9/08  100 year growing wheat plaque unveiling
7/9/08  Kimba Historical Museum Open Day

Cr Haskett  7/9/08  100 year growing wheat plaque unveiling
7/9/08  Kimba Historical Museum Open Day

Cr McDonald  14/8/08  Work at Visitor Information Outlet
18/8/08  Show Society meeting
20/8/08  Womens Agricultural Bureau
2/9/08  Community Development Group meeting
8/9/08  Work at Visitor Information Outlet
8/9/08  ABB Grain pre-harvest meeting
7/9/08  100 year growing wheat plaque unveiling

Cr Hamlyn  7/9/08  100 year growing wheat plaque unveiling

QUESTIONS WITH 
OR WITHOUT NOTICE:  
Nil

PETITIONS:  
Nil

DEPUTATIONS:  
Nil

NOTICE OF MOTION:  
Nil

BUSINESS ADJOURNED:  
Nil

RECOMMENDATIONS 
OF COMMITTEES:  
Nil

OFFICERS/ STAFF REPORTS :  

134.2008  That the Chief Executive Officer’s Report, Finance and Administration Report, Works 
Managers’ Report and Development Report, as presented, be received. 
Cr D D McDonald/Cr C I Haskett 
CARRIED

CHIEF EXECUTIVE:  

Annual Review of Delegations

135.2008  That having conducted its annual review of the Councils delegation register in accordance 
with Section 44 (6) 3  of the Local Government Act 1999, the Council:
Hereby revokes its previous delegations to the Chief Executive Officer those powers and functions under the following:

2.1.1 Instrument of Delegation under the Community Titles Act 1996
2.1.3 Instrument of Delegation under the Dog & Cat Management Act 1995
2.1.5 Instrument of Delegation under the Expiation of Offences Act 1996
2.1.6 Instrument of Delegation under the Fences Act 1975
2.1.8 Instrument of Delegation under the Food Act 2001
2.1.10 Instrument of Delegation under the Housing Improvement Act 1940
2.1.11 Instrument of Delegation under the Land and Business (Sale and Conveyancing) Act 1994
2.1.12 Instrument of Delegation under the Liquor Licensing Act 1997
2.1.13 Instrument of Delegation under the Local Government Act 1934
2.1.14 Instrument of Delegation under the Local Government Act 1999
2.1.15 Instrument of Delegation under the Natural Resources Management Act 2004 The Natural Resources Management (General) regulations 2004 and the Natural Resources Management (Transitional Provisions Levies) Regulations 2004
2.1.16 Instrument of Delegation under the Occupational Health, Safety and Welfare Act 1986
2.1.17 Instrument of Delegation under the Public and Environmental Health Act 1987 and the Public and Environmental Health (Waste Control) regulations 1995
2.1.18 Instrument of Delegation under the Roads (Opening and Closing) Act 1991
2.1.20 Instrument of Delegation under the Supported Residential Facilities Act 1992

And makes the following:

In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following acts are hereby delegated this 10th day of September, 2008 to the person occupying the office of Chief Executive Officer subject to the conditions (nil) and/or limitations (nil) specified herein or in the schedule of conditions in each such proposed Instrument of Delegation.

2.1.1 Instrument of Delegation under the Community Titles Act 1996
2.1.3 Instrument of Delegation under the Dog & Cat Management Act 1995
2.1.5 Instrument of Delegation under the Expiation of Offences Act 1996
2.1.6 Instrument of Delegation under the Fences Act 1975
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2.1.17 Instrument of Delegation under the Public and Environmental Health Act 1987 and the Public and Environmental Health (Waste Control) regulations 1995
2.1.18 Instrument of Delegation under the Roads (Opening and Closing) Act 1991

2.1.20 Instrument of Delegation under the Supported Residential Facilities Act 1992

Cr D N Johnson/Cr D M Hamlyn
CARRIED

Appointment Acting CEO

136.2008
That pursuant to Section 102 (b) of the Local Government Act 1999 the Council hereby appoints Debra Larwood, Manager of Administration Services to act in the position of Chief Executive Officer from Monday, 29th September, 2008 to Friday, 18th October, 2008 (both dates inclusive).

and

that all of the delegations given to the CEO made on 10th September, 2008, be extended to Debra Larwood appointed to act in the position of Chief Executive Officer for the period of the CEO’s leave.

Cr C A Rayson/Cr D D McDonald
CARRIED

SA Country Health Plan

Email replies from Peter Blacker (Taskforce) and Tom Nielsen (SA Country Health) regarding proposed meetings and plan.

2007/2008 SA Public & Environmental Health Annual Report

137.2008
That the report as prepared and presented for decision be approved and be forwarded to the Department of Health.

Cr C I Haskett/Cr D M Hamlyn
CARRIED

MANAGER ADMINISTRATION SERVICES:

Bank Summaries: (including :)

- Bank reconciliation
- Consolidated reconciliation comparisons
- Reserve Accounts
- Operating Account
- Income & Expenditure Report 1/7/08 – 31/8/08

3.00 pm
At this point of the meeting the Development Officer entered the Chamber with Quentin Venning to discuss progress on his previous Development Applications.

138.2008
That in relation to Development Application 900/012/2002 – Q. Venning Council varies the decision in relation to access to the allotment.

1. Mr Venning (owner of allotment 76, Cant Road, Kimba) is granted private access only to the allotment from the north-western end of Stephens Street (no through road)

2. Mr Venning closes the property gate at this location after fixing to the gate approved ‘no through road’ and hazard stripe signs provided by Council. This gate to be totally closed for at least the first two weeks after the signs are attached. The gate is then to be periodically closed intermittently during the years until the use of the land is altered formally

Cr D M Hamlyn/Cr C A Rayson
CARRIED

3.20 pm
Quentin left meeting.

The Development Officer continued with his report.

Extension to Council Administration Office

139.2008
That Council call tenders for the construction of the new Council Chambers/Public Meeting Room.

Cr C I Haskett/Cr D N Johnson
CARRIED
The Development Officer gave an overview of the possible formation of a regional Development Assessment Panel which included the release of draft legislation.

Laurie Collins left meeting at 3.30 pm
Afternoon Tea was taken between 3.30 – 3.50 pm

The Manager Administration services continued with her report.

**Adoption of 2007-2008 Financial Statements**

140.2008 That pursuant to Division 3, Section 127 of the Local Government Act 1999 and Part 4, Section 11 of the Local Government (Financial Management) Regulations 1999 the Audited Statements for the Financial Year 2007/2008 be adopted as audited and approved by the Audit Committee.

**CARRIED**

Cr C I Haskett/Cr C A Rayson

**Long Term Financial Plan**

141.2008 That the draft Long Term Financial Plan be released for public comment.

**CARRIED**

Cr C I Haskett/Cr D D McDonald

**Grant Allocation for 2008-2009**

142.2008 That $40,000 of the Financial Assistance Grant, in excess of the 2008/2009 Budget, be transferred to the Office Extensions Reserve on a basis of $10,000 per quarter.

**CARRIED**

Cr C I Haskett/Cr D N Johnson

**Kimba Area School Pedal Prix**

143.2008 That Council ratify the decision of the Manager, Administration Services to donate $250 to the Kimba Area School Pedal Prix committee.

**CARRIED**

Cr D M Hamlyn/Cr C A Rayson

**Returned & Services League of Australia (S.A. Branch) Inc**

144.2008 That in accordance with Section 166 (1)(j) of the Local Government Act 1999 Council agree to a rebate of Council rates of 50% for the 2008/2009 financial year.

**CARRIED**

Cr D N Johnson/Cr D D McDonald

**Tourism**


**OHS&W**

Advising that Council has received a rebate cheque for $14,106.00 from the Local Government Workers Compensation Scheme. The rebate is due to Council’s good claims record and high OHS & W audit score.

**WORKS MANAGER:**

**Works Manager reported that:**

- Ongoing works on Buckleboo Road were progressing with a possible finishing date being November 2008
- Kimba & Cowell Road line marking on last years’ works will take place during September
- Patrol grading has been ongoing in the Buckleboo and Waddikee areas
- Traffic Control sings for the Kimba township will occur during September
• Minor changes have occurred at the Kimba Refuse & Recycling Centre in accordance with L.E.M.P. recommendations
• Michael, Daryl, Graham, Cr Rayson and Cr Johnson had attended the Works Conference held recently in Port Lincoln

The Works Manager also gave an update on the progress of the Stormwater/Wastewater Management Plan and discussions with the NRM regarding some of the required outcomes that should be achieved.

Members asked if the Works Manager could:
• See if there was a need to spray the Roora Reserve water runs
• Inspect the Cleve end of Joyce’s Road as it appears to be narrower than the rest of the new construction

ENVIRONMENTAL OFFICER:

   Report on recent inspections of food premises in the Kimba District.

CORRESPONDENCE:

145.2008 That correspondence for discussion/decision, for information and available on request, and late items, be received.

Cr D N Johnson/Cr C A Rayson
CARRIED

FOR DISCUSSION/DECISION:

South East Local Government Association

146.2008 That Council not agree to support the proposed resolution (refer below) as proposed by the District Council of Naracoorte/Lucindale to be put to the Local Government Association meeting to be held in October 2008
‘That SELGA & LGA support the quest for funding from the Reserve Bank of Australia for local government purposes and in particular, funding the Asset Management Programme. The Funds sought would be under the generous terms available, according the Royal Commission finding of 1937.’

Cr D N Johnson/Cr C A Rayson
CARRIED

FOR INFORMATION:

Local Government Association of SA
Circulars 32, 33, 34, 35

Minister for Health – Hon. John Hill MP
SA Country Health Plan

LGA of SA
SA planning reforms

Eyre Peninsula NRM
Minutes of Board Meeting 31 held on 10th July, 2008

Eyre Regional Development Board
Minutes of the meeting held 2nd July, 2008

Bankwest media release
Escape to the cities for best quality of life

Local Government Association of SA
Message from President – Mayor Joy Baluch
Local Government Association of SA  
Independent review of Local Government Elections (Joy Baluch)

AVAILABLE ON REQUEST:

Public Libraries of SA  

Government of SA  
Draft SA Biosecurity Strategy 2008-2013

COMMITTEES:
–Receipt of Reports:

147.2008 That reports from Committees of Council be received. 

Cr C I Haskett/Cr C A Rayson 
CARRIED

Minutes of the Tourism Committee meeting
Held on Thursday, 7th August, 2008 at 2 pm

LATE ITEMS/INFORMATION:

Community Land

148.2008 That:
1. Pursuant to Section 193 (4) of the Local Government Act 1999 the land being acquired by the Council being the whole of the land at Section 197, Hundred of Solomon, as more particularly described in Crown Record Volume 5755 Folio 64 being excluded from classification as Community Land.

2. Pursuant to 193 (6) of the Local Government Act 1999 the CEO give notice in the Government Gazette of this resolution to exclude the land from classification as Community Land under Section 193 (4) of the Act.

Cr D N Johnson/Cr C A Rayson 
CARRIED

‘Better Development Plan’

149.2008 That Council agree to allocate $10,000 in the November 2008 Budget Review towards the costs for the conversion of Council’s Development Plan to the required and new format known as ‘Better Development Plans’.

Cr D M Hamlyn/Cr D N Johnson 
CARRIED

SA Local Government Grants Commission


Department for Environment and Heritage

Letter regarding purchase of Section 197, Hundred of Solomon (KPMV land).

Presentation of Reports:

150.2008 That the Manager Administration Services and Chief Executive Officer be congratulated on the preparation and presentation of the audited financial statements, 10 year Financial and Asset Management Plans.

Cr D N Johnson/Cr C I Haskett 
CARRIED

CEO Annual Review

The CEO left the meeting at 4.50 pm and re-entered at 4.55 pm.
151.2008 That the CEO having met the required outcomes of his annual performance review be given an extension of his contract in accordance with 3.1 his Contract of Employment. 

Cr C I Haskett/Cr D N Johnson CARRIED

NEXT ORDINARY COUNCIL MEETING: 

Wednesday, 8th October at 2.00 pm

CLOSURE: Meeting closed at 4.55 pm

CONFIRMED THIS _____________________ DAY OF ________________________ 2008

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MAYOR