MINUTES

Ordinary Council Meeting
Wednesday, 11 March 2020
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PRESENT: Mayor Dean Johnson, Deputy Mayor Megan Lienert, Cr Graeme Baldock, Cr Peter Rayson, Cr Peta Willmott, Cr Tom Harris, Cr Brian Cant

IN ATTENDANCE: Debra Larwood (Chief Executive Officer), Michael Inglis (Works Manager), Kate Francis (Governance Coordinator), Rebecca Hunt (McArthur)

OBSERVERS: Nil

1 WELCOME

Mayor Johnson advised that following his belated declaration of a perceived conflict of interest at the last meeting of Council held on Wednesday 12th February 2020 he has self-reported to the Ombudsman. Mayor Johnson offered his full apology to the meeting for his late declaration and is committed to being more diligent in the future.

With the leave of the meeting the Confidential item was brought forward in the agenda.

2 CONFIDENTIAL

At 2.02pm the CEO declared a conflict of interest based on the agenda item being in relation to her performance review and left the meeting.

At 2.03pm Governance Coordinator, Kate Francis entered the meeting.

The meeting went into camera at 2.03pm.

16.1 2020 CHIEF EXECUTIVE OFFICER PERFORMANCE AND REMUNERATION REVIEW

Reason for Confidentiality

The Council is satisfied that, pursuant to Section 90(2) & (3) of the Local Government Act 1999, the information to be received, discussed or considered in relation to this agenda item is:

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

RESOLUTION C031/20

Moved: Deputy Mayor Megan Lienert
Seconded: Cr Peter Rayson

It is recommended to Council that:

1. Pursuant to Section 90(2) & (3) of the Local Government Act 1999, Council orders, that the public be excluded with the exception of Rebecca Hunt, McArthur, from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence,
information contained within the confidential report Item 16.1 2020 Chief Executive Officer Performance and Remuneration Review, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of Report relates to personal information about Council employee.

2. At the completion of the confidential session the meeting be re-opened to the public.

CARRIED

RESOLUTION C032/20

Moved: Cr Peta Willmott
Seconded: Cr Brian Cant

It is recommended to Council that:

1. In accordance with Sections 91(7) and 91(9) of the Local Government Act 1999 the Council orders that the report 16.1 2020 Chief Executive Officer Performance and Remuneration Review, the minutes arising from the report, attachments and any associated documentation, having been considered by the Council in confidence under Section 90(2) & (3) (a) be kept confidential and not available for public inspection until 30 June 2020, on the basis that the information received, discussed and 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).

2. Further that Council delegates the power of review, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the Local Government Act 1999.

CARRIED

The meeting reopened to the public at 2.08pm.

At 2.09pm Governance Coordinator, Kate Francis and visiting consultant, Rebecca Hunt left the meeting.

At 2.10pm the Chief Executive Officer returned to the meeting.

3 APOLOGIES

Nil

4 CONFIRMATION OF MINUTES

3.1 MINUTES OF THE COUNCIL MEETING HELD ON 12 FEBRUARY 2020

RESOLUTION C033/20

Moved: Cr Brian Cant
Seconded: Cr Tom Harris

That the Minutes of the Council Meeting held on 12 February 2020 be confirmed as a true and
correct record of that meeting.  

CARRIED

3.2 MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 18 FEBRUARY 2020

RESOLUTION C034/20
Moved: Deputy Mayor Megan Lienert  
Seconded: Cr Graeme Baldock
That the Minutes of the Special Council Meeting held on 18 February 2020 be confirmed as a true and correct record of that meeting.

CARRIED

5 BUSINESS ARISING

4.1 OUTSTANDING ACTION LIST - MARCH 2020
The Chief Executive Officer gave a verbal update further to agenda item 4.1.

6 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.

7 ELECTED MEMBERS’ REPORTS

6.1 ELECTED MEMBER ACTIVITY REPORTS - MARCH 2020

RESOLUTION C035/20
Moved: Cr Graeme Baldock  
Seconded: Cr Tom Harris
That Council receive and note the Elected Member activity reports for March 2020.

CARRIED

8 RESCISSION MOTION

9 DEFERRED ITEMS
13.1 REPORT ON ACTIVITIES - CHIEF EXECUTIVE OFFICER

The Chief Executive Officer gave a verbal update further to agenda item 13.1.

13.2 2019-20 BUDGET REVIEW #2

RESOLUTION C036/20

Moved: Deputy Mayor Megan Lienert
Seconded: Cr Graeme Baldock

That Council adopt the 2019-20 Budget Review #2 as amended.

CARRIED

13.3 COMMUNITY AND ECONOMIC DEVELOPMENT STRATEGY

RESOLUTION C037/20

Moved: Cr Peta Willmott
Seconded: Cr Tom Harris

That the District Council of Kimba Community and Economic Development Strategy be received and noted.

CARRIED

13.4 REVOCATION OF RESOLUTION CONFIDENTIALITY ORDERS

RESOLUTION C038/20

Moved: Cr Brian Cant
Seconded: Cr Peter Rayson

That Council note the revocation of confidentiality orders on the following resolutions, pursuant to section 91(9)(a) of the *Local Government Act 1999*:

(a) C037/19
(b) C054/19
(c) C055/19
(d) C139/19

**CARRIED**

### 13.5 2019-20 COMMUNITY GRANTS PROGRAM

The Chief Executive Officer gave a verbal update further to agenda item 13.5. Feedback has been requested on the Grant Guidelines and potential monetary limits to be provided to the Chief Executive Officer by Tuesday 31st March 2020 at 5pm.

### 13.6 MAJOR PROJECTS OF COUNCIL - MARCH 2020

**RESOLUTION C039/20**

Moved: Cr Graeme Baldock
Seconded: Cr Tom Harris


**CARRIED**

### 13.7 COUNCIL PREMISES GROUND LEASES - USE OF COUNCIL SEAL

**RESOLUTION C040/20**

Moved: Cr Peter Rayson
Seconded: Deputy Mayor Megan Lienert

That Council:

1) endorses the 5 year Ground Leases for the following Community Organisations;

- Kimba Bowling Club Inc.
- Kimba AH & F Society.
- Kimba Pony Club Inc.
- Kimba Districts Football and Netball Club Inc.
- Kimba Peace Memorial Swimming Pool Committee Inc.

and
2) authorises the Mayor and Chief Executive to sign and affix the Common Seal to the Ground
Leases.

CARRIED

13.8  STRATEGIC MANAGEMENT PLAN REVIEW 2020-24

RESOLUTION  C041/20
Moved:    Deputy Mayor Megan Lienert
Seconded: Cr Brian Cant

That the Strategic Objectives and the Principal Activities for the Strategic Management Plan 2020-
24 be adopted.

CARRIED

13.9  SECTION 81 HUNDRED OF KELLY – SHAREFARMING

RESOLUTION  C042/20
Moved:    Cr Graeme Baldock
Seconded: Cr Peter Rayson

At 3:16 pm, Cr Brian Cant declared an actual conflict of interest as chairman of the Kimba Uniting
Church and elected to leave the meeting.

RECOMMENDATION
That Council call for Expressions of Interest for the lease of Section 81 Hundred of Kelly for a
period of up to 3 years with Expressions of Interest to open on Thursday 12th March 2020 and to
close on Friday 3rd April, 2020.

CARRIED

At 3:20 pm, Cr Brian Cant returned to the meeting.

13.10 REVIEW OF COUNCIL POLICIES

RESOLUTION  C043/20
Moved:    Cr Peter Rayson
Seconded: Cr Tom Harris

That Council adopt the reviewed policies as amended:

(i) Election Signs Guidelines – General Approval for Placing Election Signs
(ii) Environmental Policy
(iii) Record Management Policy

CARRIED
13.11 DISTRICT ROADS
The Works Manager gave a verbal update further to agenda item 13.11.

13.12 COREY ENRIGHT OVAL

RESOLUTION C044/20
Moved: Cr Brian Cant
Seconded: Cr Peter Rayson
That Council considers allocating funds in the 2020-21 financial budget to implement the surface treatment programme developed by Adelaide Lawn Specialists at an estimated cost of $40,000.
CARRIED

13.13 NATIONAL HEAVY VEHICLE REGULATOR

RESOLUTION C045/20
Moved: Cr Brian Cant
Seconded: Cr Peter Rayson
That Council support the decision of the Road Manager to refuse the request for restricted access vehicles to transport general freight on Council’s commodity network.
CARRIED

The meeting adjourned for afternoon tea at 4.02pm.
The meeting reconvened at 4.14pm.

13.14 DROUGHT COMMUNITIES EXTENSION PROGRAM

RESOLUTION C046/20
Moved: Deputy Mayor Megan Lienert
Seconded: Cr Graeme Baldock
That Council recommend the Pony Club Toilets as a replacement project for the Community Bus purchase through the Drought Communities Programme Extension at a cost to Council of $25,700 to be allocated in the 2020-21 budget.
CARRIED

13.15 MEDICAL CENTRE UPGRADE

RESOLUTION C047/20
Moved: Cr Peta Willmott
Seconded: Cr Graeme Baldock
That Council authorise the Medical Centre Upgrade Specifications to be released for tender.

**CARRIED**

13.16 DEVELOPMENT REPORT - MARCH 2020
The Development Report was presented and noted.

15 CORRESPONDENCE

14.1 INCOMING AND OUTGOING CORRESPONDENCE - MARCH 2020

**RESOLUTION C048/20**
Moved: Cr Graeme Baldock
Seconded: Deputy Mayor Megan Lienert
That Council receive and note the Incoming and Outgoing Correspondence Report for March 2020.

**CARRIED**

14.2 LETTER FROM THE CITY OF UNLEY – REQUEST FOR LITIGATION SUPPORT

**RESOLUTION C049/20**
Moved: Cr Peta Willmott
Seconded: Cr Brian Cant
That Council decline to contribute to the litigation costs of the City of Unley as requested.

**CARRIED**

14.3 LETTER OF REQUEST – KIMBA MENTAL HEALTH AND WELLBEING GROUP INC.

**RESOLUTION C050/20**
Moved: Cr Graeme Baldock
Seconded: Cr Tom Harris
That Council:

a) decline the request for ongoing support from the Kimba Mental Health and Wellbeing Group Inc. with the suggestion to seek funding through the District Council of Kimba Community Grants Program; and

b) require a formalised business case prior to further consideration of the Youth Centre.

**CARRIED**
16 LATE/OTHER BUSINESS

RESOLUTION C051/20
Moved: Cr Peta Willmott
Seconded: Cr Graeme Baldock

RECOMMENDATION
That late items be accepted.

CARRIED

15.1 KIMBA AREA SCHOOL - LETTERS OF REQUEST

Deputy Mayor Megan Lienert declared a perceived conflict of interest based on her daughters involvement in the student leaders forum and elected to stay in the meeting but declined to vote.

RESOLUTION C052/20
Moved: Cr Peta Willmott
Seconded: Cr Brian Cant

RECOMMENDATION
That Council:

a) decline the request to provide funding to the GRIP Leadership Conference with the suggestion that consideration being given to submitting an application to the District Council of Kimba Community Grants Program for future conferences: and

b) agree to consider providing some assistance in the preparation of a proposal and budget for the Youth Conference.

CARRIED

15.2 MOTION FOR THE NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 2020

The email regarding the motion for the National General Assembly of Local Government 2020 was noted and considered.

17 UPCOMING MEETINGS/EVENTS

18 NEXT MEETING

Wednesday, 8 April 2020 at 2.00pm in the Council Chambers, Kimba.

19 CLOSURE

The Meeting closed at 5.07pm.
The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 8 April 2020.

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CHAIRPERSON