

DISTRICT COUNCIL OF CEDUNA

MINUTES OF THE ORDINARY MEETING OF COUNCIL held at the Council Chamber, 44 O'Loughlin Terrace, Ceduna, on 16 October 2019 at 3:00pm.

1. PRESENT

Mayor PA Will JP, Councillors IP Bergmann, JL Brewster JP, PG Brown, PC Codrington ESM, BP Niemz, GA Ryan and RG Sleep.

GM Moffatt (Chief Executive Officer), MS Hewitson (Manager Governance), CB Wilson (Manager Infrastructure and Engineering Services), BW Taylor (Manager Administration and Finance) and KE Blums (Executive Assistant).

2. APOLOGIES

3. ELECTED MEMBERS REPORT

3.1 Mayors Report

30/09/2019 Meeting with Jacqui Lambie and Rebecca Sharkie in relation to the Debit Card.

09/10/2019 Meeting with Sally Smith and Alex Mackenzie in relation to the DPTI – Planning & Design Code.

11/10/2019 Training with Sharni-Marie Barney on Facebook and Instagram.

1c/102019 Moved – GA Ryan
That the Mayor Report be received and noted.

Seconded – IP Bergmann

CARRIED

3:12pm Councillor RG Sleep left the meeting

3:14pm Councillor RG Sleep entered the meeting

3.2 Councillor Reports

2c/102019 Moved – IP Bergmann
That the Councillors report be received and noted.

Seconded – PG Brown

CARRIED

4. CONFIRMATION OF MINUTES

4.1 Special Council Meeting – 18/09/2019

3c/102019 Moved – GA Ryan
That the minutes of the Special Council Meeting held on 18 September 2019 be confirmed as a correct record.

Seconded – PG Brown

CARRIED

Development and Infrastructure Act 2016 contained in the proposed Instrument of Delegation (annexed to the Report dated 16th October 2019 and entitled Annexure A and marked Appendix 33) are hereby delegated this 16th day of October 2019 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

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 the proposed Instrument of Delegation.

3. Delegate Powers of the Council as a Relevant Authority under the Planning Development and Infrastructure Act 2016

In exercise of the power contained in Section 100 of the Planning Development and Infrastructure Act 2016 the powers and functions under the Planning Development and Infrastructure Act 2016 contained in the proposed Instrument of Delegation (annexed to the Report dated 16 October 2019 and entitled Annexure B and marked Appendix 33A) are hereby delegated this 16th day of October 2019 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

CARRIED

9.1.3 By-Law Review

9c/102019 Moved – PC Codrington
That Council;

Seconded – IP Bergmann

1. Pursuant to Section 246 of the Local Government Act 1999:
 - 1.1. there being at least two-thirds of the members of Council present;
and
 - 1.2. having considered the:
 - Permits and Penalties By-Law 2019;
 - Moveable Signs By-Law 2019;
 - Local Government Land By-Law 2019;
 - Dogs and Cats By-Law 2019;
 - Roads By-Law 2019; and
 - Waste Management By-Law 2019; (together, the By-Laws)

(reproduced at Annexures C to H to Item 9.1.3 on the agenda for the meeting of Council held on 16 October 2019 in light of the National Competition Policy and the Report prepared on the National Competition Policy with respect to the By-laws

9.2.3 Ceduna Foreshore Tree Removal

12c/102019 Moved – GA Ryan
That Council: Seconded – RG Sleep

1. Adopt the Adelaide Tree Surgery Report as presented;
2. Approve the 2019/20 budget be used to undertake the following work (in order):
 - a) Undertake the recommended tree pruning;
 - b) Repair the irrigation system;
 - c) Undertake mulching beneath the crown of the trees;
3. Monitor the grassed areas under the trees and provide this information as part of the Council 2020/21 budget preparations;
4. Monitor public feedback on the above works and provide this information as part of the Council 2020/21 budget preparations.

CARRIED

5. DEPUTATIONS AND PETITIONS

5.1 Department of Human Services

Street Beat Update

9. OFFICERS REPORT

9.3 Manager Administration and Finance Report

9.3.1 Monthly Financial Reporting

13c/102019 Moved – GA Ryan
That Council receive and note the Manager Administration and Finance Report – Monthly Financial Reporting. Seconded – BP Niemz

CARRIED

9.3.2 Budget Review #1

14c/102019 Moved – IP Bergmann
That Council: Seconded – PG Brown

1. Having reviewed the adopted 2019/2020 budget pursuant to and in accordance with Section 123 (13) of the Local Government Act 1999 and Regulation 9 of the Local Government (Financial Management) Regulations 2011, adopt revised 2019/2020 Budgeted Financial Statements as presented.

CARRIED

9.3.3 Request for Supplementary DEED to Land Management Agreement

15c/102019 Moved – GA Ryan

Seconded – PC Codrington

That Council execute a supplementary Deed to the Land Management Agreement over the land at 9 Blumson Court, Smoky Bay, to provide for the use of colorbond colour coated steel cladding for the proposed dwelling on the land subject to the owner of the land meeting all costs for the preparation and notating of the Supplementary Deed.

CARRIED

10. CORRESPONDENCE

10.1 Information Correspondence

10.1.1 Local Government Association of South Australia

File Reference: 68049 (5.3.2.2)

Officer: Chief Executive Officer

Circular 37.2 – The LGA is now holding an additional consultation session that will be live streamed to enable participation by regional Councils. This session will be held on Thursday 3 October 2019. The consultation period is open until Monday 21 October 2019.

10.1.2 Eyre Peninsula Local Government Association

File Reference: 68061 (10.85.1.3)

Officer: Chief Executive Officer

Annual Report 2018/2019.

10.1.3 Independent Commissioner Against Corruption

File Reference: 68178 (9.3.2.1)

Officer: Chief Executive Officer

Results from the Public Integrity Survey can be found in the 'Local Government Integrity Insights' report.

10.1.4 District Council of Franklin Harbour

File Reference: 68201 (10.85.1.2)

Officer: Chief Executive Officer

Resignation of Chris Smith.

10.1.5 Department of Human Services

File Reference: 68213 (17.65.1.7)

Officer: Chief Executive Officer

Street Beat Report – August 2019.

10.1.6 Local Government Association of South Australia

File Reference: 68236 (5.3.2.2)

Officer: Chief Executive Officer

Circular 38.2 – The Department of Primary Industries and Regions SA (PIRSA) is currently reviewing the Pastoral Land Management and Conservation Act 1989 (SA) and want feedback to inform the review.

10.1.7 Regional Express

File Reference: 68251 (16.16.6.1)
Officer: Chief Executive Officer

Media Release – Rex Rebukes the AAA for its Hypocritical Accusations.

10.1.8 District Council of Robe

File Reference: 68295 (17.85.1.9)
Officer: Chief Executive Officer

District Council of Robe's objection to drilling and exploration in the Great Australian Bight.

10.1.9 Local Government Association of South Australia

File Reference: 68337 (11.3.2.2)
Officer: Chief Executive Officer

Circular 38.13 - The State Government (Primary Industries and Regions SA) has recently undertaken a review of South Australia's biosecurity legislation, which is currently spread across a range of acts, as part of a plan to develop a new, consolidated Biosecurity Act for SA.

10.1.10 SA Coastal Council

File Reference: 68381 (10.85.1.24)
Officer: Chief Executive Officer

Update on SA Coastal Council Alliance and a draft discussion paper regarding coastal funding.

10.1.11 Local Government Association of South Australia

File Reference: 68433 (10.85.1.11)
Officer: Chief Executive Officer

Regional Youth Traineeship Program 2015-19 Summary.

10.1.12 Eyre Peninsula Local Government Association

File Reference: 68435 (10.85.1.3)
Officer: Manager Governance

Australia Government response to Doctors recruitment and retention.

10.1.13 Local Government Association of South Australia

File Reference: 68445 (3.3.2.2)
Officer: Chief Executive Officer

Circular 39.2 - The State Planning Commission has released a discussion paper that investigates the makeup of South Australia's population and the structure of our neighbourhoods, and proposes a range of new planning policies to improve residential infill development ahead of public consultation on the Planning and Design Code on 1 October.

10.2.2 Marilyn & Ken Spry

File Reference: 68686 (17.67.2.1)
Officer: Chief Executive Officer

Marilyn and Ken Spry, the owners of the Surprys Mall, are requesting the removal of the street trees adjacent to the Poynton Street Surprys Mall entrance due to building damage and safety concerns for the public.

18c/102019 Moved – PC Codrington

Seconded – GA Ryan

That Council remove all Street Trees located on the footpath along Poynton Street.

CARRIED

11. QUESTIONS ON NOTICE

12. MOTION ON NOTICE

13. QUESTION WITHOUT NOTICE

5:43pm Councillor PG Brown left the meeting

5:45pm Councillor PG Brown entered the meeting

14. MOTION WITHOUT NOTICE

19c/102019 Moved – GA Ryan

Seconded – IP Bergmann

That Council conveys their appreciation and commend all Council staff and contract cleaners on their efforts and involvement with the 2019 Oysterfest.

CARRIED

15. MEETING CLOSED – 6:17PM

DATE: _____ CONFIRMED: _____
Mayor