

Kingston District Council

Ordinary Council Meeting Minutes

Tuesday 21 November 2023



The minutes of the Kingston District Council ordinary meeting held on Tuesday, 21 November 2023, in the Council Chambers, Kingston SE, commencing at 3.04pm

Mayor Pope, Council Members, Staff and the community present in the gallery, held a minute silence to pay tribute to the Late Brevet Sergeant Jason Doig who tragically lost his life whilst on duty.

1. ACKNOWLEDGEMENT OF COUNTRY:

We acknowledge and pay respects to the Meintangk/Moandik people, the traditional custodians whose ancestral lands we gather on.

We acknowledge the deep feelings of attachment and relationship of the Meintangk/Moandik people to country and respect and value their past, present and ongoing connection to the land.

2. PRESENT:

Mayor Jeff Pope
Cr Jamie Parkins
Cr Chris England
Cr James Starling
Cr Fiona Rasheed
Cr William Armfield
Cr Tim Harding
Cr Carol Koch

Ms Nat Traeger, Chief Executive Officer
Mrs Heather Schinckel, Director Corporate Services
Mr David Worthley, Director Infrastructure & Operations
Miss Jade Scott (Minute Taker)

3. APOLOGIES:

Nil

4. CONFIRMATION OF MINUTES:

4.1 Minutes of the Ordinary Council Meeting held Tuesday 24 October 2023
Appendix 1

That the Minutes of the Ordinary Council Meeting held on Tuesday 24 October 2023 be confirmed.

Cr Koch / Cr Starling CARRIED (2023-291)

5. CONFLICTS OF INTEREST DECLARATION:

Any Member with one of the following Conflicts of Interest is asked to declare it at the start of the meeting and again immediately prior to the agenda item for which they are declaring a conflict:

Material – where any of a defined list of persons would gain a benefit, or suffer a loss (whether directly or indirectly, personal or pecuniary) depending on the outcome of the consideration of the matter at the meeting.

General – where if an impartial, fair-minded person might consider that the members private interests may result in the member acting in a matter that is contrary to their public duty.

Where a general Conflict of Interest exists, the Member must deal with the interest in a transparent and accountable way and inform the meeting of the interest and how (if they propose to participate in the meeting) they intend to deal with the general Conflict of Interest. This information will be documented by the Minute Taker.

No conflicts of interest declared.

6. BUSINESS ADJOURNED:

Nil

7. PETITIONS:

Nil

8. DEPUTATIONS:

8.1 Deputation - Cape Jaffa Development Company – Proposal for Lot 2018

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Chief Executive Officer, Director Infrastructure & Operations, Director Corporate Services, Finance Manager, Project Manager, Kate Hayward, David Lucas and the Minute Taker, be excluded from attendance at the meeting for agenda Item 8.1 '*Cape Jaffa Development Company – Proposal for Lot 2018*' relating to a proposal by the Cape Jaffa Development Company to vary the land identified as Excluded land under the contract for sale between the Cape Jaffa Development Company and the Council dated 21 July 2023.

The order is made on the grounds that:

- a. pursuant to section 90(3)(b) of the Act, the information to be received, discussed, or considered in relation to this matter relates to the commercial negotiating position of the Council and that:
 - i. could reasonably be expected to prejudice the commercial position of the Council; and
 - ii. would, on balance, be contrary to the public interest.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because a Council decision has not yet been made having regard to the legal advice in this report and any disclosure of this report and/or associated discussion will be prejudicial to the Council's position.

Cr Harding / Cr Parkins CARRIED (2023-292)

8.1 Deputation - Cape Jaffa Development Company – Proposal for Lot 2018

With the leave of the meeting, Mayor Jeff Pope suspended meeting procedures at 3.23pm to allow for open discussion in relation to the confidential deputation regarding the Cape Jaffa Development Company.

Mayor Jeff Pope resumed meeting procedures at 3.30pm.

That Council receive & note the report & deputation.

Cr Parkins / Cr Starling CARRIED (2023-293)

That having considered this agenda item in confidence under section 90(2) and (3)(b) of the Act, the Council orders pursuant to section 91(7) of the Act, the report inclusive of all attachments be retained in confidence until such time as the Chief Executive Officer determines to revoke this order (and the Council delegates to the Chief Executive Officer the power to revoke the order), with the order to be reviewed annually in the meantime, as required by the Act.

Cr Armfield / Cr Parkins CARRIED (2023-294)

9. **MEMBERS REPORTS:**

9.1 **Mayoral Report**

**That Council receive and note the mayoral report as detailed below.
Mayor Pope / Cr Koch CARRIED (2023-295)**

Mayor Jeff Pope

Date of Meeting/Event	Meeting/Event Details
23 October 2023	Audit & Risk Committee Meeting
23 October 2023	Rating Review Workshop 1
24 October 2023	Coorong Visitor Experience Master Plan
24 October 2023	Ordinary Meeting of Council
25 October 2023	Meeting with Deputy Premier – Jetty & CWMS
26 October 2023	Country Cabinet – Community BBQ & Forum
27 October 2023	Country Cabinet – Strategic Cabinet Meeting
27 October 2023	Timber Awards – Mount Gambier
30 October 2023	Meeting with Prospective Caravan Park Buyers
3 November 2023	Kingston Recreational Fishers AGM
14 November 2023	Due Diligence Training
14 November 2023	Information Briefing Session
15 November 2023	Managing Challenging Conversations Workshop
16 November 2023	2023 Mayoral Christmas Parade Meeting

9.2 **Council Members Reports**

That Council receive and note the Council Members Reports detailed below.

Cr Harding / Cr Starling CARRIED (2023-296)

Deputy Mayor Jamie Parkins

Date of Meeting/Event	Meeting/Event Details
23 October 2023	Rating Review Workshop 1
24 October 2023	Coorong Visitor Experience Master Plan
24 October 2023	Ordinary Meeting of Council
25 October 2023	LGA AGM & Conference
26 October 2023	LGA AGM & Conference
27 October 2023	LGA AGM & Conference
9 November 2023	Valuer-General Presentation to Council
9 November 2023	Information / Briefing Session
14 November 2023	Due Diligence Training
14 November 2023	Information Briefing Session

Cr Fiona Rasheed

Date of Meeting/Event	Meeting/Event Details
23 October 2023	Rating Review Workshop 1
24 October 2023	Coorong Visitor Experience Master Plan
24 October 2023	Ordinary Meeting of Council
25 October 2023	Meeting with Deputy Premier – Jetty & CWMS
9 November 2023	Valuer-General Presentation to Council
9 November 2023	Information / Briefing Session
14 November 2023	Due Diligence Training
14 November 2023	Information Briefing Session

Cr William Armfield

Date of Meeting/Event	Meeting/Event Details
23 October 2023	Audit & Risk Committee Meeting
23 October 2023	Rating Review Workshop 1
24 October 2023	Coorong Visitor Experience Master Plan
24 October 2023	Ordinary Meeting of Council
9 November 2023	Valuer-General Presentation to Council
9 November 2023	Information / Briefing Session
14 November 2023	Due Diligence Training
14 November 2023	Information Briefing Session

Cr James Starling

Date of Meeting/Event	Meeting/Event Details
23 October 2023	Audit & Risk Committee Meeting
23 October 2023	Rating Review Workshop 1
24 October 2023	Coorong Visitor Experience Master Plan
24 October 2023	Ordinary Meeting of Council
25 October 2023	Meeting with Deputy Premier – Jetty & CWMS
9 November 2023	Valuer-General Presentation to Council
9 November 2023	Information / Briefing Session
14 November 2023	Information Briefing Session

Cr Chris England

Date of Meeting/Event	Meeting/Event Details
23 October 2023	Audit & Risk Committee Meeting
23 October 2023	Rating Review Workshop 1
24 October 2023	Coorong Visitor Experience Master Plan
25 October 2023	Meeting with Deputy Premier – Jetty & CWMS
9 November 2023	Valuer-General Presentation to Council
9 November 2023	Information / Briefing Session
14 November 2023	Due Diligence Training
14 November 2023	Information Briefing Session

Cr Carol Koch

Date of Meeting/Event	Meeting/Event Details
23 October 2023	Rating Review Workshop 1
24 October 2023	Coorong Visitor Experience Master Plan
24 October 2023	Ordinary Meeting of Council
25 October 2023	Meeting with Deputy Premier – Jetty & CWMS
9 November 2023	Valuer-General Presentation to Council
9 November 2023	Information / Briefing Session
14 November 2023	Due Diligence Training
14 November 2023	Information Briefing Session

Cr Tim Harding

Date of Meeting/Event	Meeting/Event Details
23 October 2023	Rating Review Workshop 1
24 October 2023	Coorong Visitor Experience Master Plan
24 October 2023	Ordinary Meeting of Council
25 October 2023	LGA AGM & Conference
26 October 2023	LGA AGM & Conference
27 October 2023	LGA AGM & Conference
14 November 2023	Due Diligence Training
14 November 2023	Information Briefing Session

10. DELEGATE REPRESENTATIVE REPORTS:

- 10.1 Kingston Community School Governing Council
Cr Rasheed provided a verbal update on her activities on the Kingston Community School Governing Council.
- 10.2 Gall Park Management Committee
Cr Harding provided a verbal update on his activities on the Gall Park Management Committee.
- 10.3 Kingston / Robe Health Advisory Council
Cr Koch was unable to attend the previous Kingston / Robe Health Advisory Council meeting.
- 10.4 Kingston Early Learning Childcare Services Working Group
Nil

11. REPORTS FROM COMMITTEES:

11.1 Audit & Risk Committee

Nil

11.2 CEO Performance Review Committee

Nil

12. REPORTS FROM LOCAL GOVERNMENT SECTOR:

12.1 Limestone Coast Local Government Association (LCLGA)

12.1.1 Meeting Summary of the General Meeting held Friday 11 August 2023
Appendix 2

12.1.2 Meeting Summary of the General Meeting held Friday 13 October 2023
Appendix 3

12.2 Local Government Association (LGA)

Nil

13. COUNCIL POLICIES:

Nil

14. OFFICERS REPORTS:

14.1 CHIEF EXECUTIVE OFFICER:

14.1.1 Draft Strategic Plan 2023-2027 – Adoption
Appendix 4a, 4b, 4c

With the leave of the meeting, Mayor Jeff Pope suspended meeting procedures at 3.38pm to allow for open discussion in relation to the Draft Strategic Plan 2023-2027.

Mayor Jeff Pope resumed meeting procedures at 3.39pm.

That Council;

- (1) Receives and notes the written submissions as contained at Appendix 4;**
- (2) Endorses the amendments from the release version to the adoption version as contained at Appendix 4; and**
- (3) Adopts the Strategic Plan 2023-2027 as amended.**

Cr Harding / Cr Parkins CARRIED (2023-297)

14.1.2 Kingston Foreshore Caravan Park Performance Report – 31 October 2023
Appendix 5

That Council receive and note the Kingston Foreshore Caravan Park performance report as at 31 October 2023.

Cr Starling / Cr England CARRIED (2023-298)

14.1.3 RV Park Performance Report – October 2023

That Council receive and note the RV Park performance report as at 31 October 2023.

Cr Starling / Cr Parkins CARRIED (2023-299)

14.1.4 Telling the Whole Story – Concept Plan
Appendix 6

That Council;

(1) approve in principle, subject to future approval of the narrative on each of the four (4) signposts, the concept plans as submitted for the ‘Telling the Whole Story’ Project; and

(2) provide the following in-kind support for the project:

- hand watering for the first 12-months after planting
- on-going minor maintenance after project completion
- mulch
- removal of excess soil at job completion

Cr Armfield / Cr Rasheed CARRIED (2023-300)

14.1.5 Jetties Renewal Program Expression of Interest for Project Funding
Appendix 7

That Council submit an expression of interest based on ‘Option 8’ of the Kingston Jetty Business Case, with a co-investment contribution of no more than 10% of the anticipated capital cost.

Cr Harding / Cr England CARRIED (2023-301)

14.1.6 Kingston Community School Library – Budget Variation Request
Appendix 8a, 8b, 8c

That Council approve the budget variation request of \$16,933 for 12-months as submitted by the Kingston Community School to support the Kingston Community School Library operations.

Cr Koch / Cr Armfield CARRIED (2023-302)

14.2 CORPORATE SERVICES

14.2.1 Monthly Finance Report – 31 October 2023

That Council adopt the monthly finance report as at 31 October 2023 with the following key changes;

- Increase in operating income of \$20k
- Increase in operating expenditure of \$20k
- Increase in capital renewal expenditure \$25k

Cr Starling / Cr England CARRIED (2023-303)

14.2.2 2022-23 Kingston District Council Annual Report
Appendix 9

That Council:

- 1. Adopts the 2022-2023 Kingston District Council Annual Report as presented at Appendix 9.**
- 2. Authorises the Chief Executive Officer to include the 2022-2023 Limestone Coast Local Government Association Annual Report prior to distribution.**

Cr Parkins / Cr Koch CARRIED (2023-304)

14.3 INFRASTRUCTURE & OPERATIONS

14.3.1 Kingston Jetty Precinct Traffic Review Grant Application

That Council receives and notes the Kingston Jetty Precinct Traffic Review Grant Application report.

Cr Parkins / Cr England CARRIED (2023-305)

14.3.2 Fuel Tender Assessment Panel:

That Council waives the requirement for Council Members to be appointed to the tender assessment panel for the purchase of fuel (diesel) on the basis that the procurement is not a complex issue.

Cr Harding / Cr Parkins CARRIED (2023-306)

15. INFORMATION / CORRESPONDENCE ITEMS:

That Council receive and note the Information / Correspondence items as presented in item 15 of the agenda.

Cr Parkins / Cr Rasheed CARRIED (2023-307)

16. QUESTIONS WITHOUT NOTICE:

Nil

17. QUESTIONS ON NOTICE:

Nil

18. MOTIONS WITHOUT NOTICE:

Nil

19. MOTIONS ON NOTICE:

Nil

20. ITEMS RECOMMENDED FOR CONSIDERATION IN CONFIDENCE:

20.1 Rubble Raising and Crushing Agreement Pricing Request:
Appendix 11

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except the Chief Executive Officer, Director Corporate Services, Director Infrastructure & Operations, Finance Manager and the Minute Taker, be excluded from attendance at the meeting for Agenda Item 20.1 'Rubble Raising and Crushing Agreement Pricing Request'.

The Council is satisfied that, pursuant to section 90(3)(a)(k) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is tenders for the rubble raising and crushing agreement pricing request.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be disclosed and discussed has the potential to impact adversely on the commercial position of the Council, as pricing information will be discussed.

Cr Parkins / Cr Starling CARRIED (2023-308)

20.1 Rubble Raising and Crushing Agreement Pricing Request:
Appendix 11

With the leave of the meeting, Mayor Jeff Pope suspended meeting procedures at 4.06pm to allow for open discussion in relation to the rubble raising and crushing agreement pricing request.

Mayor Jeff Pope resumed meeting procedures at 4.22pm.

That Council approves a counter offer to Teagle Contracting Pty Ltd of:

- **increase the rubble raising and crushing rates from \$5.98m³ to 7.20m³ and the float rate from \$51.50/km to \$75.00/km because of the substantial increase in fuel prices; and**
- **allow for annual consideration of rise and fall in contract rates based on the Adelaide terminal gate price of \$1.95 per litre.**

Cr Starling / Cr Harding CARRIED (2023-309)

That having considered this agenda item in confidence under section 90(3)(a)(k) of the Act, the Council orders pursuant to Sections 91(7) and (9) of the Act, that this report & attachments, be retained in confidence until such time as the Chief Executive Officer determines to revoke this order (and the Council delegates to the Chief Executive Officer the power to revoke the order), with the order to be reviewed annually in the meantime, as required by the Act.

Cr Parkins / Cr Starling CARRIED (2021-310)

20.2 Footpath & Resealing Works Tender
Late Report

*This item is to be considered at a special council meeting scheduled for
Wednesday 22 November 2023 at 4.30pm.*

20. **CLOSURE:**

The meeting closed at 4.29pm.

Confirmed

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Mayor Jeff Pope

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Date