

**KANGAROO ISLAND COUNCIL**  
**MINUTES OF A COUNCIL MEETING HELD AT THE**  
**COUNCIL CHAMBERS, 43 DAUNCEY STREET, KINGSCOTE,**  
**ON 12 MARCH 2019, COMMENCING AT 11:00 AM**

**1. PRESENT**

Mayor M Pengilly, Crs S Mumford, P Denholm, S Kauppila, K Liu, S Pledge,  
G Teasdale & L Irwin.

**In Attendance**

G Georgopoulos (Acting Chief Executive Officer), N Putland (Director Council Services), M Grimes (Personal Assistant).

**2. APOLOGIES**

Cr G Walkom

**3. DEPUTATIONS**

3.1 Mr Russell Hicks – Fire Hazard at American River

3.2 Mrs Jackie Kelly and Mr Bernie and Mrs Meaghan May – Parndana Bowling Club

11:27am with the consent of all members present, the meeting granted leave for Cr Sharon Kauppila to make a Personal Statement.

11:33am meeting resumed.

Moved Cr G Teasdale

Seconded Cr P Denholm

That Cr Kauppila's personal statement be recorded within the minutes.

CARRIED

Minute: C56:2019

Cr Sharon Kauppila's Personal Statement

After much contemplation and soul searching, I regret to announce my resolve to resign from my position of Cr Kauppila, Elected Member, Kangaroo Island Council.

I understand this will be a disappointing outcome for the people of Kangaroo Island who elected me to represent their interests on Council. I thank them for their trust and support and their understanding in this decision.

Unfortunately, I don't have the benefit of Parliamentary privilege or I would speak more strongly. However, I am concerned that procedural fairness and good governance have not been demonstrated in the very short life of this current Council.

I am extremely disappointed with the chain of events that have led to the dismissal of the CEO. Procedural fairness is concerned with the processes and procedures used in decision-making, rather than the outcome of a decision. The purpose of procedural fairness is to ensure that decisions are considered, fair and correct and if that had been the case then I would have no problems with upholding these decisions.

The loss of Mr Boardman as CEO takes away eight years of hard work, positive change, major project delivery and excellent financial results – all that two different Councils asked him to deliver – and more. There are many other projects in the pipeline that he and staff were working on that I had great faith in as a progressive and forward-thinking

Council, with financial sustainability and sound business development well within our grasp.

I was appalled with the article “KI council boss axed for willful misdoing’ that was printed in The Advertiser 21 February 2019 two days after Mr Boardman’s termination announcement where the Mayor requested that the Community respect Andrew’s privacy. The Advertiser had the audacity to publish misinformation completely out of context under the guise of Mayor Pengilly’s former Parliamentary privilege speeches; one of many speeches in Parliament that specifically denigrated Council, its efforts to improve infrastructure and develop projects, such as the airport as well as well as being specifically directed personal attacks on the EO’s capabilities, experience, competence and treatment of Staff and the Elected Body. None of these utterances were supported by fact. Nor were they reported to the proper authorities for investigation as they should have been by a public officer in possession of such facts. They were challenged by Council of the time and staff even wrote to Council refuting Mr Pengilly’s claims that the CEO was bullying and harassing staff.

I stood for Council in 2014 because I wanted to be part of a progressive Council; one that had the goals of financial sustainability firmly in its sights; one that understood the need to balance economic growth and social resilience without damaging our unique environmental assets; and one that engaged with Government, Community, the Private Sector and Investors to ensure that all interest were fairly and equitably represented. I am proud to say that we achieved this through the course of the previous Council. If we grow, our young people will look to remain on KI and new families will come to the Island to live the wonderful life that we live because the future is bright – because the approach is balanced with a diverse economic base, a resilient growing Community and our pristine environment protected, enhanced and enjoyed.

It would appear that we are on the precipice of pulling apart the organisation that has, for the past eight years, delivered better-than-budget results every year, self-rate-capped since 2017, delivered many excellent projects and supported our Community and its aspirations while ensuring that the Island was seen to be “open for business”.

I feel that as a council we have taken a massive step in the wrong direction – probably setting us back 10 years or more.

I really enjoyed my first term on Council, gaining considerable knowledge and experience in its operations. I found the projects progressive and exciting and was proud of the many positive achievements. I had full confidence in the processes and the extensive knowledge of the then CEO.

However, since the 2018 election my confidence in the processes has been compromised. I have been deeply troubled and concerned with the recent outcomes. These concerns are having a negative impact on my private and professional life. It has not been an easy decision, but after much considerations, and with much sadness, I must remove myself as an elected member and trust that you will appreciate and respect my decision. My resignation is effective as of 5pm Tuesday 12<sup>th</sup> March 2019.

I wish the Council and Elected Members all the best in future and endeavors to make Kangaroo Island a safe, sustainable, progressive and great place to live and work. Please accept my heartfelt and sincere thank you for the privileged and esteemed opportunity of serving as an elected member of the Kangaroo Island Council. It has been an honor.

#### **4. MINUTES OF COUNCIL MEETINGS**

##### **4.1 MINUTES OF MEETING HELD 12.02.19**

Moved Cr G Teasdale  
That the Minutes of the Meeting held on 12.02.19 be confirmed.  
CARRIED  
Seconded Cr S Pledge  
Minute: C57:2019

##### **4.2 BUSINESS ARISING FROM MINUTES OF 12.02.19**

##### **4.3 MINUTES OF IN-CONFIDENCE SPECIAL MEETING HELD 12.02.19 (PROVIDED SEPARATELY)**

Moved Cr S Pledge  
That the Minutes of the In-Confidence Special Meeting held on 12.02.19 be confirmed.  
CARRIED  
Seconded Cr S Mumford  
Minute: C58:2019

##### **4.4 BUSINESS ARISING FROM IN-CONFIDENCE SPECIAL MINUTES OF 12.02.19**

##### **4.5 MINUTES OF SPECIAL MEETING HELD 19.02.19**

Moved Cr P Denholm  
That the Minutes of the Special Meeting held on 19.02.19 be confirmed.  
CARRIED  
Seconded Cr G Teasdale  
Minute: C59:2019

##### **4.6 BUSINESS ARISING FROM SPECIAL MINUTES OF 19.02.19**

##### **4.7 MINUTES OF IN-CONFIDENCE SPECIAL MEETING HELD 19.02.19 (PROVIDED SEPARATELY)**

Moved Cr S Pledge  
That the Minutes of the In-Confidence Special Meeting held on 19.02.19 be confirmed.  
CARRIED  
Seconded Cr G Teasdale  
Minute: C60:2019

##### **4.8 BUSINESS ARISING FROM IN-CONFIDENCE SPECIAL MINUTES OF 19.02.19**

##### **4.9 MINUTES OF SPECIAL MEETING HELD 28.02.19 (PROVIDED SEPARATELY)**

Moved Cr G Teasdale  
That the Minutes of the In-Confidence Special Meeting held on 28.02.19 be confirmed.  
CARRIED  
Seconded Cr P Denholm  
Minute: C61:2019

##### **4.10 BUSINESS ARISING FROM SPECIAL MINUTES OF 28.02.19**

##### **4.11 MATTERS LAYING ON THE TABLE**

Minute: C347:2018 That the CEO be censured for failing to provide information earlier as required for making an informed decision on the Emu Bay Boat Ramp Upgrade Project.

Minute: C443:2018 that the report request lay on the table.

Report request by Cr Kauppila -  
Council seek legal advice / opinion of the perceived conflict of interest that Mayor Pengilly may have in future discussions, motions and / or positions regarding KIPT and

the proposed wharf at Smiths Bay as he is an ardent oppose to the Smith Bay wharf proposal and he is a resident of Smiths Bay area and potentially impacted by this development.

Minute: C45:2019 Council resolves that Food Safety Inspections be included in the Sponsorship Program at 50% Sponsorship as once off but annually recurring event.

## **5. MAYOR'S REPORT**

### **5.1 Mayor's activities**

Moved Cr P Denholm

Seconded Cr K Liu

That the Mayors report be received for information.

CARRIED.

Minute: C62:2019

Moved Cr S Kauppila

Seconded Cr L Irwin

That the format of the Mayors report be altered to include a separate column for comments and greater detail to allow members of the public and elected members a better understanding of both the nature and purpose of the meetings.

CARRIED.

Minute: C63:2019

### **5.2 Councillor verbal update on meetings attended**

### **5.3 ACEO Renumeration**

Moved Cr P Denholm

Seconded Cr S Pledge

That this matter be deferred pending further advice.

CARRIED.

Minute: C64:2019

## **6. QUESTIONS FROM THE GALLERY**

- 6.1 Lisa Crago – Council helps advise many groups of grant funding streams and offers in-kind support for not-for-profit groups by waving fees; this is a good thing. However, it seems too many groups, many with commercial enterprises and large membership, come cap in hand', often requesting large chunks of rate payers money, for projects outside of Council core business; given the KIC debt many of us ratepayers want this to stop. Does KIC have a policy which contains criteria by which to consider financial requests for non-core business? If so, is this amount capped and included in KIC budget projections, or is it drawn from borrowings?

## **7. PETITIONS**

## **8. QUESTIONS FROM ELECTED MEMBERS**

### **8.1. Questions on Notice**

#### **8.1.1 Cr Walkom - Various**

##### Question 1

- a) What was the total paid to I.S.S. Australia and/or partners during the 2017/18 F.Y.?  
b) What is the indicated amount that has been and is estimated to be paid to this company during 2018/19 F.Y.?

##### Answer

Taken on notice

Question 2

- a) *What was the original formally contracted amount to the principal contractor for the airside works of our airport project? Please provide signed contract document page.*
- b) *What was the original formally contracted amount to the principal contractor for the landside works of our airport project? Please provide signed contract document page.*
- c) *Was the contract with NBS fully and formally executed prior to them going into administration?*
- d) *What was the original formally contracted amount with NBS? Please provide signed contract document page.*

Answer

Taken on notice

Question 3

*Has council provided its rates database or any part thereof to any external body since jan 01, 2017?*

*If so:*

- a) *to whom and for what purpose?*
- b) *did providing that information comply with all aspects of council's Privacy Policy?*
- c) *was that external body contracted to maintain the same privacy controls as council?*
- d) *did that external body (c) provide that information, or any part to any other party?*
- e) *was that information used for any benefit by any external party directly or indirectly?*
- f) *Have the persons listed on that database been advised their information may have been provided to others?*
- g) *Have those persons (f) been asked for their permission to provide their information to others?*
- h) *Will council ensure any information provided to others is recalled and re-secured?*
- i) *Are controls in place to ensure that any data base information is not used by anyone in future?*

Answer

Taken on notice

Question 4

*Further to the advice to elected councillors that the CEO attended the regional airport awards presentation in Brisbane earlier this week, did (or will) council contribute to, pay for or reimburse any part of the travel from and/or return to KI and accommodation to attend these awards?*

Answer

Taken on notice

## **8.1.2 Cr Liu - Procurement policy**

Question 1

*Did the administration award any contracts or issue purchase orders directly or indirectly to Elected Members of the last Council (including their business and close relatives) for goods and services or works which were fully or partly funded by the Council over the past 4 years? If so, could the CEO provide council with a list of all goods and services obtained from them - the name of the service provider; brief description of the service; value of the work; date of the contract signed or purchase order issued?*

Answer

Yes.

Being an Island with a small resident population limits the procurement options available and with such a small community it is more than likely an Elected Member, including their business and close relative may be considered for, or awarded works for Council.

In many instances administration are not fully aware of a business or an associate's relationship to an elected member and without more specific information on who should be included in this request we are unable to provide details on the goods and services obtained by anyone other than the elected member themselves. Information about payments to elected members is included below – (councilor allowances and reimbursements are not included).

**Cr Graeme Ricketts**

**T/as Graeme Ricketts**

Order Number	Order Date	Order Value	Line Description	Officer responsible
22581	24/05/2018	\$ 5,791.50	Old Terminal Renovations	Chief Executive Officer
22750	14/06/2018	\$ 7,779.16	Supply gyprock to airport , hire scissor lift	Chief Executive Officer
22812	21/06/2018	\$ 5,355.00	Old terminal refurbishment works 4/6/18 -	Chief Executive Officer
23073	13/07/2018	\$ 2,250.00	Old Terminal Refurb works 18/6 - 21/6/18	Chief Executive Officer
23173	26/07/2018	\$ 680.00	Fit Cafe Exhaust System	Chief Executive Officer
		<b>\$ 21,855.66</b>	<b>Airport Project - work run concurrently with work for Mossop Constructions</b>	
23455	31/08/2018	\$ 2,407.50	Removal of seating and alteration in town hall from 26th July to 27th August - repairs	Chief Executive Officer
23641	25/09/2018	\$ 953.16	Materials for Kingscote Town Hall	Chief Executive Officer
23848	23/10/2018	\$ 4,007.49	Town Hall alterations	Chief Executive Officer
23872	25/10/2018	\$ 405.00	Finish carpet in hall mezzanine Fit exhaust filters to airport kitchen	Chief Executive Officer
24042	12/11/2018	\$ 1,375.00	Supply of carpet tiles for Kingscote town	Chief Executive Officer
		<b>\$ 9,148.15</b>	<b>Town Hall Upper Mezzanine Floor Refurbishment and Art Hanging System</b>	
23891	29/10/2018	\$ 3,000.00	Town Hall alterations for RSL honour	Community Affairs Manager
24227	03/12/2018	\$ 1,192.50	Kingscote Town Hall refurbishments creating RSL entrance display corridor	Community Affairs Manager
		<b>\$ 4,192.50</b>	<b>Town Hall Lower Mezzanine Area storage creation &amp; relocation of RSL</b>	
24039	09/11/2018	\$ 90.00	Shelving in RSL storage room for Shep	Community Affairs Manager

<b>Total for 2014-18</b>	<b>\$ 35,286.31</b>
<b>Term of Council</b>	

**Emu Ridge Eucalyptus**

*operated by Cr and Spouse*

Order Number	Order Date	Order Value	Line Description	Name
20155	11/07/2017	\$ 5,255.00	Paid for on behalf of Small Islands Conference Committee - Conference Catering	Human Resources Officer
24190	28/11/2018	\$ 291.60	Gifts for Visitors to Council	Personal Assistant

<b>Total for 2014-18</b>	<b>\$ 5,546.60</b>
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## Cr Sharon Kauppila

### Kauppila Pty Ltd - Kangaroo Island Hire

operated by Cr & Spouse

Order Number	Order Date	Order Value	Line Description	Officer Responsible
12222	23/10/2014	\$ 220.00	Hire of E levated platform to clean gutter at Town Hall.	Project Manager - Asset Services
13391	18/03/2015	\$ 90.00	Hire of chipper for Penguin walk	Safety Officer
13528	01/04/2015	\$ 90.00	hire of mulcher	Senior Mechanical Services
14085	11/06/2015	\$ 70.00	KI Community Forum - KIC Hosted Hire of Gas Heater for Town hall	Community Affairs Manager
14351	15/07/2015	\$ 175.00	hire of scissor lift for replacing lights in workshop and truck shed	Team Leader Mechanical Services
14477	30/07/2015	\$ 210.00	Settlement Day Event Luncheon - Heater Hire x 2 (27/9/15) KI Community Forum - Heater Hire x 1 (5/8/15)	Community Affairs Manager
15221	09/11/2015	\$ 180.00	Hire of a quick up to replace the fluoro lights in the pavilion	Coordinator Parks and Gardens
15434	07/12/2015	\$ 440.00	Hire of Dutch oven cooker, + labour and	Personal Assistant (Melissa)
15978	29/02/2016	\$ 241.64	Purchase of Lock Barrel for KI Council Blue Dot Master Key - Additional works to Original Specifications	Asset Services Technical Officer
16031	08/03/2016	\$ 616.00	daily hire of mini excavator	Operations Support
17122	03/08/2016	\$ 175.00	Hire of the trailer mount boom lift to remove the torn shade cloth from the playground at	Coordinator Parks and Gardens
17930	14/10/2016	\$ 440.00	EWP hire to be used to unstick and clean the windows in Dauncey St office block	Coordinator Parks and Gardens
19101	16/03/2017	\$ 220.00	Hire of Cherry Picker	Project Manager - Asset
19572	10/05/2017	\$ 90.00	Hire of 3 acro props for 2 weeks	Coordinator Parks and
19657	23/05/2017	\$ 50.00	hire of cement mixer required for drainage	Operations Support
20080	04/07/2017	\$ 175.00	Hire of 5 gas heaters	Human Resources Officer
20516	22/08/2017	\$ 220.00	hire of cherry picker for Penneshaw WWTP to change aerator air intake inside tank.	CWMS Officer 2
21498	03/01/2018	\$ 220.00	hire of cherry picker for Kingscote pump	CWMS Officer 2
21715	02/02/2018	\$ 180.00	Hire of Nifty 120t Cherry picker to replace blown globes in the Lions Park playground	Coordinator Parks and Gardens
23426	27/08/2018	\$ 330.00	Supply and deliver all terrain scissor lift to the dump to clean out the gutters on the big shed and repair broken downpipes	Coordinator Parks and Gardens
23560	12/09/2018	\$ 700.00	Hire of scissor lift for the Kingscote town hall ceiling works and picture rail installation	Coordinator Parks and Gardens
23733	09/10/2018	\$ 1,300.00	Hire of the Genie GS1932 scissor lift for the Kingscote Town Hall ceiling repairs and the installation of the new picture rails for artwork display	Coordinator Parks and Gardens
		<b>\$ 6,432.64</b>	<b>Sundry Hire of E quipment across</b>	
<b>Publically Tendered / Quoted Work</b>				
15145	02/11/2015	\$ 48,500.00	Construction of Pennington Bay Public	Chief Executive Officer
20821	05/10/2017	\$ 49,122.37	Departure Lounge Modifications	Deputy Chief Executive
21419	18/12/2017	\$ 4,352.11	Departure Lounge Modifications	Chief Executive Officer
		<b>\$101,974.48</b>	<b>Major Works either Tendered or Quoted</b>	
<b>Total for 2014-18 Term of Council</b>		<b>\$108,407.12</b>		

Council is currently undertaking an external audit of their procurement policy and any recommendatons for improvment will be considered.

### 8.1.3 Cr Walkom - various

#### Question 1

*a) What are the full details of each occasion where an elected member or staff member has a declared or a perceived conflict of interest in relation to projects that council have been involved in, where themselves, their direct family members or companies which they hold an interest in have been recipients of work?*

*b) Furthermore, with unequivocal knowledge that elected members and staff members have been recipients of work (directly and/or indirectly) on projects of council, please detail in full what measures has the council administration taken to protect council from suggestions and perceptions that council is looking after its own?*

#### Answer

Taken on notice

#### Question 2

*Christmas Cove Income/Expenditure*

*a) Please provide annual net profit or loss for FY 13/14, 14/15, 15/16, 16/17, 17/18 and ytd for council's operation of the Christmas Cove marina leasing undertaking including all outgoings for electricity, water, and sewerage services provided in total and to lessees of berths.*

*b) What provisions are there in the berth long term and short term leases for grey and black water discharge from either occupied or unoccupied moorings?*

*c) What continuous period of 'on board' occupancy is allowed for permanent or semi permanent berthing?*

*d) Are the lease conditions routinely enforced?*

*e) Have any infringements been issued relevant to berth leasing for the years listed in part a)?*

#### Answer

Taken on notice

### 8.1.4 Cr Kauppila - Legal and engineering costs to Council

#### Question 1

*What are the legal expenses (including 3rd party reports) incurred by the current council from swearing in (Nov 2018) to date (12/3)?*

#### Answer

Taken on notice

#### Question 2

*What was budgeted as legal expenses for this financial year?*

#### Answer

Taken on notice

#### Question 3

*What proportion of legal expenses are attributed to the sacking of the CEO?*



Answer

Taken on notice

Question 4

*What proportion of legal expenses can be directly attributed to the Mayor and Elected Members?*

Answer

Taken on notice

Question 5

*What is the likely cost to council of the engineers reports to date and ongoing engineering reports with regard to the Emu Bay boat ramp?*

Answer

Taken on notice

## **8.2. Questions without Notice**

## **9. REPORTS OF COMMITTEES**

### **9.1 Boating Facilities Committee Meeting Minutes 21 February 2019**

Moved Cr S Pledge

Seconded Cr G Teasdale

That Council receives and notes the Boating Facilities Committee Meeting minutes from 21 February 2019.

CARRIED.

Minute: C65:2019

Moved Cr S Kauppila

Seconded Cr G Teasdale

That Council adopts the following recommendations.

1. That the Business Arising from the meeting held on 6 December 2018 be received for information.
2. That the Finance Report be received for information.
3. That the format of the Finance Report be updated to show expiations separately from all other income.
4. That the Boating Facilities Progress Update be received for information.
5. That the 'Emu Bay Jetty Inspection' report be received for information.
6. That the 'Boat ramp fees and charges benchmarking report' be received for information.
7. That this Committee recommend commercial launch fees continue as two separate categories, being small commercial and large commercial, and that we approach a per head charge for ecotourism operators.
8. That the 'Emu Bay Boat Ramp' report be received for information.
9. Acknowledge all the dedication and hard work put in by our outgoing CEO Andrew Boardman, and also our previous Mayor Peter Clements and Councillor Larry Turner. Without their dedication and commitment, we would not have achieved the commencement of this Project.
10. That this committee request Council write to the Minister for Planning, Transport & Infrastructure requesting a re-evaluation of their 'Better Boating Facilities' policy, in relation to the contribution of 80% for boating facilities, as promised during their pre-election campaign.
11. That this committee recommend the recreational launch fees continue at \$150 per annum, and small commercial fees increase to \$300 (being double the annual recreational fee), and acknowledge pensioner concessions will be maintained for recreational users.

CARRIED.

Minute: C66:2019

## 9.2 Finance Committee Meeting Minutes 5 March 2019

Moved Cr K Liu

Seconded Cr S Pledge

That Council receive and notes the Finance Committee Meeting minutes from 5 March 2019, and That Council adopts the recommendations as follows:

1. That the report, Business Arising from Minutes be received for information.
2. That the Second Quarter Budget / Actual Performance Review report be received for information and that the budget amendments as detailed in this report be recommended to Council for approval.
3. That the 2018/19 Major Projects Report be received for information.
4. That the Debt Management Report be received for information.
5. That the Cashflow Projections Report be received for information.
6. That the 2019/20 Budget Parameters & Timetable report be received for information.
7. That the Finance Committee endorse the budget timetable and use of the specific assumptions used in the adopted 2018-2028 Long Term Financial Plan (LTFP) as the basis for developing the 2019-20 Budget being;
  1. Cost drivers being applied for the 2019-20 budget development:
    - a. CPI – will be set at Dec 2018 quarter CPI rate for Adelaide
    - b. Rate in the dollar - assumed to be CPI increase only.
    - c. Capital Valuation Growth is assumed to be 1%
    - d. CWMS and Waste charges – CPI increase only is planned.
    - e. Wages - CPI plus 1% as per EBA.
    - f. Variable loans - interest rate of 3.7% per annum for 2019-20
  2. The following revenue drivers will be applied for the 2019-20 budget development:
    - a. Financial Assistance Grants to be included at 2018-19 rates plus 1.9% (Being weighted average of CPI for all capital cities)
    - b. Roads to Recovery grant to be included at 20% of 5 year total – currently estimated at \$324,569
    - c. Supplementary Local Roads Funding Year will be budgeted at \$Nil.
  3. Where required going forward, variable cash advance debenture (CAD) facilities will be established to fund to the level required to meet the needs of the capital program as envisaged by the LTFP (\$1.5M) with any major Plant & Equipment purchases being managed through a fixed rate loan.
  4. That the Primary Production land use code differential be referred to Council for further consideration.

CARRIED.

Minute: C67:2019

## 9.3 Audit Committee Meeting Minutes 5 March 2019

Moved Cr S Pledge

Seconded Cr G Teasdale

That Council receives and notes the minutes of the Audit Committee Meeting minutes from 5 March 2019.

CARRIED.

Minute: C68:2019

Moved Cr K Liu

Seconded Cr P Denholm

That Council adopts the recommendations as follows:

1. That the report, Business Arising from Minutes be received for information.
2. That the 2019/20 Budget Timetable report be received for information.
3. That the Statutory Financial Audit Services report be received for information.
4. That the 'Internal Control Management System' report be received for information.
5. That the Audit Committee Action Plan report be received for information.
6. That the Cashflow Projections Report be received for information.

7. That the Second Quarter Budget / Actual Performance Review report be received for information and that the budget amendments as detailed in this report and attachments be recommended to Council for approval.
8. That the Debt Management Report be received for information.
9. That the 'Audit Evaluation' report be received for information.
10. That the Procurement Practices report be received for information and that the matters raised be included in the internal audit of the procurement policy currently being undertaken by BRM Holdich.
11. That the 'Long Term Financial Plan' report be received for information.
12. That the 'Business Continuity Plan – Sept 2018' report be received for information. Administration to update the document and present to the next Audit Committee meeting.

CARRIED.

Minute: C69:2019

## **10. CHIEF EXECUTIVE REPORTS**

### **10.1 CEO Activities / Meetings**

Moved Cr P Denholm

Seconded Cr K Liu

That the ACEO Activities and Meetings report be received for information.

CARRIED.

Minute: C70:2019

Moved Cr S Mumford

Seconded Cr S Pledge

That the Andermel signage be removed.

Moved Cr Liu

1st Amendment

That the Andermel signage be removed for maintenance.

Lapsed no seconder

Moved Cr P Denholm

Seconded Cr L Irwin

2nd Amendment

That Council request Andermel to amend their signage to reflect current business practice/ times.

LOST

The original motion was put.

Moved Cr S Mumford

Seconded Cr S Pledge

That the Andermel signage be removed.

CARRIED.

Minute: C71:2019

### **10.2 Resignation from Cr Larry Turner**

Moved Cr G Teasdale

Seconded Cr S Pledge

That Cr Larry Turners resignation be noted and that he be thanked for his valuable contribution to the Council and service to the Island Community over the past four years.

CARRIED.

Minute: C72:2019

With consent of the meeting, item 13.2 was brought forward.

### **13.2 Cr Denholm - Mr Jack Meakins**

Moved Cr P Denholm  
That Council extends our condolence to the family of the Late Jack Meakins OAM and acknowledge the contribution Jack made to the wellbeing of the Kangaroo Island community.  
CARRIED. Minute: C73:2019

Moved Cr S Pledge  
12:35pm That the meeting adjourn for a 30 minute lunch break.  
CARRIED. Minute: C74:2019

1:03pm the meeting resumed.

### **10.3 Committee representation due to resignation**

Moved Cr S Pledge  
That Council appoint members to the following committees:  
• Boating Facilities Committee  
• FRWA Proxy Member  
CARRIED. Minute: C75:2019

Moved Cr P Denholm  
BOATING FACILITIES COMMITTEE  
Cr Sam Mumford

FRWA – PROXY MEMBER  
Cr Shirley Pledge  
CARRIED. Minute: C76:2019

### **10.4 Regional Development Australia & Kangaroo Island Council Funding Agreement 2019/20**

Moved Cr S Pledge  
That Council write to the CEO of RDA Adelaide Hills, Fleurieu and Kangaroo Island and confirm that Council is will pay the sum of \$7500 per annum, as a membership retainer for 2019-2022.  
CARRIED. Minute: C77:2019

Moved Cr S Pledge  
That Council authorise the Mayor and ACEO to apply the seal and sign the Funding Agreement.  
CARRIED. Minute: C78:2019

Moved Cr S Mumford  
That Council write to the RDA and request they provide a presentation to Council at an Informal Gathering.  
CARRIED. Minute: C79:2019

## **11. BUSINESS SUPPORT REPORTS**

### **11.1 Council Services Status Report**

Moved Cr S Pledge

Seconded Cr S Mumford

That the report be received for information.

CARRIED.

Minute: C80:2019

### **11.2 Dog & Cat Registrations Grace Period / Waiver**

Moved Cr S Pledge

Seconded Cr S Kauppila

That Council resolve to support the grace period / waiver of registration fees for dog & cat registrations in June each year, commencing June 2019 and continuing each year whilst the State Dogs and Cats Online (DACO) system operates, or until further review is necessary due to changes to the system.

CARRIED.

Minute: C81:2019

### **11.3 Accredited Professionals Scheme - Composition and Accreditation of CAP Membership**

Moved Cr G Teasdale

Seconded Cr S Pledge

That the Report is received for information,

CARRIED.

Minute: C82:2019

Moved Cr S Pledge

Seconded Cr P Denholm

That Council resolve that the Manager of Development & Environmental Services commence discussions with the Chief Executive, DPTI to investigate and initiate SA Government Accreditation for existing Panel Members, based upon eligibility of other experiences, qualifications and Skills and;

To make representation on the Accredited Professionals Scheme Discussion Paper regarding levels of Accreditation and delegated authority in practical application of assessments, prior to close of public consultation on 30 April 2019.

CARRIED.

Minute: C83:2019

Moved Cr P Denholm

Seconded Cr S Pledge

That Council write to the Minister for Transport, Infrastructure and Local Government Minister for Planning, Mr Stephan Knoll and bring to his attention the significant impact that this will have on Council.

CARRIED.

Minute: C84:2019

### **11.4 Revision of Mobile Food Vendors Policy / Procedure - To align with 2019/20 FY Schedule of Fees and Charges**

Moved Cr G Teasdale

Seconded Cr S Pledge

That Council resolve to endorse the amended Mobile Food Vendors Policy, with the associated amended Mobile Food Vendors Procedure, identified as Version 3 in the Policy. Administration will include finalising the dates of adoption and authorisation.

CARRIED.

Minute: C85:2019

### **11.5 Australian Volunteer Coast Guard Rent Waiver**

Moved Cr S Kauppila

Seconded Cr S Pledge

That Council Provide perpetual rent waiver to the Australian Volunteer Coast Guard [KI].

CARRIED.

Minute: C86:2019

## 11.6 Airport Fees & Charges

Moved Cr K Liu

Seconded Cr S Kauppila

That Council adopt the recommended Airport fees as discussed for the 2019-20 financial year and that Air Service Operators and the Aviation Industry be advised accordingly.

CARRIED.

Minute: C87:2019

## 11.7 Council Delegation of Authority to the Chief Executive Officer

Moved Cr G Teasdale

Seconded Cr S Pledge

That Council:

- 1) Revoke the primary instruments of Delegation afforded the Chief Executive Officer on 10 October 2017 pursuant to Section 44 of the *Local Government Act* (1999); and
- 2) That the powers and functions held within the primary Instruments of Delegation be delegated by the Elected Council this 12th Day of March 2019 to the person occupying the office of Chief Executive Officer in order that the Kangaroo Island Council's essential and strategic operations continue in an efficient and effective manner pursuant to Section 44 of the Local Government Act (1999)

CARRIED.

Minute: C88:2019

## 11.8 Coastal Hazard Mapping Project

Moved Cr S Kauppila

Seconded Cr G Teasdale

That Council:-

1. Resolves, as a result of the consideration of submissions made during the community consultation process under Section 50 of the Local Government Act, to receive the revised Kangaroo Island Coastal Hazard Strategy.
2. Adopts the Kangaroo Island Coastal Hazard Strategy.
3. That Council acknowledges the potential risk to Council that climate change has on the Community.

Amendment

Moved Cr P Denholm

Seconded Cr S Pledge

That Council:-

1. Resolves, as a result of the consideration of submissions made during the community consultation process under Section 50 of the Local Government Act, to receive the revised Kangaroo Island Coastal Hazard Strategy.
2. Adopts the Kangaroo Island Coastal Hazard Strategy.
3. That Council acknowledges the potential risk to Council that climate change has on the Community.
4. That Council administration report back to council within a 12 month period on the recommendations and what has been achieved.

CARRIED.

Minute: C89:2019

### **11.9 Royal Flying Doctors Service: Request for Landing Fee Waiver**

Moved Cr S Pledge  
That Council waive the landing fees up-front [no charge to RFDS].  
CARRIED.

Seconded Cr S Kauppila  
Minute: C90:2019

### **11.10 Request for letter - SABFAC funding policy**

Moved Cr G Teasdale  
That Council write to the Minister for Planning, Transport & Infrastructure requesting confirmation of their current Boating Facilities funding criteria and requesting a re-evaluation of their Better Boating Facilities policy, in relation to the contribution of 80% for boating facilities, as promised during the pre-election campaign.  
CARRIED.

Seconded Cr P Denholm  
Minute: C91:2019

### **11.11 Community Centres Working Group - 21 February 2019**

Moved Cr S Pledge  
That the report be received for information.  
CARRIED.

Seconded Cr K Liu  
Minute: C92:2019

### **11.12 Annual Business Plan & Budget 2019/20 - Consultation dates - Late Report**

Moved Cr K Liu  
1. That the late report be received.  
2. That Council resolve to adopt the proposed dates for the Draft 2019/20 Annual Business Plan and Budget Public Consultation, being on Thursday 16 May 2019 in Kingscote Chambers and in Adelaide on 20 May 2019 (at a location to be confirmed) and then 11am-12noon during the 11 June 2019 Council Meeting in Kingscote Chambers.  
CARRIED.

Seconded Cr G Teasdale  
Minute: C93:2019

### **11.13 Primary Production Differential - Late Report**

Moved Cr G Teasdale  
That the late report be received.  
CARRIED.

Seconded Cr S Pledge  
Minute: C94:2019

Moved Cr G Teasdale  
That the primary production land use code differential be 92.5% of the residential rate in 2019/20.  
LOST.

Seconded Cr S Pledge  
Minute: C95:2019

Moved Cr S Kauppila  
That the primary production land use code differential be 95% of the residential rate in 2019/20.  
CARRIED.

Seconded Cr P Denholm  
Minute: C96:2019

## **12. ASSET SERVICES & INFRASTRUCTURE REPORTS**

### **12.1 Emu Bay Boat Ramp Update**

Moved Cr S Pledge  
That the Emu Bay Boat Ramp Update be received for information.  
CARRIED. Seconded Cr G Teasdale  
Minute: C97:2019

## **13. NOTICES OF MOTION**

### **13.1 Cr S Kauppila - Islander article 13/12/18 'Wildlife, koalas hit hard in Gosse Bushfire'**

Moved Cr S Kauppila  
That Mayor Pengilly make a public written apology for his remarks to the landholder which are incorrect and demonstrate his continued bias against the landholder, in which he states lack of 10m mineral ground fire breaks in the blue gum plantations and lack of fire prevention measures generally by the owners.  
LOST. Seconded Cr L Irwin  
Minute: C98:2019

### **13.3 Deputy Mayor Teasdale - Audit Committee**

Moved Cr G Teasdale  
1. That Council review the membership of the Audit Committee at its next meeting on 9 April 2019.  
2. That Council request the Mayor, Deputy Mayor and Acting CEO to initiate a search for a new Independent Chair with a view to making an appointment from 01 July 2019.  
3. That the name of the Audit Committee be changed to Audit & Risk Committee.  
4. That the new committee be asked to review its Terms of Reference (Minute C367: 2018 refers) to ensure ongoing and effective assessment of risk, and to report back to Council.  
CARRIED. Seconded Cr K Liu  
Minute: C99:2019

## **14. CORRESPONDENCE FOR DISCUSSION**

## **15. CORRESPONDENCE FOR INFORMATION**

### **15.1 Correspondence for information**

Moved Cr G Teasdale  
That the following correspondence for information be received for information:  
• American River Progress Association – Support for unisex toilets at the playground  
• Dr. Topa Petit and Dr. James Ward – SA Water pipeline + Council response  
• Anne A'Herran - Residents are horrified at wholesale butchering of roadside vegetation at American River turn-off  
• SATC – Cruise Ship Meet and Greet Program tender  
• Friends of Dudley Peninsula Parks – Development proposal in Flinders Chase National Park  
• Gail Lane – Cape Willoughby Road + Council Response  
• The Gopher Riding Residents of "Boronia" + Council Response  
• KI Pioneers Association – Appreciation for assistance with Frenchman's Rock replacement sign  
CARRIED. Seconded Cr S Pledge  
Minute: C100:2019



Moved Cr G Teasdale  
That Council invite SA Water to present to Council on the Dr. Topa Petit and Dr. James Ward SA Water pipeline report.  
CARRIED. Minute: C101:2019

**15.2 Late Item - Fee waiver request**

Moved Cr G Teasdale  
That the late report be received.  
CARRIED. Minute: C102:2019

Moved Cr P Denholm  
That Council does not waive the \$88 fee for Mrs Louise Escabache for the property identification number.  
CARRIED. Minute: C103:2019

**16. NOTIFICATIONS & REPORT REQUESTS**

**17. URGENT BUSINESS**

Moved Cr S Mumford  
That a letter of appreciation be written to Mr Larry Turner for his contribution to Council and the Community during his time as an Elected Member.  
CARRIED. Minute: C104:2019

Moved Cr S Kauppila  
That Council request through "Council Matters" in the Islander Newspaper, that anyone with information regarding the production / publication and dissemination of the 2 brochures / flyers "When monsters and psychopaths rule" and the authors of such, contact the Electoral Commission with their information, so that an investigation may be under taken.  
[Bianca.zanatta@sa.gov.au](mailto:Bianca.zanatta@sa.gov.au) – Legal Officer Electoral Commission SA.  
CARRIED. Minute: C105:2019

**18. IN-CONFIDENCE BUSINESS**

**19. CLOSURE BY MAYOR**

2:26pm Michael Pengilly declared the meeting closed.

Minutes Confirmed

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Michael Pengilly  
Mayor