



## *Yorke Peninsula Council*

# **Minutes of the Meeting of the Yorke Peninsula Council**

held on Wednesday 8<sup>th</sup> February 2017,  
in the Council Chambers  
57 Main Street Minlaton commencing at 5.30pm  
(Subject to confirmation)

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### **ITEM 1 WELCOME**

Mayor Ray Agnew OAM welcomed everyone to the meeting, he then recited the opening prayer and declared the meeting open.

### **PRESENT**

Mayor Ray Agnew OAM, Deputy Mayor Scott Hoyle, Councillors Trevor Davey, Naomi Bittner, John Rich, Alan Headon, Adam Meyer, Jeff Cook and Tania Stock.

### **IN ATTENDANCE**

Andrew Cameron	Chief Executive Officer
David Harding	Director Corporate and Community Services
Roger Brooks	Director Development Services
Trevor Graham	Director Assets and Infrastructure Services
Jackie Reddaway	Minute Secretary
Maddy Pulling	Note Taker (public consultation presentations)

### **LEAVE OF ABSENCE**

Cr Veronica Brundell

### **APOLOGIES**

Councillors Darren Braund and David Langford

## **CONFLICT OF INTEREST**

Mayor Ray Agnew reminded all Elected Members of the requirement to disclose any conflict of interest in relation to any matters before Council.

Cr Tania Stock declared a Material Conflict of Interest with Item 5 and 6.4 R1, R2, R3 and R4 and a Perceived Conflict of Interest with Item 8.1.

Cr Adam Meyer declared a Perceived Conflict of Interest with Item 6.3 R 2.

They both completed the SF019 declaration with details of the conflicts of interest and action they planned to take with the perceived conflicts of interest.

## **MINUTES OF THE PREVIOUS MEETING**

### **Cr Headon moved Cr Cook seconded**

That the minutes of the Council meeting held on Wednesday 18<sup>th</sup> January 2017 at 5.30pm be confirmed as a true record.

**CARRIED 22/2017 (08/02/2017)**

### **Cr Rich moved Cr Headon seconded**

That the minutes of the Council meeting held on Wednesday 18<sup>th</sup> January 2017 at 6.02pm be confirmed as a true record.

**CARRIED 23/2017 (08/02/2017)**

### **Cr Cook moved Cr Davey seconded**

That the minutes of the Council meeting held on Wednesday 18<sup>th</sup> January 2017 at 6.06pm be confirmed as a true record.

**CARRIED 24/2017 (08/02/2017)**

## **ITEM 2 MAYORS REPORT**

### **Cr Headon moved Cr Meyer seconded**

That the report from Mayor Agnew be received.

**CARRIED 25/2017 (08/02/2017)**

## **ADOPTION OF INFORMATION AGENDA**

Mayor Agnew commented on Item 4.3 R4 Chris Picton MP Correspondence.

### **Cr Davey moved Cr Rich seconded**

That the information items contained within the Information Agenda, be received.

**CARRIED 26/2017 (08/02/2017)**

*5.38pm Cr Tania Stock – conflict of interest, left the meeting and the Chamber during the Visitors presentations.*

## **ITEM 5 VISITORS TO THE MEETING**

Mayor Agnew advised Members that there would be five (5) x (10 minute) presentations from the public in relation to the Black Point proposed community land revocation public consultation and invited the first speaker to the front of the Chamber.

1. Roger Sexton commenced at 5.38pm and concluded at 5.46pm
2. Arch Thorne commenced at 5.47pm and concluded at 5.51pm
3. Rodney Fox commenced at 5.52pm and concluded at 5.57pm
4. Kim Lodge commenced at 5.58pm – and concluded at 6.03pm

5. George Kourlis commenced at 6.04pm and concluded at 6.10pm

The presentations concluded at 6.10pm.

6.10pm Cr Stock returned to the Chamber and re-joined the meeting.

#### **ITEM 6 DEBATE AGENDA**

#### **CHIEF EXECUTIVE OFFICER**

#### **DA/CEO/R1**

#### **2016 STATE LOCAL GOVERNMENT INFRASTRUCTURE PARTNERSHIP**

**Cr Cook moved Cr Hoyle seconded**

That Council endorse the submission of the identified Main Township Footpath Improvement Programme as detailed in the report.

**CARRIED 27/2017 (08/02/2017)**

#### **DA/CEO/R2**

#### **ORDER MAKING POLICY**

**Cr Bittner moved Cr Rich seconded**

That Council endorse and adopt the updated PO100 Order Making Policy, as presented, for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 28/2017 (08/02/2017)**

#### **CORPORATE AND COMMUNITY SERVICES – DEBATE**

#### **DA/CCS/R1**

#### **FINANCIAL REPORT 31<sup>st</sup> JANUARY 2017**

**Cr Cook moved Cr Hoyle seconded**

That Council receive the financial report and capital projects update report as at 31<sup>st</sup> January 2017.

**CARRIED 29/2017 (08/02/2017)**

#### **DA/CCS/R2**

#### **2016/2017 DECEMBER QUARTERLY BUDGET REVIEW**

**Cr Meyer moved Cr Hoyle seconded**

That Council endorse the December 2016 Budget Review changes as presented in the attached Summary of Changes, Uniform Presentation of Finances and Statement of Comprehensive Income and receive the updated Statement of Financial Position, Statement of Cash Flows, Statement of Changes in Equity and Financial Indicators (Ratios) reports.

**CARRIED 30/2017 (08/02/2017)**

#### **DA/CCS/R3**

#### **POST OFFICE FUNDING REQUEST – PINE POINT PROGRESS ASSOCIATION INC.**

**Cr Davey moved Cr Cook seconded**

That Council make available a "one of" financial assistance grants of up to \$10,000 to the Pine Point Progress Association Inc. for the purpose of setting up an Australia Post approved Post Office Box facility at the Pine Point Hall grounds on the condition that 50% of funding drawn down is to be reimbursed to Council by the Pine Point Progress Association within 18 months of the completion of the project.

**Formal Motion**

**Cr Meyer moved Cr Hoyle seconded**

That this matter lie on the table until a future time.

**CARRIED 31/2017 (08/02/2017)**

**DA/CCS/R4**

**CORNY POINT PROGRESS ASSOCIATION INC. REQUEST FOR EXTRA FUNDS TO COVER OPERATING COSTS**

**Cr Cook moved Cr Hoyle seconded**

That Council make a contribution of \$1,000 to the Corny Point Progress Association to subsidise operating costs for the 2016/2017 financial year.

**CARRIED 32/2017 (08/02/2017)**

**DA/CCS/R5**

**PINE POINT PROGRESS ASSOCIATION INC. REQUEST FOR EXTRA FUNDING**

**Cr Hoyle moved Cr Headon seconded**

That Council make a "hardship" contribution of \$760.00 to the Pine Point Progress Association Inc. for the 2016/2017 financial year.

**CARRIED 33/2017 (08/02/2017)**

**DA/CCS/R6**

**PO057 COMMUNITY ENGAGEMENT POLICY**

**Cr Bittner moved Cr Rich seconded**

That Council endorse and adopt the updated PO057 Community Engagement Policy, as presented for inclusion in Council's policy manual and on the website.

**CARRIED 34/2017 (08/02/2017)**

**ASSETS AND INFRASTRUCTURE SERVICES – DEBATE**

**DA/AIS/R1**

**TELSTRA AND SA WATER INFRASTRUCTURE – CLINTON ROAD**

**Cr Davey moved Cr Cook seconded**

That Council waive the need to undertake relevant tender and/or quotation processes for Telstra and SA Water infrastructure realignment works for the Clinton Road Project.

**CARRIED 35/2017 (08/02/2017)**

*6.24pm Cr Adam Meyer - perceived conflict of interest – remained silent and did not vote in accordance with his completed declaration form.*

**DA/AIS/R2**

**REQUEST FOR SPEED LIMIT REDUCTION – CLINTON ROAD**

**Cr Hoyle moved Cr Bittner seconded**

That Council not support a reduction to the 100km/hr speed limit currently applied to the Clinton Road.

**CARRIED 36/2017 (08/02/2017)**

*6.25pm Cr Tania Stock – material conflict of interest – left the meeting and the Chamber in accordance with her completed declaration form.*

## **DEVELOPMENT SERVICES – DEBATE**

### **DA/DS/R1**

#### **REVOCAION OF COMMUNITY LAND BLACK POINT – ALLOTMENT 201**

**Cr Cook moved Cr Davey seconded**

That Council:

1. receives written submissions received in relation to the proposed revocation of the classification as community land Allotment 201, Certificate of Title 5294 Folio 896 provided to the Council under separate cover to the report of the Director Development Services in relation to Item 6.4 (the submissions);
2. having considered the submissions defers the further consideration of this matter to the May 2017 Ordinary Council Meeting.

**CARRIED 37/2017 (08/02/2017)**

### **DA/DS/R2**

#### **REVOCAION OF COMMUNITY LAND BLACK POINT – ALLOTMENT 202**

**Cr Bittner moved Cr Meyer seconded**

That Council:

1. receives written submissions received in relation to the proposed revocation of the classification as community land Allotment 202, Certificate of Title 5294 Folio 897 provided to the Council under separate cover to the report of the Director Development Services in relation to Item 6.4 (the submissions);
2. having considered the submissions defers the further consideration of this matter to the May 2017 Ordinary Council Meeting.

**CARRIED 38/2017 (08/02/2017)**

### **DA/DS/R3**

#### **REVOCAION OF COMMUNITY LAND BLACK POINT – ALLOTMENT 203**

**Cr Rich moved Cr Cook seconded**

That Council:

1. receives written submissions received in relation to the proposed revocation of the classification as community land Allotment 203, Certificate of Title 5294 Folio 898 provided to the Council under separate cover to the report of the Director Development Services in relation to Item 6.4 (the submissions);
2. having considered the submissions defers the further consideration of this matter to the May 2017 Ordinary Council Meeting.

**CARRIED 39/2017 (08/02/2017)**

### **DA/DS/R4**

#### **REVOCAION OF COMMUNITY LAND BLACK POINT – ALLOTMENT 204**

**Cr Headon moved Cr Bittner seconded**

That Council:

1. receives written submissions received in relation to the proposed revocation of the classification as community land Allotment 204, Certificate of Title 5294 Folio 899 provided to the Council under separate cover to the report of the Director Development Services in relation to Item 6.4 (the submissions);

2. having considered the submissions defers the further consideration of this matter to the May 2017 Ordinary Council Meeting.

**CARRIED 40/2017 (08/02/2017)**

*6.33pm Cr Tania Stock returned to the Chamber and re-joined the meeting.*

**DA/DS/R5**

**REVOCAION OF COMMUNITY LAND – KAJINTON PROPERTIES**

**Cr Davey moved Cr Headon seconded**

That Council:

1. pursuant to Section 194 (3) (b) of the Local Government Act 1999, revokes the community land classification for Section 625 Hundred of Clinton, 1439 Kainton Road, Kainton Certificate of Title: Volume 323 Folio 36 and Allotment 287 Hundred of Clinton, 570 Bridge Road Kainton, Certificate of Title: Volume 5782 Folio 94m for the purpose of transferring ownership of the properties to Kainton Recreation Grounds and Hall Committee Inc, for no monetary cost.
2. authorise the Mayor and Chief Executive Officer to sign and seal any documents in relation to the transfer of the properties.

**CARRIED 41/2017 (08/02/2017)**

**DA/DS/R6**

**BUSH CAMPING WORKING PARTY**

**Cr Hoyle moved Cr Stock seconded**

That Council:

1. receive the Minutes of the Bush Camping Working Party meeting held on Wednesday 18<sup>th</sup> January 2017.
2. endorse the budget expenditure of;  
\$12,000 for the installation of 6 bin modules,  
\$9,000 for fencing at Tipara and The Bamboos and  
\$50,000 for the installation of two (2) Enviro toilets to be sited at the Parara and Port Minlacowie bush camping locations.

**CARRIED 42/2017 (08/02/2017)**

**GENERAL BUSINESS**

Nil

**ITEM 8 CONFIDENTIAL AGENDA**

**CHIEF EXECUTIVE OFFICER – CONFIDENTIAL AGENDA**

**CA/CEO/R1**

**BLACK POINT BOAT RAMP WALKWAYS TENDER 160/2016**

**Cr Rich moved Cr Davey seconded**

**Section 90(3)(k) Order**

1. That pursuant to Section 90(2) of the Local Government Act 1999, the Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, Executive Assistant to the CEO and Mayor, Director Corporate and Community Services, Director Development Services, Director Assets and Infrastructure Services and Black Point Progress Association Members: Barry Noble, Roger Sexton, Patrick Hill Bill Gill, and David M<sup>c</sup>Kay from AZTEC Engineering.

The Council is satisfied that, pursuant to section 90(3)(k) of the Act, the information to be received, discussed or considered in relation to agenda item 8 Black Point Boat Ramp Walkways Tender 160/2016 is confidential information relating to –

“(1) tenders for the supply of goods, the provision of services or the carrying out of works;”

Accordingly, the Council is satisfied that the principle which states the meeting be conducted in a place open to the public has been outweighed in the circumstances.

**Section 91(7) Order**

2. That having considered agenda item 8 Black Point Boat Ramp Walkways Tender 160/2016 in confidence under section 90(2) and (3) (k) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the agenda report, and supporting documentation relevant to agenda item 8 titled Black Point Boat Ramp Walkways Tender be retained in confidence for a period of 12 months.

**CARRIED 43/2017 (08/02/2017)**

6.37pm

*The public were asked to leave and the Chamber was secured.*

7.37pm

The public meeting resumed.

*Released in camera minute 45/2017 (08/02/2017)*

**Cr Rich moved Cr Bittner seconded**

That Council:

1. receive the report and Tender submissions;
2. award the Tender and appoint Ecospec for the construction of two new platforms and walkways alongside the boat ramp at Black Point as detailed in Tender 160/2016 subject to SABFAC funding 50% of the costs;
3. commit an amount of \$177,213 subject to successful SABFAC funding.

**Formal Motion**

**Cr Hoyle moved Cr Meyer seconded**

That Council lay this matter on the table and requests the Chief Executive Officer to undertake further consultation and survey the Black Point Community to seek their views in relation to the installation of walkways at the Boat Ramp at Black Point until the May 2017 meeting of Council.

MOTION LOST

**Cr Rich moved Cr Bittner seconded**

That Council:

1. receive the report and Tender submissions;
2. award the Tender and appoint Ecospec for the construction of two new platforms and walkways alongside the boat ramp at Black Point as detailed in Tender 160/2016 subject to SABFAC funding 50% of the costs;
3. commit an amount of \$177,213 subject to successful SABFAC funding.

The vote was tied 4 votes for and 4 votes against, the Mayor exercised his casting vote in favour of the motion and declared the motion

**CARRIED**

**Cr Davey called for a division** - As a consequence the result of the above motion was set aside.

Upon dividing, four Members voted in the Affirmative; and four Members voted in the negative.

**Members voting in the affirmative**

Cr Bittner

Cr Rich

Cr Headon

Cr Stock



**Members voting in the negative**

Cr Davey

Cr Hoyle

Cr Cook

Cr Meyer

The vote was tied 4 votes for and 4 votes against, the Mayor exercised his casting vote in favour of the motion and declared the motion

**CARRIED 45/2017 (08/02/2017)**

**ITEM 9 NEXT COUNCIL MEETING**

Wednesday 8<sup>th</sup> March 2017 commencing at 5.30pm.

7.38pm

Mayor Ray Agnew thanked all for their attendance and declared the meeting closed.

**ITEM 10 CLOSURE**

The Meeting Closed at 7.38pm.

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**Mayor Ray Agnew OAM**  
8<sup>th</sup> March 2017