



MINUTES

Ordinary Council Meeting

11 October 2017

(Subject to Confirmation)

**MINUTES OF YORKE PENINSULA
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 57 MAIN STREET, MINLATON
ON WEDNESDAY, 11 OCTOBER 2017 AT 5.30PM**

1 WELCOME BY MAYOR

Mayor Ray Agnew OAM extended a special welcome to Anne Hammond Acting Director Corporate and Community Services, Luka Honner Executive Support Officer and Salomae Haselgrove who is sitting in for YPCT, welcomed everyone else to the meeting, recited the opening prayer and declared the meeting open.

2 OPENING PRAYER

3 PRESENT

Mayor Ray Agnew OAM, Deputy Mayor Scott Hoyle, Cr Naomi Bittner, Cr Darren Braund, Cr Veronica Brundell, Cr Jeffrey Cook, Cr Trevor Davey, Cr Alan Headon, Cr Adam Meyer, Cr John Rich

IN ATTENDANCE

Andrew Cameron	Chief Executive Officer
Anne Hammond	Acting Director Corporate and Community Services
Trevor Graham	Director Assets and Infrastructure Services
Roger Brooks	Director Development Services
Jackie Reddaway	Minute Secretary
Luka Honner	Executive Support Officer

4 LEAVE OF ABSENCE

Nil

5 APOLOGIES

Cr David Langford and Cr Tania Stock

6 CONFLICT OF INTEREST

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

Cr Naomi Bittner declared a Material Conflict of Interest with Agenda Item 24.1 as potential lessees are neighbours and clients of her family farm contracting business.

7 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION**RESOLUTION**

Moved: Cr Veronica Brundell
Seconded: Cr Jeffrey Cook

That the minutes of the Ordinary Council Meeting held on 13 September 2017 at 5.30pm be confirmed as a true record.

CARRIED 246/2017 (11/10/2017)

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Alan Headon

That the minutes of the Confidential Council Meeting held on 13 September 2017 at 6.09pm be confirmed as a true record.

CARRIED 247/2017 (11/10/2017)

RESOLUTION

Moved: Cr Darren Braund
Seconded: Cr Jeffrey Cook

That the minutes of the Confidential Council Meeting held on 13 September 2017 at 6.20pm be confirmed as a true record.

CARRIED 248/2017 (11/10/2017)

RESOLUTION

Moved: Cr Alan Headon
Seconded: Cr Trevor Davey

That the minutes of the Confidential Council Meeting held on 13 September 2017 at 6.23pm be confirmed as a true record.

CARRIED 249/2017 (11/10/2017)

RESOLUTION

Moved: Cr Veronica Brundell
Seconded: Cr Trevor Davey

That the minutes of the Confidential Council Meeting held on 13 September 2017 at 6.25pm be confirmed as a true record.

CARRIED 250/2017 (11/10/2017)

8 MOTIONS ON NOTICE

Nil

9 QUESTIONS ON NOTICE**9.1 CR ADAM MEYER - BALGOWAN QUESTIONS WITHOUT NOTICE - PRESENTED TO 11 SEPTEMBER 2017 COUNCIL MEETING****PURPOSE**

To provide Council with the staff responses to Questions Without Notice submitted by Cr Adam Meyer to the 11 September 2017 Council Meeting.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Naomi Bittner

That the response to the questions regarding Balgowan raised by Councillor Adam Meyer be received and noted.

CARRIED 251/2017 (11/10/2017)

10 QUESTIONS WITHOUT NOTICE

Nil

11 PETITIONS

Nil

12 MAYOR**12.1 MAYOR'S MONTHLY REPORT OCTOBER 2017**

Mayor Agnew provided Elected Members with an update on his report, reading an email received from Dr Daryl Brown sent to the CEO as per below:

Hi Andrew

As discussed some great news regarding the awarding the council grant for the reroofing of some of our facilities. Many thanks with regards to that decision on behalf of SYPTSA .

Due to that works we have been in discussions with TAFE with regards to holding Firearms license courses back on the Yorke Peninsula. I can now confirm that two courses for next year 24th Feb and 18th Aug.

Our club mission statement is promoting legal safe use of firearms and now Yorke Peninsula residents will not have to travel to Adelaide or Pt Pirie to attain a firearms license.

Daryl Brown
President
SYPTSA

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Jeffrey Cook

That the report be received.

CARRIED 252/2017 (11/10/2017)

13 COUNCILLORS' REPORT

13.1 CR ADAM MEYER - BALGOWAN QUESTIONS WITHOUT NOTICE - 11 SEPTEMBER 2017

PURPOSE

To provide Elected Members with the background and Questions Without Notice received from Cr Meyer and accepted by the Mayor at the 11 September 2017 Council Meeting.

RESOLUTION

Moved: Cr Trevor Davey
Seconded: Cr Alan Headon

That the report be received.

CARRIED 253/2017 (11/10/2017)

INFORMATION AGENDA

14 ITEMS FOR EXCLUSION

Nil

15 RECEIPT OF INFORMATION REPORTS

ADOPTION OF INFORMATION AGENDA

RESOLUTION

Moved: Cr John Rich
Seconded: Cr Scott Hoyle

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

CARRIED 254/2017 (11/10/2017)

DEBATE AGENDA**21 CHIEF EXECUTIVE OFFICER****21.1 POLICY UPDATE - REQUEST FOR SERVICE PO075****PURPOSE**

To seek endorsement and approval from Council for the updated PO075 Request for Service Policy.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Naomi Bittner

That Council endorse and approve the updated PO075 Request for Service Policy for inclusion in Council's Policy Manual and on the website.

CARRIED 255/2017 (11/10/2017)

21.2 POLICY UPDATE - COMPLAINTS PO147**PURPOSE**

To seek endorsement and approval from Council for the updated PO147 Complaints Policy.

RESOLUTION

Moved: Cr Jeffrey Cook

Seconded: Cr Trevor Davey

That Council endorse and approve the updated PO147 Complaints Policy for inclusion in Council's Policy Manual and on the website.

CARRIED 256/2017 (11/10/2017)

21.3 POLICY UPDATE - FRAUD AND CORRUPTION PREVENTION PO148**PURPOSE**

To seek endorsement and approval from Council for the updated PO148 Fraud and Corruption Prevention Policy.

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Veronica Brundell

That Council endorse and approve the updated PO148 Fraud and Corruption Prevention Policy for inclusion in Council's Policy Manual and on the website.

CARRIED 257/2017 (11/10/2017)

21.4 CODE OF CONDUCT PROCESS PFC 123 UPDATE - LIFT REPORT**PURPOSE**

To seek approval from Council to lift this matter from the table and resume proceedings at the point of debate from the 14 June 2017 Council Meeting.

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Jeffrey Cook

That Council agree to lift the matter "Revised Process for Managing Complaints and Breaches under the Code of Conduct for Council Members matter from 14 June 2017 meeting.

CARRIED 258/2017 (11/10/2017)

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Trevor Davey

That Council endorse and adopt the updated PFC123 Process for Managing Complaints and Breaches under the Code of Conduct for Council Members as presented.

CARRIED 259/2017 (11/10/2017)

21.5 CHRISTMAS OFFICE CLOSURE 2017**PURPOSE**

To seek approval from Council for a closure period of all Council office locations for the 2017 Christmas and New Year holiday period in line with the requirements of the Staff Enterprise Bargaining Agreements.

RESOLUTION

Moved: Cr Trevor Davey

Seconded: Cr Veronica Brundell

That Council:

1. close the Principal Office at Maitland and the three (3) Branch Offices from 12:30pm on Friday 22 December 2017 and reopen at 8.30am on Tuesday 2 January 2018, with staff required to utilise existing leave;
2. advertise the closure of the Council offices in the Yorke Peninsula Country Times and on Council's website;
3. organise for notices to be placed on the front window of the Principal Office and Branch Offices; and
4. prepare a suitable answering machine message to be implemented during the closure period to ensure that any emergencies are referred to the after-hours emergency number.

CARRIED 260/2017 (11/10/2017)

22 CORPORATE AND COMMUNITY SERVICES**22.1 FINANCIAL REPORT 30 SEPTEMBER 2017****PURPOSE**

For Council to consider the financial report and capital projects update report as at 30 September 2017.

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Naomi Bittner

That Council receive the financial report and capital projects update report as at 30 September 2017.

CARRIED 261/2017 (11/10/2017)

22.2 EXTERNAL AUDIT MANAGEMENT REPORT 2016/2017**PURPOSE**

Seek endorsement from Council for the interim external audit management report and response by management for the year ending 30 June 2017.

RESOLUTION

Moved: Cr Trevor Davey

Seconded: Cr Jeffrey Cook

That the External Audit Management report for 2016/2017 from Dean Newbery and Partners Chartered Accountants, and management's response to the issues identified in the report be endorsed.

CARRIED 262/2017 (11/10/2017)

22.3 TREASURY MANAGEMENT PERFORMANCE 2016/2017**PURPOSE**

To update Council in regard to Council's treasury management (investments and borrowings) activities and performance for 2016/2017 in accordance with legislation and PO139 Treasury Management Policy.

RESOLUTION

Moved: Cr Alan Headon
Seconded: Cr Darren Braund

That the report be received.

CARRIED 263/2017 (11/10/2017)

22.4 PO161 PRUDENTIAL MANAGEMENT POLICY**PURPOSE**

To seek endorsement and approval from Council for the newly developed PO161 Prudential Management Policy.

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Alan Headon

That Council endorse and approve the PO161 Prudential Management Policy for inclusion in Council's Policy Manual and on the website.

CARRIED 264/2017 (11/10/2017)

22.5 PO139 TREASURY MANAGEMENT POLICY REVIEW**PURPOSE**

To seek endorsement and approval from Council for the updated PO139 Treasury Management Policy.

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Naomi Bittner

That Council endorse and approve the updated PO139 Treasury Management Policy for inclusion in Council's Policy Manual and on the website.

CARRIED 265/2017 (11/10/2017)

22.6 ALLOCATION OF PRIZES - 2018 YORKE PENINSULA ART EXHIBITION**PURPOSE**

To seek endorsement from Council for the 2018 Yorke Peninsula Art Exhibition categories of art and prize pool allocation.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Trevor Davey

That Council endorse:

1. expansion of the Exhibition to include Fine Art (Painting) and School Category at Ardrossan, Photography at Yorketown and Sculpture at Edithburgh;
2. a total prize pool of \$13,425 distributed across the various categories as presented in the Attachment 1 to this report; and
3. the conversion of the Verna Lock Memorial Prize to an Acquisitive Memorial Award.

CARRIED 266/2017 (11/10/2017)

22.7 VISITOR INFORMATION CENTRE REVIEW - PUBLIC CONSULTATION**PURPOSE**

Yorke Peninsula Council has embarked on a series of service level reviews to identify appropriate levels of service and organisational efficiencies. As part of this review, the operations of Council's accredited Visitor Information Centre at Minlaton has been examined and a number of alternative models have been developed. The purpose of this report is to seek endorsement to commence community consultation on Council's preferred model for Visitor Information Provision going forward.

RESOLUTION

Moved: Cr Darren Braund

Seconded: Cr Alan Headon

That Council endorse option 3, the Super VIO model as the preferred model for the purpose of public consultation.

CARRIED 267/2017 (11/10/2017)

23 ASSETS AND INFRASTRUCTURE SERVICES**23.1 DRAFT COMMUNITY WASTEWATER MANAGEMENT SCHEME (CWMS) ASSET MANAGEMENT PLAN****PURPOSE**

This report requests Council endorsement and adoption of the draft Community Wastewater Management Scheme (CWMS) Asset Management Plan.

RESOLUTION

Moved: Cr Trevor Davey

Seconded: Cr Adam Meyer

That Council endorse and adopt the Draft Community Wastewater Management Scheme (CWMS) Asset Management Plan.

CARRIED 268/2017 (11/10/2017)

23.2 DRAFT WATER INFRASTRUCTURE ASSET MANAGEMENT PLAN**PURPOSE**

This report requests Council endorsement and adoption of the draft Water Infrastructure Asset Management Plan.

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Adam Meyer

That Council endorse and adopt the Draft Water Infrastructure Asset Management Plan.

CARRIED 269/2017 (11/10/2017)

24 DEVELOPMENT SERVICES

Cr Naomi Bittner declared a Material Conflict of Interest with Agenda Item 24.1 as potential lessees are neighbours and clients of her family farm contracting business.

At 5:47 pm, Cr Naomi Bittner left the meeting.

24.1 REVOCATION OF COMMUNITY LAND - HUNDRED OF RAMSEY**PURPOSE**

To consider submissions received in relation to the community engagement process for the revocation of community land classification, to enable Council to consider subdividing the subject land.

RESOLUTION

Moved: Cr Jeffrey Cook
Seconded: Cr Trevor Davey

That Council:

1. receive and consider submissions in response to the community engagement on the proposed revocation of the community land classification for a portion of Section 100 Hundred of Ramsay, Certificate of Title: Volume 5451, Folio 338 to enable Council to consider subdividing the subject land for the purpose of selling surplus land.
2. give approval to proceed with seeking Ministerial approval for the revocation of the Community Land classification for a portion of Section 100, Hundred of Ramsay, Certificate of Title: Volume 5451, Folio 338.
3. authorise the Mayor and Chief Executive Officer to sign and affix the Common Seal to the relevant documents necessary to execute the revocation, subdivision and transfer of land.

CARRIED 270/2017 (11/10/2017)

At 5:48 pm, Cr Naomi Bittner returned to the meeting.

24.2 APPLICATION TO LIFT AND RE-APPLY LAND MANAGEMENT AGREEMENT, MARINE PARADE - PORT VINCENT**PURPOSE**

The purpose of this report is to seek approval from Council to have a Land Management Agreement lifted from the Title of a property so that new Titles can be issued. The Land Management Agreement is then to be endorsed onto the new Titles.

RESOLUTION

Moved: Cr Alan Headon
Seconded: Cr Trevor Davey

That Council:

1. consent to the Land Management Agreement being lifted from the Certificate of Titles for land contained in Certificates of Title Volume 5894 Folio's 342 & 343 & 344 & 345 & 346, and
2. authorise the Mayor and Chief Executive Officer to sign and affix the Common Seal on the relevant documents relating to the endorsement of a Land Management Agreement over land identified as allotments 81 – 88 inclusive, created by land division Development Application number 544/D037/2010.

CARRIED 271/2017 (11/10/2017)

25 GENERAL BUSINESS

Council has resolved that an Agenda Item "General Business" be included on the Council Agenda to enable members to raise matters of a minor nature for action by the Administration, or to call for reports.

Cr Trevor Davey

Brought two matters to Council's attention, a recent Advertiser article about the changes being considered by the LGA on the Code of Conduct for Council Members;

Identified his concerns in relation to rubbish coming out of trucks along the Port Wakefield Highway and what could be done about it. The CEO advised Cr Davey that he would take the matter on notice and follow it up.

CONFIDENTIAL AGENDA**26 CONFIDENTIAL ITEMS****26.1 PURCHASE OF TWO (2) PRIME MOVERS WITH SIDE TIPPERS TENDER 174/2017****RESOLUTION**

Moved: Cr Alan Headon

Seconded: Cr Veronica Brundell

Section 90 (3) (k) Order

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, Executive Support Officer, Acting Director Corporate and Community Services, Director Development Services and Director Assets and Infrastructure. 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 report 26.1 Purchase of Two (2) Prime Movers with Side Tippers Tender 174/2017 is confidential information relating to:

(k) 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

That having considered report 26.1 Purchase of Two (2) Prime Movers with Side Tippers Tender 174/2017 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 report 26.1 Purchase of Two (2) Prime Movers with Side Tippers Tender 174/2017 be retained in confidence for a period of 12 months.

CARRIED 272/2017 (11/10/2017)

5.55pm The public were asked to leave and the Chamber was secured.

5.57pm The public meeting resumed.

Released in camera minute.

Moved: Cr Trevor Davey
Seconded: Cr Scott Hoyle

That Council accept the tender of \$578,984 (GST exclusive) for the purchase of two (2) Isuzu GIGA CXZ Cab Chassis, including optional extras, from CAPEM Pty Ltd T/A North East Isuzu, including the trade-in of \$100,000 (GST exclusive), resulting in a changeover price of \$478,984 (GST exclusive).

CARRIED 273/2017 (11/10/2017)

27 NEXT MEETING

Wednesday 8 November 2017

28 CLOSURE

The Meeting closed at 5.58pm.

The minutes of this meeting were confirmed at the Council Meeting held on 8 November 2017.

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Mayor Ray Agnew OAM
8 November 2017