



Yorke Peninsula Council

Minutes of the Meeting of the Yorke Peninsula Council

held on Wednesday 14th June 2017,
in the Council Chambers
57 Main Street Minlaton commencing at 5.30pm
(Subject to confirmation)

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, Veronica Brundell, Alan Headon, Darren Braund, Adam Meyer, Jeff Cook, David Langford 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

LEAVE OF ABSENCE

Nil

APOLOGIES

Nil

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 Naomi Bittner declared a Material Conflict of Interest with Item 6.4 R3 Repower Australia – Proposed Variation to Development Application – Ceres Windfarm - as she is a landowner in the vicinity of the proposal. The declaration form was completed.

Cr Tania Stock declared a Material Conflict of Interest with Item 4.6 R4 – Correspondence - Revocation of Community Land Black Point - as she is a landowner at Black Point.

Deputy Mayor Hoyle declared a Material Conflict of Interest with Item 8 – Confidential – code of Conduct for Council Members – Complaint – as he is an interested party to the matter. The declaration form was completed.

MINUTES OF THE PREVIOUS MEETING

Cr Cook moved Cr Headon seconded

That the minutes of the Council meeting held on Wednesday 10th May 2017 at 5.30pm be confirmed as a true record.

CARRIED 124/2017 (14/06/2017)

Cr Langford moved Cr Braund seconded

That the minutes of the Confidential Council meeting held on Wednesday 10th May 2017 at 6.12pm be confirmed as a true record.

CARRIED 125/2017 (14/06/2017)

Mayor Agnew advised all present that this was the meeting where the Council was required to provide 60 minutes, as a minimum for Members of the Public, to address the Council in relation to the Draft Budget and Annual Business Plan. There haven't been any written submission however, this is a legislative requirement.

I would also like to advise Members that I have sent a message of Congratulations to Mayor Paul Thomas AM and Mayor Erika Vickery OAM who both received awards on the Queen's Birthday Honours List.

ITEM 2 MAYOR'S REPORT

I would like to make an addition to my written report and advise Members that I too was at the Ardrossan Shellfish Reef Restoration Project Community Forum.

Cr Rich moved Cr Hoyle seconded

That the report from Mayor Agnew be received.

CARRIED 126/2017 (14/06/2017)

ADOPTION OF INFORMATION AGENDA

Cr Meyer asked that "Well done and congratulations" be recorded and passed onto the staff involved in the on-line burning website service.

Cr Rich moved Cr Headon seconded

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

CARRIED 127/2017 (14/06/2017)

ITEM 5 VISITORS TO THE MEETING

5.37pm Mayor Agnew advised Members that Mr Rob Hogarth who had intended to address Council had cancelled due to ill-health and Mr Hank Hill was also unable to attend due to family reasons and that Mr Ashley Wakefield would represent Mr and Mrs Wakefield in relation to the Ardrossan Gym Proposal.

5.42pm The presentation concluded.

ITEM 6 DEBATE AGENDA

CHIEF EXECUTIVE OFFICER – DEBATE

DA/CEO/R1

ARDROSSAN OUTDOOR GYM SPACE

Mr Cameron spoke to his report and invited Mrs Mary Herrmann to respond to any questions Elected Members may have as she is the Project Manager for the Gym Space.

Cr Bittner moved Cr Headon seconded

That Council:

1. receive and note the petition.
2. select and approve the most appropriate location for installation of the outdoor gym at Ardrossan is Option A: on the grassed area adjacent to and on the southern side of the playground, situated on East Terrace, Ardrossan.

Cr Davey requested to move an amendment, however the amendment was an alternative Option which would substantially change the motion, so the Mayor did not accept the amendment.

CARRIED

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

Upon dividing, seven members voted in the Affirmative, and four members voted in the Negative

Members voting in the affirmative

Cr Bittner

Cr Rich

Cr Brundell

Cr Braund

Cr Headon

Cr Cook

Cr Hoyle

Members voting in the negative

Cr Stock

Cr Davey

Cr Langford

Cr Meyer

The Mayor declared the motion

CARRIED 128/2017 (14/06/2017)

DA/CEO/R2

REVISED PROCESS FOR MANAGING COMPLAINTS AND BREACHES UNDER THE CODE OF CONDUCT FOR COUNCIL MEMBERS

Cr Meyer moved Cr Stock seconded

That this matter lay on the table until the next Ordinary Council meeting.

CARRIED 129/2017 (14/06/2017)

CORPORATE AND COMMUNITY SERVICES – DEBATE

DA/CCS/R1

FINANCIAL REPORT 31ST MAY 2017

Cr Davey moved Cr Cook seconded

That Council receive the financial report and capital projects update report as at 31st May 2017.

CARRIED 130/2017 (14/06/2017)

DA/CCS/R2

PROPOSED RATING MODELS FOR 2017/18

Cr Hoyle moved Cr Bittner seconded

That Council endorse Option 2 Model A as the preferred model for the raising of General Rates in 2017/18.

CARRIED 131/2017 (14/06/2017)

*6.10pm Mayor Agnew advised that the next Item **DA/CCS/R3 DRAFT 2017/2018 ANNUAL BUSINESS PLAN** in relation to the Annual Business Plan submissions would be deferred at this time and the meeting would move to the next agenda item until the required time for the minimum 60 minutes opportunity for the public to make verbal submissions had elapsed.*

DA/CCS/R4

POINT TURTON PROPOSED SEAWALL FUNDING BY SEPARATE RATE REQUEST

Cr Hoyle moved Cr Headon seconded

That Council:

1. give “in principle” support to the requested funding of the Point Turton Seawall project approved under Development Approval 544/1446/2016; and
2. endorse the public consultation process for this project based on the attached Public Consultation Report.

CARRIED 132/2017 (14/06/2017)

DA/CCS/R5

WAROOKA & DISTRICT PARENTING GROUP – COMMUNITY GRANTS EXTENSION

Cr Braund moved Cr Rich seconded

That Council formally endorse an extension of the Warooka & District Parenting Group 2016/2017 Community Grant of \$5,000 to 30 June 2018.

CARRIED 133/2017 (14/06/2017)

DA/CCS/R6

STANSBURY SPORTS & COMMUNITY CLUB – COMMUNITY GRANTS EXTENSION

Cr Bittner moved Cr Headon seconded

That Council formally endorse an extension of the Stansbury Sports & Community Club 2016/2017 Community Grant of \$5,000 to 30 June 2018.

CARRIED 134/2017 (14/06/2017)

DA/CCS/R7

WEETULTA RECREATION PARK – COMMUNITY GRANTS EXTENSION

Cr Davey moved Cr Bittner seconded

That Council formally endorse an extension of the Weetulta Recreation Park 2016/2017 Community Grant of \$3,003 to 30 June 2018.

CARRIED 135/2017 (14/06/2017)

DA/CCS/R8

WAROOKA PROGRESS ASSOCIATION– COMMUNITY GRANTS EXTENSION

Cr Langford moved Cr Stock seconded

That Council formally endorse an extension of the Warooka Progress Association 2016/2017 Community Grant of \$5,000 to 30 June 2018.

CARRIED 136/2017 (14/06/2017)

DA/CCS/R9

ABORIGINAL PARENT GROUP – COMMUNITY GRANTS EXTENSION

Cr Headon moved Cr Meyer seconded

That Council formally endorse an extension of the Aboriginal Parent Group 2016/2017 Community Grant of \$3,000 to 30 June 2018.

CARRIED 137/2017 (14/06/2017)

DA/CCS/R10

MINLATON & DISTRICT PROGRESS ASSOCIATION – COMMUNITY GRANTS EXTENSION

Cr Brundell moved Cr Bittner seconded

That Council formally endorse an extension of the Minlaton & District Progress Association 2016/2017 Community Grant of \$4,534 to 30 June 2018.

CARRIED 138/2017 (14/06/2017)

DA/CCS/R11

STATUS OF THE POINT TURTON CABIN PROJECT

Cr Bittner moved Cr Hoyle seconded

That the Report be received and request to re-tender project approved.

CARRIED 139/2017 (14/06/2017)

DA/CCS/R12

ARDROSSAN BOWLING CLUB SPONSORSHIP REQUEST

Cr Headon moved Cr Hoyle seconded

That Council approve sponsorship of the 2018 Men's and Women's Prestige Medley event for the amount of \$1,500 if the tender submitted by The Ardrossan Bowls Club is successful.

CARRIED 140/2017 (14/06/2017)

DEVELOPMENT SERVICES – DEBATE

DA/DS/R1

ACCESS ADVISORY WORKING PARTY MEETING MINUTES

Cr Braund moved Cr Hoyle seconded

That Council:

1. receive the Minutes of the Access Advisory Working Party held on Friday 28th April 2017.
2. commits \$4,000 for the replacement of seven (7) crossovers in Edithburgh.

CARRIED 141/2017 (14/06/2017)

DA/DS/R2

JOINT PLANNING ARRANGEMENT – EXPRESSION OF INTEREST

Cr Rich moved Cr Meyer seconded

That Council pursuant to the Planning, Development and Infrastructure Act 2016, directs Council Officers to pursue a Joint Planning Arrangement Pilot Programme with the District Council of the Copper Coast, District Council of Barunga West and Hon John Rau, Minister for Planning, Development and Infrastructure.

CARRIED 142/2017 (14/06/2017)

6.16pm Cr Bittner declared a Material Conflict of Interest with the next Item 6.4 R3 Repower Australia as outlined earlier and left the meeting and the Chamber.

Cr Stock left the Chamber.

DA/DS/R3

REPOWER AUSTRALIA – PROPOSED VARIATION TO DEVELOPMENT APPLICATION 544/V001/2013 CERES WINDFARM

Cr Cook moved Cr Davey seconded

That Council:

1. receive the report dated 6th June 2017, from Access Planning titled "Proposed Variation to Development Application 544/V001/13 – Construction of a wind farm comprising 187 turbines with associated infrastructure within the localities of Curramulka, Port Vincent, Sheoak Flat, Port Julia, Sandilands and Wauraltee (CERES Project Wind Farm) - Yorke Peninsula Wind Farm Project Pty Ltd - Section 49 (Crown Development)".
2. endorse the recommendation in the "Proposed Variation to Development Application 544/V001/13 – Construction of a wind farm comprising 187 turbines with associated infrastructure within the localities of Curramulka, Port Vincent, Sheoak Flat, Port Julia, Sandilands and Wauraltee (CERES Project Wind Farm) - Yorke Peninsula Wind Farm Project Pty Ltd - Section 49 (Crown Development)" report.
3. endorse Council staff to send correspondence to the Development Assessment Commission requesting they seek additional amendments and information from

Repower Australia, and that the Development Assessment Commission consults with the Council before any further decisions are made in respect to the variation application and any future actions by Repower Australia in respect to the reserve matters or conditions attached to the original consent.

CARRIED 143/2017 (14/06/2017)

6.22pm Cr Bittner and Cr Stock returned to the Chamber and re-joined the meeting.

GENERAL BUSINESS

Cr Rich

Requested a leave of absence from 10/08/2017 – 04/10/2017

Cr Davey

Advised of his concerns with the Department of Environment placing large amounts of sand at West Beach at a cost of \$750K and lack of spending in our region with a vast amount of coastline.

Also raised that SA Water were laying a new main on Willing Road and asked that they be advised they need to advise Council when they are undertaking work on our road network.

Mr Graham advised that had left messages with the design engineer but was awaiting a response.

Cr Langford

Queried about the work currently being undertaken at Arthurton and the large volume of truck activity.

Cr Meyer

Queried if additional information could be provided to Council when the Mayor and CEO were representing the Council at interstate or political events.

Cr Stock

Requested a leave of absence from 10/07/2017 – 21/07/2017

6.31pm The Mayor advised that the Agenda would return to Item 6.2 R3 Annual Business Plan as the required time for verbal submissions had elapsed.

DA/CCS/R3

DRAFT 2017/2018 ANNUAL BUSINESS PLAN, BUDGET AND FEES AND CHARGES – PUBLIC CONSULTATION FEEDBACK

Cr Hoyle moved Cr Langford seconded

That the submissions as presented before Council at this meeting, be received and taken into consideration prior to the adoption of the Draft 2017/2018 Annual Business Plan, Budget and Fees and Charges, at its special meeting to be held on Wednesday 28th June 2017.

CARRIED 144/2017 (14/06/2017)

6.32pm Cr Hoyle declared a Material Conflict of Interest with the Item 8 Confidential Item Code of Conduct for Council Members Complaint as outlined earlier and left the meeting and Chamber.

Cr Stock left the Chamber.

ITEM 8 CONFIDENTIAL AGENDA

MAYOR– CONFIDENTIAL AGENDA

CA/MAYOR/R1

CODE OF CONDUCT FOR COUNCIL MEMBERS COMPLAINT

Cr Langford moved Cr Brundell seconded

RECOMMENDATION

Section 90(3) (a) 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 and Governance Officer.

The Council is satisfied that, pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to agenda item 8 Code of Conduct for Council Members Complaint is confidential information relating to –

“(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);”

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 Code of Conduct for Council Members Complaint in confidence under section 90(2) and (3)(a) 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 Code of Conduct for Council Members Complaint be retained in confidence for a period of 12 months.

CARRIED 145/2017 (14/06/2017)

6.32pm

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

7.32pm *The public meeting resumed.*

ITEM 9 NEXT COUNCIL MEETING

Wednesday 28th June 2017 commencing at 5.30pm.

7.33pm

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

ITEM 10 CLOSURE

The Meeting Closed at 7.33pm.

.....
Mayor Ray Agnew OAM

28th June 2017