



Yorke Peninsula Council

Minutes of the Meeting of the Yorke Peninsula Council

held on Wednesday 18th January 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 and David Langford.

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

Cr Tania Stock

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.

Mr Cameron read out an item of correspondence received from Cr Tania Stock tabled as a retrospective conflict of Interest form from Wednesday 14th December 2016 for Item 1.11 The Petition as she was a signatory to the petition in relation to the Proposed Revocation of Land at Black Point.

MINUTES OF THE PREVIOUS MEETING

Cr Headon moved Cr Rich seconded

That the minutes of the Council meeting held on Wednesday 14th December 2016 at 5.30pm be confirmed as a true record.

CARRIED 001/2017 (18/01/2017)

Cr Cook moved Cr Langford seconded

That the minutes of the Confidential Council meeting held on Wednesday 14th December 2016 at 5.58pm be confirmed as a true record.

CARRIED 002/2017 (18/01/2017)

ITEM 1.10 QUESTIONS WITHOUT NOTICE

Cr Trevor Davey raised a question without notice directed to Mr Graham in relation to the north beach access at Balgowan, Mr Graham advised Members on the progress of this matter and that a development application had been lodged, Mr Brooks then advised Members of the Development Approval process.

ITEM 2 MAYORS REPORT

Reminded Members about the forthcoming Australia Day Awards advising who the winners were.

Cr Cook moved Cr Hoyle seconded

That the report from Mayor Agnew be received.

CARRIED 003/2017 (18/01/2017)

ADOPTION OF INFORMATION AGENDA

Cr Rich moved Cr Hoyle seconded

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

CARRIED 004/2017 (18/01/2017)

ITEM 6 DEBATE AGENDA

CHIEF EXECUTIVE OFFICER

DA/CEO/R1

MINLATON STAGE 2 MAIN STREET POWERLINE UNDERGROUNDING PROJECT

Cr Cook moved Cr Headon seconded

That Council:

1. receive the report;
2. endorse the project contribution in accordance with the PLEC submission for funding being 1/3 of the project cost = \$492,750 plus an additional \$200,000 for restoration and streetscaping components of the project.

CARRIED 005/2017 (18/01/2017)

DA/CEO/R2

UPDATE TO DELEGATIONS FOR NUISANCE AND LITTER LEGISLATION

Cr Headon moved Cr Braund seconded

That Council in exercise of the power contained in Section 44 of the Local Government Act 1999, the powers and functions under the Local Nuisance and Litter Control Act 2016 are hereby delegated this 18th day of January 2017 to the person occupying the office of Chief Executive Officer, or any person acting in the position of Chief Executive Officer, subject to the conditions and limitations specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

CARRIED 006/2017 (18/01/2017)

CORPORATE AND COMMUNITY SERVICES – DEBATE

DA/CCS/R1

FINANCIAL REPORT 31st DECEMBER 2016

Cr Meyer moved Cr Langford seconded

That Council receive the financial report and capital projects update report as at 31st December 2016.

CARRIED 007/2017 (18/01/2017)

DA/CCS/R2

AUDIT COMMITTEE ANNUAL REPORT 2016

Cr Bittner moved Cr Headon seconded

That Council receive the Audit Committee Annual Report as presented.

CARRIED 008/2017 (18/01/2017)

DA/CCS/R3

CHINAMAN WELLS PROPOSED SEAWALL FUNDING BY SEPARATE RATE REQUEST

Cr Hoyle moved Cr Brundell seconded

That Council:

1. give “in principle” support to the requested funding of the Chinaman Wells seawall project approved under Development Approval 544/2244/2010; and
2. endorse the public consultation process for this project based on the attached Public Consultation Report.

CARRIED 009/2017 (18/01/2017)

DA/CCS/R4

PO156 INTERNAL FINANCIAL CONTROL POLICY

Cr Meyer moved Cr Cook seconded

That Council endorse and adopt the new PO156 Internal Financial Control Policy as presented in the Agenda for inclusion in Council’s policy manual and on the website.

CARRIED 010/2017 (18/01/2017)

DA/CCS/R5

PO091 RISK MANAGEMENT POLICY

Cr Bittner moved Cr Davey seconded

That Council endorse and adopt the updated PO091 Risk Management Policy as presented in the Agenda for inclusion in Council’s policy manual and on the website.

CARRIED UNANIMOUSLY 011/2017 (18/01/2017)

DA/CCS/R6

SANTOS TOUR DOWN UNDER 2018

Cr Braund moved Cr Cook seconded

That Council endorse an application to the South Australia Tourism Commission in regard to hosting a Tour Down Under stage in the Yorke Peninsula Council area in 2018.

CARRIED 012/2017 (18/01/2017)

DEVELOPMENT SERVICES – DEBATE

DA/DS/R1

MEMBER APPOINTMENTS TO COUNCIL’S DEVELOPMENT ASSESSMENT PANEL

Cr Hoyle moved Cr Langford seconded

That Council:

1. adopt the attached “Terms of Reference” (Attachment 1) for the establishment of the Yorke Peninsula Council Development Assessment Panel.
2. adopt the attached meeting procedures for the Yorke Peninsula Council Development Assessment Panel (Attachment 2).
3. adopt the attached Delegations Policy (Attachment 3).
4. adopt the attached Code of Conduct (Attachment 4) for the members of the Yorke Peninsula Council Development Assessment Panel.

AND

5. establish Development Assessment Panel pursuant to Section 56A of the Development Act 1993 from 12 February 2017.
6. endorse the membership of Council Development Assessment Panel with:
 - 6.1 *one Presiding Member;*
 - 6.2 *three Independent Members; and*
 - 6.3 *three Elected Members of Council.*
7. having regard to Section 56A (3) of the Development Act 1993 appoint the following as Members of the Yorke Peninsula Council Development Assessment Panel from 12 February 2017.
 - 7.1 Presiding Member:
 - (1) Rodney Button
 - 7.2 Independent Members:
 - (1) Debra Agnew
 - (2) Peter Tonkin
 - (3) Susan Avey
 - 7.3 Council Members continuing for the current term of Council are;
 - (1) Cr Hoyle
 - (2) Cr Rich
 - (3) Cr Cook
8. appoint the Independent Members who shall hold office for two (2) years commencing 12 February 2017.
9. endorse the fee for an Independent Member of the Panel shall be as follows : -
 - 9.1 the Presiding Member shall be paid a fee of \$150.00 per meeting;
 - 9.2 all other Independent Members shall be paid a fee of \$100.00 per meeting; and
 - 9.3 that Independent Members appointed to the Panel shall be eligible to be paid travel costs per meeting or inspection.
10. appoints it's Director Development Services Mr Roger Books as the Public Officer of the Council Development Assessment Panel.
11. in exercise of the powers contained in Section 20 of the Development Act 1993 the powers, functions and duties under the Development Act, 1993 Development (Development Plans) Amendment Act, 2006 and the Development Regulations, 2008 which were previously delegated by the Council have been reviewed and any revised delegations as a result of changes to legislation that require adoption have been included in the attached Delegations Policy (c).

CARRIED 013/2017 (18/01/2017)

DA/DS/R2

PO157 CAMPING ON COUNCIL LAND POLICY

Cr Bittner moved Cr Meyer seconded

That Council endorse and adopt the new PO157 Camping on Council Land Policy, as presented, for inclusion in Council's Policy Manual and on Council's website.

CARRIED 014/2017 (18/01/2017)

DA/DS/R3

BUSH CAMPING WORKING PARTY

Cr Hoyle moved Cr Rich seconded

That Council:

1. receive the Minutes of the Bush Camping Working Party held on Wednesday 14th December 2016;
2. endorse and commence the Yorke Peninsula bush camping photography competition;
3. endorse the Bush Camping Working Party Terms of Reference;
4. adopt the Camping on Council Land Policy.

CARRIED 015/2017 (18/01/2017)

GENERAL BUSINESS

Cr Trevor Davey

Queried about road signage which he believes may have been sabotaged with the blades being turned around 180° in locations such as Weetulta, Winulta, Arthurton, unfortunately some don't appear to be connected to the posts correctly. Mr Graham advised that he would take the query on notice and report back to Members.

Cr Brundell

Requested a leave of absence from 6th – 10th February 2017.

Cr Braund

Commended some of the Council workers who although working with a skeleton staff over the Christmas New Year period went well above and beyond the call of duty to assist the community after the last big storm, Mr Cameron advised that they would pass his thanks onto the staff concerned.

Cr Meyer

Commented about the signage following on from Cr Davey, advising that there had been an instance where emergency services had difficulty locating a property due to lack of signage, he further added that he often has cause to report matters for Council attention via the CSR system and often finds the matter attended to straight away and that CSR's are being dealt with quite quickly. He identified signage matters at Edithburgh boat ramp and Yorketown five ways – the signage matter was taken on notice and will be followed up.

ITEM 8 CONFIDENTIAL AGENDA

ASSETS AND INFRASTRUCTURE SERVICES – CONFIDENTIAL AGENDA

CA/AIS/R1

BITUMEN SEAL PROGRAMME 2016/17 TENDER 158/2016

Cr Langford moved Cr Hoyle 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 Executive Assistant to the CEO and Mayor, Director Corporate and Community Services, Director Development Services and Director Assets and Infrastructure Services.

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 Bitumen Seal Programme 2016/17 Tender 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 Bitumen Seal Programme 2016/17 Tender 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 Bitumen Seal Programme 2016/17 Tender be retained in confidence for a period of 12 months.

CARRIED 16/2017 (18/01/2017)

6.02pm

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

6.05pm

The public meeting resumed.

Released in camera minute 17/2017 (18/01/2017)

Cr Hoyle moved Cr Headon seconded

That Council accept the tender from Downer EDI Works Pty Ltd for bitumen supply and sealing requirements for 2016/17, for the estimated value of \$795,000 (GST exclusive).

CARRIED 17/2017 (18/01/2017)

ASSETS AND INFRASTRUCTURE SERVICES – CONFIDENTIAL AGENDA

CA/AIS/R1

ROADSIDE VEGETATION CLEARANCE 2016/17 TO 2018/19 TENDER 157/2016

Cr Langford moved Cr Hoyle 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 Executive Assistant to the CEO and Mayor, Director Corporate and Community Services, Director Development Services and Director Assets and Infrastructure Services.

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 Roadside Vegetation Clearance 2016/17 to 2018/19 Tender 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 Roadside Vegetation Clearance 2016/17 to 2018/19 Tender 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 Roadside Vegetation Clearance 2016/17 to 2018/19 Tender be retained in confidence for a period of 12 months.

CARRIED 19/2017 (18/01/2017)

6.06pm

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

6.12pm

The public meeting resumed.

Released in camera minute 20/2017 (18/01/2017)

Cr Hoyle moved Cr Davey seconded

That Council accept the tender of \$1,233,538 (GST exclusive) from Mechanical Vegetation Solutions Pty Ltd for a three-year roadside vegetation clearance contract from 2016/17 to 2018/19.

CARRIED 20/2017 (18/01/2017)

ITEM 9 NEXT COUNCIL MEETING

Wednesday 8th February 2017 commencing at 5.30pm.

6.13pm

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

ITEM 10 CLOSURE

The Meeting Closed at 6.13pm.

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Mayor Ray Agnew OAM
8th February 2017



Yorke Peninsula Council

**The following Minutes of the Confidential Meetings
of the Yorke Peninsula Council are
released and Returned to the Public Record**

20th January 2016 @ 6.03pm



Agriculturally rich~Naturally beautiful

Yorke Peninsula Council

Minutes of the Confidential Meeting of the Yorke Peninsula Council

held on Wednesday 20th January 2016,
in the Council Chambers
57 Main Street Minlaton commencing at 6.03pm

(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 Trevor Davey, Councillors Naomi Bittner, John Rich, Veronica Brundell, Alan Headon, Darren Braund, Adam Meyer, David Langford, Jeff Cook and Scott Hoyle.

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
Anne Hammond	Manager Business and Public Relations
Jackie Reddaway	Minute Secretary

LEAVE OF ABSENCE

Cr Tania Stock – 12/01/2016 – 27/01/2016

APOLOGIES

Nil

Released in Camera Minute

Cr Meyer moved Cr Bittner seconded

That Council accept the tender from Civica Pty Limited for supply and implementation of an Electronic Document Records Management System (tender number 142/2015) at a price of \$130,864.89 (GST exclusive).

CARRIED 017/2016 (20/01/2016)

6.09pm The public meeting resumed.


ITEM 9 NEXT COUNCIL MEETING

Wednesday 10th February 2016 commencing at 5.30pm.

6.10pm Mayor Ray Agnew thanked all for their attendance and declared the meeting closed.

ITEM 10 CLOSURE

The Meeting Closed at 6.10pm.

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Mayor Ray Agnew OAM
10th February 2016