



Yorke Peninsula Council

Minutes of the Meeting of the Yorke Peninsula Council

held on Wednesday 9th December 2015,
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 Trevor Davey, Councillors Naomi Bittner, John Rich, Veronica Brundell, Alan Headon, Darren Braund, Adam Meyer, David Langford, Jeff Cook, Scott Hoyle 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.

MINUTES OF THE PREVIOUS MEETING

Cr Headon moved Cr Brundell seconded

That the minutes of the Council meeting held on Wednesday 11th November 2015 at 5.30pm, with an alteration to minute reference 283/2015 (11/11/2015) changing form to from:

*That Council endorse an Unsealed Road Construction Tender to accommodate construction requirements on sections of the following High Use Roads as identified in the Transport Asset Management Plan, Corny Point Road **from** the seal to Little Sheoak Road, North Coast Road (entire 11km length).*

be confirmed as a true record.

CARRIED 292/2015 (09/12/2015)

Cr Rich moved Cr Bittner seconded

That the minutes of the Confidential Special Council meeting held on Wednesday 25th November 2015 at 7.00pm, be confirmed as a true record.

CARRIED 293/2015 (09/12/2015)

ITEM 1.8 MOTIONS ON NOTICE

Cr Meyer moved Cr Rich seconded

That Council identify the section of Corny Point Road for inclusion in the Unsealed Road Construction Tender from the November 2015 meeting as that portion commencing from the Eastern or Brutus Road end for a distance of approximately 2.2kms and concluding at Point Turton Road.

CARRIED 294/2015 (09/12/2015)

Cr Meyer moved Cr Bittner seconded

That Council include other High Use Unsealed Roads as identified within the Transport Asset Management Plan as requiring "Expired roads" works, namely Melton South Road (expired sections), Pine Point Road expired sections and Corny Point Road (expired sections as part of the Unsealed Road Construction Tender currently being prepared.

CARRIED 295/2015 (09/12/2015)

ITEM 2 MAYORS REPORT

Mayor Agnew provided a verbal update on his report reminding members that on Sunday is the Official Opening of Walk the Yorke, the dress code is smart casual and he also wished Mr Trevor Graham a happy 60th birthday.

Mayor Agnew advised members that Mr Murray Thompson from Stansbury had passed away early Monday morning and offered his condolences to his wife Jan and their four children.

Cr Langford moved Cr Meyer seconded

That the report from Mayor Agnew be received.

CARRIED 296/2015 (09/12/2015)

ADOPTION OF INFORMATION AGENDA

Cr Meyer commented on the improvement in the Inspectorial Report.

Cr Davey moved Cr Braund seconded

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

CARRIED 297/2015 (09/12/2015)

ITEM 6 DEBATE AGENDA

CORPORATE AND COMMUNITY SERVICES – DEBATE

DA/CCS/R1

FINANCIAL REPORT 30TH NOVEMBER 2015

Cr Cook moved Cr Hoyle seconded

That Council receive the financial reports as at 30th November 2015.

CARRIED 298/2015 (09/12/2015)

DA/CCS/R2

JUNE 2015 BUDGET REVIEW

Cr Rich moved Cr Langford seconded

That Council receive the June 2015 Budget Review report, with comparisons of the 2014/15 Adopted Budget to audited financial statements as at 30th June 2015.

CARRIED 299/2015 (09/12/2015)

DA/CCS/R3

MINLATON GIRL GUIDE HALL ELECTRICITY USAGE CHARGES

Cr Braund moved Cr Bittner seconded

That Council waive the current outstanding electricity charges of \$503.04 for Minlaton Girl Guides, being for the period 27th June 2014 to 27th March 2015.

CARRIED 300/2015 (09/12/2015)

DA/CCS/R4

BLACK POINT CARAVAN AND CAMPING GROUND AMENITIES UPGRADE

Cr Langford moved Cr Stock seconded

That Council approve a budget increase of \$21,910 (excl. GST) in the 2015/2016 Financial Year for the upgrade of the Black Point Caravan and Camping Ground 'Harvey Reserve' amenities building.

CARRIED 301/2015 (09/12/2015)

DA/CCS/R5

CREDIT CARD POLICY

Cr Rich moved Cr Braund seconded

That Council endorse and adopt the updated Credit Card Policy as presented in the Agenda for inclusion in Council's policy manual and on the website.

CARRIED 302/2015 (09/12/2015)

6.04pm Cr Cook declared an interest in the next item advising that he is employed by one of the applicants involved.

DA/CCS/R6

MAITLAND CHILDREN'S CENTRE PREMISES RECOMMENDATION

Cr Brundell moved Cr Hoyle seconded

That Council endorse the recommendation of the Director Corporate and Community Services to negotiate a future lease for the current Maitland Children's Centre premises to Happy Kidz Child Care.

CARRIED 303/2015 (09/12/2015)

6.06pm Cr Cook returned to the Chamber and re-joined the meeting.

ASSETS AND INFRASTRUCTURE SERVICES – DEBATE – LATE ITEM

Cr Bittner moved Cr Davey seconded

That Council accept the late item Vehicles with Higher Mass Limits (HML) be accepted for consideration by Council.

CARRIED 304/2015 (09/12/2015)

DIRECTOR ASSETS & INFRASTRUCTURE SERVICES

DA/ITEM 6.3 – LATE ITEM

1. VEHICLES WITH HIGHER MASS LIMITS (HML) (File Ref: 9.24.1.1)

PURPOSE

To consider a review of Council's current position relating to access of vehicles with Higher Mass Limits (HML) to Council's unsealed road network.

RECOMMENDATION A

That Council endorse the access of vehicles with Higher Mass Limits (HML) to all gazetted Commodity and General Freight Routes.

or

RECOMMENDATION B

That Council only allow access of vehicles with Higher Mass Limits (HML) to bitumen sealed roads gazetted as Commodity and General Freight Routes.

LINK TO STRATEGIC PLAN

Key Theme/s: Sustainable Communities
1. Sustainable Infrastructure
Strategic Goal/s: 1.3 Maintain and upgrade our road network and other infrastructure assets

BACKGROUND

It was acknowledged that a review on access of vehicles with HML should be considered following the endorsement of a recommendation from the October 2015 Council meeting on Restricted Access Vehicles (RAVs) on our road network.

DISCUSSION

A report, DA/ITEM 6.3 2. "90 Day Project – A Modern Transport System for Agriculture", was provided to the October 2015 Council meeting (Attachment 1).

The purpose of the aforementioned report was to gauge Council's position on access for RAVs to our road network, following a request from the Department of Planning, Transport and Infrastructure (DPTI) coordinating responses on the "90 Day Project – A Modern Transport System for Agriculture" objectives throughout the state.

Notwithstanding the endorsed recommendation from the October 2015 meeting, the Deputy Mayor did acknowledge that Council would / may need to revisit its current resolution on access for HML configurations in the near future.

To this end access for vehicles with HML is only endorsed on our sealed roads, aligned within the gazetted Commodity and General Freight Routes. HML access to unsealed roads was not considered at that time.

As previously relayed, views and perceptions vary on what impact specific vehicles may or may not have to road infrastructure. I am aware of early studies and trials of Road Trains and B Doubles on bitumen sealed pavement, however, I am not aware of any such conclusive studies or trials on unsealed roads.

COMMUNITY ENGAGEMENT PLAN

No consideration for community engagement has been considered at this time.

CONSULTATION PROCESS

In preparing this report, the following Yorke Peninsula Council officers were consulted:

- Mayor
- Deputy Mayor
- Chief Executive Officer

In preparing this report, the following External Parties were consulted:

- Nil

POLICY IMPLICATIONS

Not applicable

BUDGET AND RESOURCE IMPLICATIONS

Unknown at this stage.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Unknown at this stage.

ATTACHMENTS

Attachment 1: DA/ITEM 6.3 2. "90 Day Project – A Modern Transport System for Agriculture"

6.07pm with the approval of 2/3 of the members present the Mayor declared that the meeting would move to informal mode to discuss the late item.

Cr Davey spoke to the report.

6.23pm

Cr Meyer moved Cr Langford seconded

That Council return to formal mode for a decision on this matter.

CARRIED 305/2015 (09/12/2015)

Cr Rich moved Cr Bittner seconded

That Council endorse the access of vehicles with Higher Mass Limits (HML) including 36.5m Road Trains to Council's entire road network.

That HML vehicles including 36.5m Road Trains be speed limited to 60km per hour on the Council's unsealed road network.

CARRIED UNANIMOUSLY 306/2015 (09/12/2015)

DEVELOPMENT SERVICES – DEBATE

DA/DS/R1

REASSIGNMENT OF MINLATON HOSTEL FOR THE AGED INC. LEASE

Cr Davey moved Cr Bittner seconded

That Council:

1. approve the reassignment of the Minlaton Hostel for the Aged Inc. lease over the property of 1 South Terrace Minlaton, Allotment 50 PLN 36587, Crown Record: Volume 5753 Folio 187 to Eldercare Inc. on the same terms and conditions as the current lease.
2. authorise the Mayor and Chief Executive Officer to sign and affix Council's seal to the relevant documents necessary to execute the Deed of Assignment and Lease documents.

CARRIED 307/2015(09/12/2015)

DA/DS/R2

REVOCAION OF COMMUNITY LAND

Cr Headon moved Cr Bittner seconded

That Council:

1. receive and consider written submissions in response to the public consultation on the proposed revocation of the Community Land classification for Allotment 47, PLN 453, 22 Brentwood Road, Warooka, Certificate of Title: Volume 5748 Folio 585 (Consulting Rooms) and Allotment 1, PLN 14529, 6 Brentwood Road, Warooka, Certificate of Title: Volume 5749 Folio 718 (Museum), for the purpose of transferring ownership of the properties to Warooka Progress Association Inc., for no monetary cost.
2. give approval to proceed with seeking Ministerial approval for the revocation of the Community Land classification.

3. allow for a 100% rebate only on Council rates over the properties once transferred to Warooka Progress Association Inc., in accordance with the Local Government Act 1999 Section 166 (1) – Discretionary rebates of rates.
4. authorise the Mayor and Chief Executive Officer to sign and affix Council's seal to the relevant documents necessary to execute the Deed of Assignment and Lease documents.

CARRIED 308/2015 (09/12/2015)

GENERAL BUSINESS

Cr Stock

Requested a leave of absence from 12/1/2016 – 27/1/2016.

CONFIDENTIAL AGENDA

CA/AIS/R1

ROADSIDE VEGETATION MAINTENANCE TENDER 146/2015

Cr Davey moved Cr Headon 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 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 Maintenance 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.

2. That having considered agenda item 8 Roadside Vegetation Maintenance 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 titled Roadside Vegetation Maintenance Tender - Tender be retained in confidence for a period of 12 months.

CARRIED 309/2015 (09/12/2015)

6.39pm The meeting moved into confidential mode, the public were asked to leave and the Chamber secured.

Released in Camera Minute

Cr Rich moved Cr Brundell seconded

That Council accept the tender from ENVIROTRIM for roadside vegetation maintenance requirements (tender number 146/2015) for the tender price of \$358,240 (GST exclusive).

Confidential minute

CARRIED 310/2015 (09/12/2015)

6.46pm The public meeting resumed.

CA/AIS/R2

CLINTON ROAD CONSTRUCTION TENDER 143/2015

Cr Langford moved Cr Stock 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 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 Clinton Road Construction 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.

2. That having considered agenda item 8 Clinton Road Construction 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 titled Clinton Road Construction Tender be retained in confidence for a period of 12 months.

CARRIED 312/2015 (09/12/2015)

6.46pm The meeting moved into confidential mode, the public were asked to leave and the Chamber secured.

6.55pm *The public meeting resumed.*

CA/DS/R3

CONCRETE REPAIRS AND ASSOCIATED WORKS, MAITLAND TOWN HALL

Cr Meyer moved Cr Bittner 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 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 Concrete Repairs and Associated Works, Maitland Town Hall 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.

2. That having considered agenda item 8 Concrete Repairs and Associated Works, Maitland Town Hall 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 titled Concrete Repairs and Associated Works, Maitland Town Hall Tender be retained in confidence for a period of 12 months.

CARRIED 315/2015 (09/12/2015)

6.56pm *The meeting moved into confidential mode, the public were asked to leave and the Chamber secured.*

Released in Camera Minute

Cr Langford moved Cr Hoyle seconded

That Council accept the tender from Synergy Remedial Proprietary Limited for concrete repairs and associated works, Maitland Town Hall (Tender number 142/2015). Estimated price of \$165,800 (GST exclusive)

CARRIED 316/2015 (09/12/2015)

6.57pm The public meeting resumed

ITEM 9 NEXT COUNCIL MEETING

Wednesday 20th January 2016 commencing at 5.30pm.

6.58pm Mayor Ray Agnew wished everyone a Merry Christmas and declared the meeting closed.

ITEM 10 CLOSURE

The Meeting Closed at 6.58pm.

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Mayor Ray Agnew OAM
20th January 2016