

Agriculturally rich~Naturally beautiful

Minutes of the Meeting of the Yorke Peninsula Council

held on Wednesday 9th September 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, 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, Adam Meyer, 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
Felicity Kemp	Minute Secretary

LEAVE OF ABSENCE

Nil

APOLOGIES

Councillors Darren Braund, David Langford

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 Bittner moved Cr Rich seconded

That the minutes of the Council meeting held on Wednesday 12th August 2015 at 5.31pm, be confirmed as a true record.

CARRIED 213/2015 (09/09/2015)

Cr Cook moved Cr Meyer seconded

That the minutes of the Confidential Council meeting held on Wednesday 12th August 2015 at 6.33pm, be confirmed as a true record.

CARRIED 214/2015 (09/09/2015)

MOTIONS ON NOTICE

Cr Davey moved Cr Cook seconded

That Council allocate \$1 million for roadside vegetation management from the \$3 million budgeted this financial year for road renewal acceleration.

CARRIED 215/2015 (09/09/2015)

ITEMS FOR EXCLUSION

Cr Adam Meyer requested the exclusion of IA 4.5 R1 Construction and Maintenance Works in relation to replacement of faded road signage.

ADOPTION OF INFORMATION AGENDA

Cr Headon moved Cr Rich seconded

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

CARRIED 216/2015 (09/09/2015)

VISITORS TO THE MEETING

Su Bell Chairperson YP Community Transport and staff member Julie Mason withdrew their request to make a presentation to Council.

ITEM 6 DEBATE AGENDA

CHIEF EXECUTIVE OFFICER

DA/CEO/R1

EXPRESSION OF INTEREST FOR PLEC 2nd STAGE MINLATON

Cr Davey moved Cr Headon seconded

That Council authorise the Chief Executive Officer to lodge an expression of interest for implementation of the 2nd Stage of the Minlaton Power Line Undergrounding to commence in 2017/2018.

CARRIED 217/2015 (09/09/2015)

DA/CEO/R2

YORKE PENINSULA COMMUNITY TRANSPORT PROPOSED INTERIM AGREEMENT

Cr Davey moved Cr Cook seconded

That Council:

- 1. approve the attached interim service agreement from 1st July 2015 to 30th June 2016 between the three funding partner Councils and YP Community Transport Inc.
- 2. authorise the Mayor and Chief Executive Officer to sign and seal the agreement to give effect to this resolution.
- 3. require as a condition to Council signing this agreement that the YP Community Transport Inc change their constitution as a matter of priority, to enable the three funding partner Councils to appoint their chosen Council representative to the Board.

CARRIED 218/2015 (09/09/2015)

DA/CEO/R3

STRATEGIC MANAGEMENT PLAN DEVELOPMENT

Cr Stock moved Cr Bittner seconded

That Council endorse the proposed draft Strategic Management Plan vision:-

"We will foster opportunities to support and enhance Yorke Peninsula which is valued for its natural beauty, rich agriculture, spectacular coastline and unique blend of seaside and rural lifestyles"

and goals:-

- * Economically prosperous Peninsula
- * Accessible and connected community
- * Protected and respected environment
- * Supported and engaged community
- * Responsible governance

for consultation.

CARRIED 219/2015 (09/09/2015)

DA/CEO/R4

UPDATE TO DELEGATATIONS REGISTER

Cr Rich moved Cr Meyer seconded

Delegations made under the Local Government Act 1999

- 1. In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in the Annexures to this report are hereby delegated this 9th day of September 2015 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 or limitations specified herein or in the Schedule of Conditions in the proposed Instruments of Delegation.
- 2. South Australian Public Health Act 2011 along with the South Australian Public Health (Legionella) Regulations 2013, the South Australian Public Health (Wastewater) Regulations 2013 and the South Australian Public Health (General) Regulations 2013.

3. Real Property Act 1886.

Delegations made under the Supported Residential Facilities Act 1992

4. In exercise of the power contained in Section 9 of the Supported Residential Facilities Act 1992, the powers and functions under the Supported Residential Facilities Act 1992 contained in the proposed Instrument of Delegation annexed to the Report dated 9th September 2015 and entitled Delegations Register are hereby delegated this 9th day of September 2015 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 or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.

In accordance with Division 5 Section 44 Council appoints the following Council Officers as Local Authorised Officers under the SA Public Health Act 2011:

Mr Roger Brooks, Mr Michael Cartwright, Mr Allan Cotton, Ms Alison Creaser

CARRIED 220/2015 (09/09/2015)

CORPORATE AND COMMUNITY SERVICES – DEBATE

DA/CCS/R1

FINANCIAL REPORT 31 AUGUST 2015

Cr Stock moved Cr Brundell seconded

That Council receive the financial reports as at 31 August 2015.

CARRIED 221/2015 (09/09/2015)

DA/CCS/R2

COMMUNITY GRANTS 2015/2016

Cr Cook moved Cr Bittner seconded

That Council endorse the allocation of the following Community Grants for 2015/2016.

	Recipient	Amount
1	Maitland Pistol and Shooting Club	\$4,576
2	Ardrossan RSL	\$2,313
3	Edithburgh Golf Club	\$5,000
4	Edithburgh Institute Committee	\$5,000
5	Friends of Wauraltee	\$3,500
6	Rotary Club of Maitland	\$3,952
7	Warooka Bowling Club	\$3,000
8	Marion Bay Township	\$3,000
9	Port Victoria Progress Association	\$5,000
10	SA Sea Rescue Squadron	\$3,540
11	Point Turton Sailing Club	\$5,000
12	Maitland Bowling Club	\$4,770
13	Southern Yorke Peninsula Telecentre	\$2,200
14	Curramulka Cultural Heritage Group	\$4,950
15	Mission to Seafarers, Pt Giles	\$3,090
16	Yorketown Cricket Club	\$5,000
17	Ardrossan Hockey Club	\$2,929
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Council Minutes Wednesday 9th September 2015

18	Edithburgh Tourism & Town Planning Com.	\$5,000
19	Scouts Australia	\$5,000
20	Royal Volunteer Coastal Patrol	\$2,420
21	Arthurton Bowling Club	\$2,977
22	Curramulka Community Club	\$5,000
23	Southern Yorke Peninsula Target Shooting Asso.	\$1,500
24	Yorketown Progress Association	\$5,000
25	Minlaton Tennis Club	\$990
26	Stansbury Golf Club	\$5,000
27	Pine Point Progress Association	\$965
28	Minlaton Bowling Club	\$5,000
29	Port Julia Progress Association	\$5,000
30	Warooka Progress Association	\$5,000
31	Minlaton Cricket Club	\$4,500
32	Port Clinton Progress Association	\$3,000
33	Clems Community Shed	\$5,000
34	Maitland APEX Club	\$5,000
35	Ardrossan & Districts Community Kindergarten	\$3,488
36	National Trust SA Minlaton Branch	\$5,000
37	Ardrossan Tidy Towns	\$4,000
38	CMS Football and Netball Club	\$3,500
39	Port Vincent Sailing Club	\$5,000

TOTAL

\$154,160

CARRIED 222/2015 (09/09/2015)

DA/CCS/R3

MANAGEMENT & RECOVERY OF OUTSTANDING DEBTS POLICY

Cr Hoyle moved Cr Meyer seconded

That Council endorse and adopt the updated Management & Recovery of Bad Debts Policy as presented in the Agenda for inclusion in Council's policy manual and on the website.

CARRIED 223/2015 (09/09/2015)

DA/CCS/R4

ESCOSA REPORTING REQUIREMENTS AND POLICIES

Cr Cook moved Cr Meyer seconded

That Council endorse and adopt PO018 Hardship Policy for Residential Customers of Minor and Intermediate Water Retailers amendment as amended and presented for inclusion in Council's policy manual and on Council's website.

CARRIED 224/2015 (09/09/2015)

ASSETS AND INFRASTRUCTURE SERVICES – DEBATE

DA/AIS/R1

REVISED TRANSFER STATION GATE FEES

Cr Davey moved Cr Hoyle seconded

That Council:

- 1. endorse the revised gate fees as proposed by Transpacific;
- 2. approve the updating of these fees within the Fees and Charges register.

CARRIED 225/2015 (09/09/2015)

DEVELOPMENT SERVICES – DEBATE

DA/DS/R1

AUTHORISATION TO SIGN LAND MANAGEMENT AGREEMENT

Cr Cook moved Cr Headon seconded

That Council authorise the Mayor and Chief Executive Officer to sign and affix the Common Seal on the relevant documents relating to the Land Management Agreement over land described as Section 232 Hundred of Minlacowie in the area named Hardwicke Bay.

CARRIED 226/2015(09/09/2015)

DA/DS/R2

PORT VICTORIA HOTEL-MOTEL PUBLIC CONSULTATION

Cr Davey moved Cr Stock seconded

That Council:

- 1. grant a five year lease with three, five year rights of renewal over a portion of road reserve for the proposed development of a hotel decking area, to Mr Kenneth John Davey and Parker Hotels Pty. Ltd.
- 2. the Mayor and Chief Executive Officer be authorised to sign and affix Council's seal to the relevant documents necessary to execute the lease.

CARRIED 227/2015 (09/09/2015)

DA/DS/R3

PO132 CEMETERY MANAGEMENT POLICY REVIEW

Cr Hoyle moved Cr Bittner seconded

That Council endorse and adopt the revised PO132 Cemetery Management Policy document.

CARRIED 228/2015 (09/09/2015)

ITEM 7 GENERAL BUSINESS

Nil

ITEM 8 CONFIDENTIAL AGENDA

CA/AIS/R1

BITUMEN EMULSION SUPPLY 2015-18 136/2015

Cr Bittner moved Cr Brundell seconded

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 Assistant to the Director Corporate and Community Services, 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 Emulsion Supply 2015-18 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 8 Bitumen Emulsion Supply 2015-18 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 Bitumen Emulsion Supply 2015-18 Tender be retained in confidence for a period of 12 months.

CARRIED 229/2015(09/09/2015)

5.58pm The meeting moved into confidential mode, the public were asked to leave and the Chamber secured.

Released in Camera Minute

Cr Davey moved Cr Stock seconded

That Council accept the tender from Downer EDI Works Pty Ltd for the supply and delivery of bitumen emulsion for the period 2015-18 (tender number 136/2015).

CARRIED 230/2015 (09/09/2015)

6.04pm The public meeting resumed.

CA/AIS/R2

MATERIAL SUPPLY 2015-16 TENDER 135/2015

Cr Stock moved Cr Cook 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, Executive Assistant to the Director Corporate and Community Services, Director Corporate and Community Services, 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 Material Supply 2015-16 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 8 Material Supply 2015-16 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 Material Supply 2015-16 Tender be retained in confidence for a period of 12 months.

CARRIED 232/2015 (09/09/2015)

6.04pm The meeting moved into confidential mode, the public were asked to leave and the Chamber secured.

Released in Camera Minute

Cr Hoyle moved Cr Headon seconded

That Council:

- 1. endorse the provisions of Clause 3.6.3 and 3.7.8 of the Request for Tender (RFT) document for the supply only and supply and delivery of road construction material from two (2) suppliers (tender number 135/2015);
- accept the tender of \$653,930 (GST exclusive) for 40,950 tonnes of road construction material to be supplied and delivered from Kara Resources for jobs 1-12;
- 3. accept the tender of \$236,500 (GST exclusive) for 16,885 tonnes of road construction material to be supplied only from Triad Transport for jobs 18-20; and
- 4. accept the tender of \$184,965 (GST exclusive) for 9,235 tonnes of road construction material to be supplied and delivered from Triad Transport for jobs 13-17 and 21.

CARRIED 233/2015 (09/09/2015)

6.06pm The public meeting resumed.

Informal discussion in relation to roadside vegetation management.

ITEM 9 NEXT COUNCIL MEETING

Wednesday 14th October 2015 commencing at 5.30pm.

6.12pm Mayor Ray Agnew declared the meeting closed.

ITEM 10 CLOSURE

The Meeting Closed at 6.12pm.

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Mayor Ray Agnew OAM 14th October 2015



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Yorke Peninsula Council

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

13th August 2015 at 6.26pm

13th August 2015 at 6.54pm

13th August 2015 at 6.56pm

10th September 2015 at 6.02pm



Minutes of the Confidential Meeting of the Yorke Peninsula Council

held on Wednesday 13th August 2014, in the Council Chambers 57 Main Street Minlaton commencing at 6.26pm

(Subject to confirmation)

ITEM 1 WELCOME

Mayor Agnew welcomed everyone to the meeting and declared the meeting open.

PRESENT

Mayor Ray Agnew OAM, Councillors Brenda Bowman (Deputy Mayor), Jeff Cook, Bob Nicholls, John Sendy, Dean Butler, Barry Schell, John Rich, David Langford, Tania Stock and Veronica Brundell.

IN ATTENDANCE

Andrew Cameron	Chief Executive Officer
Michael Cartwright	Acting Director Development Services
David Harding	Director Corporate and Community Services
Trevor Graham	Director Assets and Infrastructure Services
Jackie Reddaway	Minute Secretary

LEAVE OF ABSENCE

Nil

APOLOGIES

Cr Trevor Davey

Yorke Peninsula Council Confidential Council Minutes Wednesday 13th August 2014

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

<u>ITEM 8</u>

R1 Waste and Recycling Charge Legal Action

6.28pm With the approval of 2/3 members the Mayor advised that the meeting would move to informal mode to discuss Item 8 Report 1 Request for re-consideration of request for Remission of Service Charges.

General discussion ensued.

6.50pm Mayor Agnew left the meeting and the Chamber.

6.51pm Mayor Agnew returned to the Chamber and joined the meeting.

6.52pm

Cr Rich moved Cr Nicholls seconded

That Council return to formal mode to discuss item 8 Report 1 Request for re-consideration of request for Remission of Service Charges.

CARRIED 155/2014 (13/08/2014)

Cr Rich moved Cr Cook seconded

That Council maintains its position as determined at its December 2012 meeting and not agree to remit the Waste and Recycling Service Charge for Assessment Number 107581 or any other assessment and authorise the Director Corporate and Community Services to advise Mr Honner and the group known as SYP Concerned Ratepayers of its intention to pursue payment of any outstanding amounts as per its normal collection policies.

CARRIED UNANIMOUSLY 156/2014 (13/08/2014)

6.53pm

Cr Bowman moved Cr Nicholls seconded

That Council move out of the in camera confidential meeting and return to the public meeting.

CARRIED 157/2014 (13/08/2014)

6.53 pm the confidential meeting closed.

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Mayor Ray Agnew 10th September 2014

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Minutes of the Confidential Meeting of the Yorke Peninsula Council

held on Wednesday 13th August 2014, in the Council Chambers 57 Main Street Minlaton commencing at 6.54pm

(Subject to confirmation)

ITEM 1 WELCOME

Mayor Agnew welcomed everyone to the meeting and declared the meeting open.

PRESENT

Mayor Ray Agnew OAM, Councillors Brenda Bowman (Deputy Mayor), Jeff Cook, Bob Nicholls, John Sendy, Dean Butler, Barry Schell, John Rich, David Langford, and Veronica Brundell.

IN ATTENDANCE

Andrew Cameron	Chief Executive Officer
Michael Cartwright	Acting Director Development Services
David Harding	Director Corporate and Community Services
Trevor Graham	Director Assets and Infrastructure Services
Jackie Reddaway	Minute Secretary

LEAVE OF ABSENCE

Nil

APOLOGIES

Cr Trevor Davey Cr Stock – conflict of interest declared

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

<u>ITEM 8</u>

R2 Acquisition of Land

Cr Cook moved Cr Langford seconded

That Council:

- agree to purchase a portion of (CT 6090/312) from the Catholic Church Endowment Society being 576m² as detailed within the body of this report;
- 2) authorise the Chief Executive Officer to offer the Catholic Church Endowment Society \$32,832 and to enter into a contractual arrangement to give effect to this purchase;
- 3) authorise the Mayor and Chief Executive Officer to sign and/or seal any necessary documentation to give effect to this resolution.
- 4) agree to exclude the acquired land from the Community Land Classification at settlement.

CARRIED 159/2014 (13/08/2014)

Cr Bowman moved Cr Butler seconded

That Council move out of the in camera confidential meeting and return to the public meeting.

CARRIED 160/2014 (13/08/2014)

6.55 pm the confidential meeting closed.

GAgnew

Mayor Ray Agnew 10th September 2014



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Minutes of the Confidential Meeting of the Yorke Peninsula Council

held on Wednesday 13th August 2014, in the Council Chambers 57 Main Street Minlaton commencing at 6.56pm

(Subject to confirmation)

ITEM 1 WELCOME

Mayor Agnew welcomed everyone to the meeting and declared the meeting open.

<u>PRESENT</u>

Mayor Ray Agnew OAM, Councillors Brenda Bowman (Deputy Mayor), Jeff Cook, Bob Nicholls, John Sendy, Dean Butler, Barry Schell, John Rich, David Langford, Tania Stock and Veronica Brundell.

IN ATTENDANCE

Nil

LEAVE OF ABSENCE Nil

APOLOGIES

Cr Trevor Davey

Rev-

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

<u>ITEM 8</u>

R3 Chief Executive Officer's Performance Appraisal

Cr Nicholls moved Cr Langford seconded

That Council:

- 1. receive the Chief Executive Officer's Performance Appraisal final report;
- 2. endorse the Chief Executive Officer's 2014/2015 Annual Performance Objectives;
- endorse the renewal of the Chief Executive Officer's contract for a further five (5) years and expiring on 27th February 2019;
- 4. increase the base salary to \$199,909.50 with all other employment conditions as per the contract of employment.

CARRIED UNANIMOUSLY 162/2014 (13/08/2014)

Cr Brundell moved Cr Stock seconded

That Council move out of the in camera confidential meeting and return to the public meeting.

CARRIED 163/2014 (13/08/2014)

7.13 pm the confidential meeting closed.

RGAquen

Mayor Ray Agnew 10th September 2014



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Yorke Peninsula Council

Minutes of the Confidential Meeting of the Yorke Peninsula Council

held on Wednesday 10th September 2014, in the Council Chambers 57 Main Street Minlaton commencing at 6.02pm

(Subject to confirmation)

ITEM 1 WELCOME

Mayor Agnew welcomed everyone to the meeting and declared the meeting open.

PRESENT

Mayor Ray Agnew OAM, Councillors Brenda Bowman (Deputy Mayor), Jeff Cook, Trevor Davey, Bob Nicholls, John Sendy, Dean Butler, Barry Schell, John Rich, Tania Stock, David Langford and Veronica Brundell.

IN ATTENDANCE

Andrew Cameron	Chief Executive Officer
Roger Brooks	Director Development Services
David Harding	Director Corporate and Community Services
Trevor Graham	Director Assets and Infrastructure Services
Jackie Reddaway	Minute Secretary

LEAVE OF ABSENCE

Nil

APOLOGIES

Nil

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

ITEM 8 CONFIDENTIAL AGENDA

1. TENDER – WALK THE YORKE TRAIL SHELTER, FLOOR, TANK & SETTING TENDER 114-2014

Cr Davey moved Cr Schell seconded

That Council accept the tender for the construction and installation of Walk the Yorke Trail Shelters and flooring, rainwater tanks and picnic settings at \$189,742 (ex GST) (tender number 114/2014) from NK and BJ Dutschke.

CARRIED 180/2014 (10/09/2014)

Cr Langford moved Cr Nicholls seconded

That the meeting move out of in camera discussions and return to the public meeting.

CARRIED 181/2014 (10/09/2014)

ITEM 10 CLOSURE

The Meeting Closed at 6.05pm.

RyAgnew

Mayor Ray Agnew 8th October 2014