



MINUTES

Ordinary Council Meeting

(Subject to confirmation)

8 August 2018

**MINUTES OF YORKE PENINSULA
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS , MINLATON TOWN HALL, 57 MAIN STREET,
MINLATON
ON WEDNESDAY, 8 AUGUST 2018 AT 5.30PM**

1 WELCOME BY MAYOR

Mayor Ray Agnew OAM welcomed everyone to the meeting, gave an Acknowledgement of Country, recited the opening prayer and declared the meeting open. He wished Cr Jeff Cook a Happy Birthday.

2 OPENING PRAYER

3 PRESENT

Mayor Ray Agnew OAM, Deputy Mayor Scott Hoyle, Cr Trevor Davey, Cr Naomi Bittner, Cr John Rich, Cr Alan Headon, Cr Adam Meyer, Cr Jeffrey Cook, Cr David Langford, Cr Tania Stock

In Attendance

Andrew Cameron (CEO), David Harding (Director Corporate and Community Services), Trevor Graham (Director Assets and Infrastructure Services), Roger Brooks (Director Development Services), Jackie Reddaway (Minute Secretary)

4 LEAVE OF ABSENCE

Cr Veronica Brundell

5 APOLOGIES

Cr Darren Braund

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.

Nil

7 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION

RESOLUTION

Moved: Cr Alan Headon

Seconded: Cr Tania Stock

That the minutes of the Ordinary Council Meeting held on 11 July 2018 be confirmed.

CARRIED 195/2018 (8/08/2018)

RESOLUTION

Moved: Cr John Rich
Seconded: Cr Naomi Bittner

That the minutes of the Confidential Council Meeting held on 11 July 2018 at 5.48pm be confirmed.

CARRIED 196/2018 (8/08/2018)

RESOLUTION

Moved: Cr David Langford
Seconded: Cr Jeffrey Cook

That the minutes of the Confidential Council Meeting held on 11 July 2018 at 5.49pm be confirmed.

CARRIED 197/2018 (8/08/2018)

RESOLUTION

Moved: Cr Trevor Davey
Seconded: Cr Scott Hoyle

That the minutes of the Special Council Meeting held on 1 August 2018 be confirmed including the following amendments:

- an apology was received from Cr Tania Stock
- Cr Trevor Davey provided clarification on the Variety Club Bash Charity Event which will be passing through Port Victoria on 11 August 2018 on the way to Port Lincoln seeking support for the event.

CARRIED 198/2018 (8/08/2018)

8 MOTIONS ON NOTICE

Nil

9 QUESTIONS ON NOTICE

Nil

10 QUESTIONS WITHOUT NOTICE

Nil

11 PETITIONS

Nil

12 MAYOR**12.1 MAYOR'S MONTHLY REPORT JULY 2018****PURPOSE**

To keep Elected Members updated on Mayoral activities during the month of July 2018.

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Trevor Davey

That the report be received.

CARRIED 199/2018 (8/08/2018)

13 COUNCILLORS' REPORT

Nil

INFORMATION AGENDA**14 ITEMS FOR EXCLUSION**

Nil

15 RECEIPT OF INFORMATION REPORTS**ADOPTION OF INFORMATION AGENDA****RESOLUTION**

Moved: Cr Naomi Bittner

Seconded: Cr John Rich

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

CARRIED 200/2018 (8/08/2018)

20 VISITORS TO THE MEETING

Renzo Gaetan – Flinders University Student Work Placement - Dietetics

5.40pm Mayor Agnew invited Renzo Gaetan to address the Council. Governance Officer Mary Herrmann provided an overview of the purpose behind Renzo working with the Council.

Renzo provided an overview on his involvement in the Public Health Care Plan Project and spoke to Elected Members about the importance of a healthy diet as we get older and provided an informative and interactive nutritional presentation.

6.18pm The presentation concluded with Renzo answering questions and thanking Council for the opportunity to work with the Council on this work placement.

DEBATE AGENDA**21 MAYOR**

Nil

22 CHIEF EXECUTIVE OFFICER

Nil

23 CORPORATE AND COMMUNITY SERVICES**23.1 FINANCIAL REPORT AS AT 31 JULY 2018****PURPOSE**

For Council to consider the financial report and capital projects update report as at 31 July 2018.

Cr Stock requested a breakdown on the Membership/Subscriptions/Contributions/Donations budget line with Mr Harding advising the information would be provided to Members.

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Jeffrey Cook

That Council receive the financial report and capital projects update report as at 31 July 2018.

CARRIED 201/2018 (8/08/2018)

23.2 AMOUNTS CARRIED FORWARD (ROLLED OVER) TO 2018/2019**PURPOSE**

To seek approval to carry forward (roll over) 2017/2018 projects not completed at 30 June 2018 and associated budget amounts not expended in the 2017/2018 financial year to the 2018/2019 Budget so that projects and works can be completed.

RESOLUTION

Moved: Cr Jeffrey Cook

Seconded: Cr David Langford

That Council approve and endorse the list of 2017/2018 projects/works not completed and their respective funding remaining, as presented, for inclusion in the 2018/2019 Budget.

CARRIED 202/2018 (8/08/2018)

23.3 MINLATON BOWLING CLUB - REQUEST FOR COMMUNITY LOAN**PURPOSE**

The Minlaton Bowling Club Inc. has submitted a request to Council seeking a Community Loan of \$50,000 over a term of ten (10) years to enable them to extend Bowling Green A, decommission Bowling Green B and install reverse cycle air-conditioning in the clubrooms. This report seeks Councils endorsement of their request.

RESOLUTION

Moved: Cr Trevor Davey

Seconded: Cr Scott Hoyle

That Council:

1. approve the provision of a Community Loan to the Minlaton Bowling Club Inc. for the amount of \$50,000 for a period of ten (10) years repayable by six (6) monthly instalments in arrears; and
2. pursuant to the provision of Section 134 of the Local Government Act 1999, Yorke Peninsula Council does hereby order that the said Council shall borrow by means of a debenture loan on the security of the general revenue of the Council, the sum of \$50,000 (fifty thousand dollars) from the Local Government Finance Authority and that the said loan shall be for a period of ten (10) years. The said loan will be for the Minlaton Bowling Club Inc. to fund the expansion of Green A and decommission Green B as well as the installation of a reverse cycle air-conditioner.
3. the Mayor and Chief Executive Officer be authorised to sign and seal any documentation to give effect to this resolution.

CARRIED 203/2018 (8/08/2018)

24 ASSETS AND INFRASTRUCTURE SERVICES**24.1 ADDITIONAL WASTE AND RECYCLING COLLECTION SERVICES****PURPOSE**

To seek consideration from Council for the ability for residential (township) and rural properties to apply to receive additional waste and recycling collection services.

RESOLUTION

Moved: Cr Alan Headon

Seconded: Cr Scott Hoyle

That Council:

1. endorse the ability for residential (township) and rural properties to apply to receive a maximum of one (1) additional putrescible (140L) collection per week and/or one (1) additional recyclables (240L) collection per fortnight subject to the payment of the appropriate fee(s).
2. endorse the imposition of the appropriate fees for the sale of putrescible (waste) and recyclables bins, as per Council's Fees and Charges Register, for any additional bins requested, including those requested by business, industrial and commercial premises, and Council-owned and other occupied premises.

CARRIED 204/2018 (8/08/2018)

25 DEVELOPMENT SERVICES**25.1 PROPOSED NEW LEASE - PORT VINCENT PROGRESS ASSOCIATION INC.****PURPOSE**

For Council to consider endorsing a new lease agreement with the Port Vincent Progress Association Inc. in relation to the Port Vincent Institute and Hall and the Old Port Vincent CFS Station.

RESOLUTION

Moved: Cr Trevor Davey

Seconded: Cr Naomi Bittner

That Council:

1. endorse a new lease agreement with the Port Vincent Progress Association Inc. for the whole of the land commonly known as the Port Vincent Institute, comprised in Certificate of Title Volume 5855, Folio 786, 19 Marine Parade, Port Vincent and the land commonly known as the Old Port Vincent CFS Station comprised in Certificate of Title Volume 5686, Folio 417, 31 Marine Parade, Port Vincent, for a period of (5) five years commencing 1 October 2018, with an option to renew for a further (5) five year term.
2. authorise the Mayor and Chief Executive Officer to sign and seal any documents required to give effect to this lease.

CARRIED 205/2018 (8/08/2018)

25.2 PROPOSED NEW LEASE - PORT VICTORIA PROGRESS ASSOCIATION INC.**PURPOSE**

For Council to consider endorsing a new lease agreement with the Port Victoria Progress Association Inc. in relation to the Port Victoria Oval, Port Victoria Institute and Memorial Hall and the Port Victoria Parkland.

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Tania Stock

That Council:

1. endorse a new lease agreement to the Port Victoria Progress Association Inc. for;
 - a) a portion of the land commonly known as the Port Victoria Oval comprised in Crown Record Volume 5859, Folio 589, Kuhn Terrace, Port Victoria, and;
 - b) the whole of the land commonly known as the Port Victoria Institute and Memorial Hall comprised in Certificate of Title Volume 5743, Folio 833, 16 Main Street, Port Victoria, and;
 - c) the whole of the land commonly known as the Institute Car Park in Certificate of Title Volume 5728, Folio 458, 20 Main Street, Port Victoria, and;
 - d) the whole of the land commonly known as the Port Victoria Parklands comprised in Crown Record Volume 5859, Folio 591, Section 284, Marshall Road, Port Victoria,for a period of (5) five years commencing 1 October 2018, with an option to renew for a further (5) five year term.
2. authorise the Mayor and Chief Executive Officer to sign and seal any documents required to give effect to this lease.

CARRIED 206/2018 (8/08/2018)

25.3 PROPOSED NEW LEASE - EDITHBURGH MUSEUM INC.**PURPOSE**

For Council to consider endorsing a new lease agreement with Edithburgh Museum Inc. in relation to the Edithburgh Museum building.

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Alan Headon

That Council:

1. endorse a new lease agreement with Edithburgh Museum Inc. for the whole of the land commonly known as the Edithburgh Museum comprised in Certificate of Title Volume 5787, Folio 241, 5 Edith Street, Edithburgh for a period of (5) five years commencing 1 October 2018, with an option to renew for a further (5) five year term.
2. authorise the Mayor and Chief Executive Officer to sign and seal any documents required to give effect to this lease.

CARRIED 207/2018 (8/08/2018)

25.4 PROPOSED REVOCATION OF COMMUNITY LAND - 14 BENNETT STREET, PORT VINCENT**PURPOSE**

To consider submissions received in relation to the public consultation process for the proposed revocation of Community Land classification, for the purpose of selling the land at 14 Bennett Street, Port Vincent, Certificate of Title Volume 5170, Folio 107.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Scott Hoyle

That Council:

1. receive and consider written submissions in response to the public consultation for the proposed revocation of the Community Land classification for Lot 1 in Deposited Plan 38377, Certificate of Title Volume 5170, Folio 107, 14 Bennett Street, Port Vincent; and
2. give approval to proceed with seeking Ministerial approval for the revocation of the Community Land classification for Lot 1 in Deposited Plan 38377, Certificate of Title Volume 5170, Folio 107, 14 Bennett Street, Port Vincent (in accordance with Section 194(3)(a) of the Local Government Act 1999); and
3. authorise the Mayor and Chief Executive Officer to sign and affix Council's Common Seal to the relevant documents necessary to execute the revocation and transfer of properties.

CARRIED 208/2018 (8/08/2018)

25.5 PROPOSED AMENDMENTS TO COMMUNITY LAND MANAGEMENT PLANS**PURPOSE**

To consider submissions received in relation to the public consultation process for the proposed amendments to the Community Land Management Plans.

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Scott Hoyle

That Council:

1. receive the written submissions in response to the public consultation for the proposed amendment to the Community Land Management Plans; and
2. endorse and adopt the Community Land Management Plans as presented to the 13 June 2018 Council meeting.

CARRIED 209/2018 (8/08/2018)

25.6 APPLICATION TO LIFT LAND MANAGEMENT AGREEMENT, HAYES ROAD, CORNY POINT**PURPOSE**

The purpose of this report is to seek approval from Council to have a Land Management Agreement lifted from the Certificate of Title of a property as the Agreement is not applicable to the particular allotment.

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr David Langford

That Council:

1. consent to the Land Management Agreement being lifted from the Certificate of Title for land contained in Certificate of Title Volume 5953, Folio 609, (Allotment 16 Hayes Road, Corny Point).
2. authorise the Mayor and Chief Executive Officer to sign and affix the Common Seal on the relevant documents relating to the extinguishment of the Land Management Agreement over land identified as allotment 16 in Deposited Plan 68642, created by land division Development Application number 544/D001/2004.

CARRIED 210/2018 (8/08/2018)

26 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

Advised that he was speaking with a ratepayer recently about a Council Community Grant and he was very complementary about the assistance provided by Council Staff Member Rachel Rich and Cr Davey requested that this be recorded in the Council Minutes.

CONFIDENTIAL AGENDA**27 CONFIDENTIAL ITEMS****27.1 COLLECTION AND PROCESSING OF WASTES, RECYCLABLES AND ORGANICS TENDER 184/2018****RESOLUTION**

Moved: Cr Scott Hoyle

Seconded: Cr David Langford

Section 90 Order

That pursuant to Section 90(2) and (3)(k) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.1 Collection and Processing of Wastes, Recyclables and Organics Tender 184/2018, with the exception of the following persons:

- Chief Executive Officer
- Executive Assistant to CEO and Mayor
- Director Corporate and Community Services
- Director Assets and Infrastructure
- Director Development Services

The Council is satisfied that, pursuant to Section 90(2) and (3)(k) of the Act, the information to be received, discussed or considered in relation to report Item 27.1 Collection and Processing of Wastes, Recyclables and Organics Tender 184/2018, is confidential information relating to:

- (k) tenders for the supply of goods, the provision of services or the carrying out of works.

Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

CARRIED 211/2018 (8/08/2018)

6.25pm The public were asked to leave and the Chamber secured.

6.29pm

RESUMPTION OF PUBLIC MEETING

Released in Camera Minute

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr David Langford

That Council:

1. endorse SUEZ Recycling & Recovery Pty Ltd as the preferred contractor to undertake the collection and processing of wastes, recyclables and organics (green waste);
2. accept SUEZ Recycling & Recovery Pty Ltd's non-conforming seven (7) year option; and
3. include the provision of new organics (green waste) bins as part of the bin rollout requirements.

CARRIED 212/2018 (8/08/2018)

RESOLUTION

Moved: Cr David Langford
Seconded: Cr Scott Hoyle

Section 91 Order

That having considered report 27.1 Collection and Processing of Wastes, Recyclables and Organics Tender 184/2018 in confidence under Section 90(2) and (3)(k) of the Local Government Act 1999 (the Act) the Council, pursuant to Section 91 (7) and 91 (9) of the Act orders that the agenda report, attachments, minutes and supporting documentation relevant to report 27.1 Collection and Processing of Wastes, Recyclables and Organics Tender 184/2018 be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 214/2018 (8/08/2018)

28 NEXT MEETING

Wednesday 12 September 2018

29 CLOSURE

The Meeting closed at 6.30pm.

The minutes of this meeting were confirmed at the Council Meeting held on 12 September 2018.

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MAYOR RAYMOND AGNEW OAM