



PORT PIRIE REGIONAL COUNCIL

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS, COUNCIL ADMINISTRATION CENTRE, 115 ELLEN STREET, PORT PIRIE ON WEDNESDAY 27 JANUARY 2010 AT 7.30 PM.

1.0 PRESENT: His Worship the Mayor B I Vanstone, Deputy Mayor Cr N K Wilson, Crs P J Arnold, M W Basley, D M Carwana, D C Devlin, D Gadaleta, D D Haldane, S E Hortin and J A Paparella.

Also in Attendance:

Dr A Johnson, Chief Executive Officer; C Byles, Manager Administrative Services; G Jacobs, Acting Manager Environmental Services; L Wilton, Manager Technical Services; S Jain, Manager Financial Services; E J Green, Minute Secretary.

Gallery: 8 Media: 2

2.0 APOLOGIES: Nil.

3.0 DECLARATIONS OF INTEREST:

- Cr Basley : Member of the Australia Day Committee.
- Cr Arnold : Member of the Tenby10 CANdo Committee.
- Cr Paparella : Member of the Council Development Assessment Panel.
- Cr Gadaleta: Pg 264 – Historic fishing vessel project – current President of the Port Pirie Italian Community.
- Cr Arnold: Member of the Council Development Assessment Panel.
- Cr Devlin: Member of the Council Development Assessment Panel and Redhill Development Association Inc.

4.0 CONFIRMATION OF MINUTES:

4.1 Ordinary Meeting of Council 16 December 2009

OM1/10 **MOVED Cr Haldane SECONDED Cr Wilson**
That the Minutes of the Ordinary Meeting of Council held on the 16 December 2009, be received.

CARRIED

The Mayor noted that the motion contained within the above minutes at OM282/09, did not confirm the minutes of the Ordinary Meeting of Council held on 25 November 2009.

OM2/10 **MOVED Cr Paparella SECONDED Cr Wilson**
That the Minutes of the Ordinary Meeting of Council held on the 25 November 2009, be confirmed.

CARRIED

OM3/10 **MOVED Cr Devlin SECONDED Cr Hortin**
That the Minutes of the Ordinary Meeting of Council held on the 16 December 2009, be confirmed.

CARRIED

5.0 MATTERS ARISING: Nil.



6.0 MEMBERS' REPORTS:

6.1 Mayoral General Report

- Meetings and Functions for the period 17 December 2009 to 27 January 2010.
- Future appointments for the period 28 January 2009 to 24 February 2010.
- Letters of congratulation have been forwarded to the following parents on the birth of their children:
Mr & Mrs B Lavis (son), Mr & Mrs K Malycha (son), Ms B Starke (daughter), Mr & Mrs A White (daughter), Mr & Mrs M O'Shaughnessy (son), Mr & Mrs R Moncrieff (daughter), Mr & Mrs S Yates (son), Mr & Mrs G Hudson (daughter), Mr & Mrs S McBride (son), Mr & Mrs M Seidel (son), Mr & Mrs D DePalma (son), Mr & Mrs W Crawford (son), Mr N Capurso & Ms C Murolo (son), Mr & Mrs B Watt (son).
- Letters of condolence have been forwarded to the relatives of the following deceased persons:
Helen Boylan, Clarrie Bairstow, Allen L King, Robert L (Bob) Hunt, Rosalie D Mathews, Trevor N Meyers.

OM4/10 **MOVED Cr Paparella SECONDED Cr Haldane**
That the Mayoral Report be received, the contents be noted and the attendance of the Mayor at meetings and functions be endorsed.

CARRIED

6.2 Members' Reports

Members advised of their attendances and other information as follows:

- 6.2.1 Cr Basley : Attended Port Pirie Australia Day celebrations and thanked Committee Members for their organization of this very successful event, commenting that catering output of 600 breakfasts doubled last years efforts.
- 6.2.2 Cr Carwana: Attended New Years Eve celebrations in Mt Gambier, commenting that other than the fireworks display, Port Pirie's celebrations were far superior.
- 8.2.3 Mayor Vanstone : Acknowledged the efforts of Event Coordinator Jean Smith for the organization of the Port Pirie's New Years Eve event.
- 8.2.4 Cr Devlin : Acknowledged work of the Port Pirie Australia Day Committee and the sensitive mention of former Chair the late Cr John Magor; thanked the Chief Executive Officer and family for attending the Redhill Australia Day Gum Leaf Awards.
- 8.2.5 Cr Wilson : Attended the Crystal Brook Australia Day Celebrations and congratulated all award winners throughout the region.

7.0 QUESTIONS WITH NOTICE: Nil.

8.0 QUESTIONS WITHOUT NOTICE:

A series of questions without notice were raised by Elected Members and were answered by the CEO and Management in accordance with Section 10(3) of the Local Government (Procedures at Meetings) Regulations 2000, wherein the question and reply are not entered in the minutes unless the meeting resolves that an entry be made.

9.0 DELEGATIONS/INTERVIEWS: Nil.

10.0 NOTICES OF MOTION: Nil.

11.0 REPORTS OF COMMITTEES: Nil.

12.0 PETITIONS: Nil.

13.0 CORRESPONDENCE FOR DECISION:

OM5/10 **MOVED Cr Haldane** **SECONDED Cr Gadaleta**
That correspondence be received.

CARRIED

GCD 1/110 LOCAL GOVERNMENT ASSOCIATION OF SA
Circular 49.2 re proposal for NRM Funding Reform.

OM6/10 **MOVED Cr Basley** **SECONDED Cr Carwana**
That Council advise the Local Government Association that it does not support any NRM funding reform which would see Council involved in collecting funding for the NRM.

CARRIED

14.0 CORRESPONDENCE FOR INFORMATION:

GCI 1/110 Local Government Association of SA :Circular 2.8 – 2010 Local Government Showcase & General Meeting/Call for Notices of Motion.

GCI 2/110 Port Pirie Regional Art Gallery : Director's Report July-December 2009.

GCI 3/110 Tenby10 CANdo Committee : Minutes – November & December 2009.

GCI 4/110 Provincial Cities Association of SA : Minutes – 9 December 2009.

GCI 5/110 Provincial Cities Association of SA : Outcomes Summary

GCI 6/110 Flinders Mobile Library Board: Minutes 23 November 2009.

GCI 7/110 Redhill Development Association Inc: Minutes 12 January 2010

GCI 8/110 Crystal Brook Community Association Inc: Minutes 11 January 2010.

GCI 9/110 Australia Day Celebrations Committee: Minutes December 2009.

GCI 10/110 Northern & Yorke Natural Resources Management Board: Minutes 14 December 2009 and Board Update.

OM7/10 **MOVED Cr Paparella** **SECONDED Cr Haldane**
That Correspondence for Information numbered GCI 1/110 to GCI 10/110 be received.

CARRIED

15.0 OFFICERS' REPORTS:

15.1 ADMINISTRATIVE SERVICES
MANAGER ADMINISTRATIVE SERVICES

OM8/10 **MOVED Cr Basley** **SECONDED Cr Wilson**
That the report be received.

CARRIED

- 15.0 OFFICERS' REPORTS:
- 15.1 ADMINISTRATIVE SERVICES (Cont'd)
- 15.1.1 Annual Review of Council Policies
MOVED Cr Hortin SECONDED Cr Gadaleta
OM9/10 That the annual review of Council policies lay on the table to be reviewed at a workshop as soon as possible.
CARRIED
- 15.2 COMMUNITY SERVICES
Manager Administrative Services
MOVED Cr Hortin SECONDED Cr Paparella
OM10/10 That the report be received.
CARRIED
- 15.3 FINANCIAL SERVICES
Manager Financial Services
MOVED Cr Basley SECONDED Cr Haldane
OM11/10 That the report be received.
CARRIED
- 15.3.2 Community Assistance Fund
MOVED Cr Hortin SECONDED Cr Devlin
OM12/10 That the Port Pirie RSL Military Museum be allocated \$2,000 from the Community Assistance Fund towards the purchase of a new computer, printer and data base for the Military Museum Data Base Project.
CARRIED
- 15.4 ENVIRONMENTAL SERVICES
Manager Environmental Services
MOVED Cr Devlin SECONDED Cr Hortin
OM13/10 That the report be received.
CARRIED
- 15.4.1 Risdon Park Residential Development Plan Amendment (DPA)
MOVED Cr Devlin SECONDED Cr Hortin
OM14/10 That Council authorize the Chief Executive Officer to sign the Schedule 4b certificate, allowing the developer funded Residential Development Plan Amendment (Risdon Park) to be referred to the Minister for approval, including an amendment to pg 21 (pg 182 of Agenda) : Roads, 4th paragraph (relating to Ascot Avenue) to be deleted and the following be substituted in lieu : Council is seeking legal advice on the obligation to provide access to land locked allotments adjacent the private road.
CARRIED
- 15.4.2 Coastal Assessment Report
MOVED Cr Devlin SECONDED Cr Wilson
OM15/10 1. That Council receive the draft Coastal Assessment Report.
2. That Council Administration explore funding opportunities with Zero Waste SA and the Northern & Yorke Natural Resources Management Board to deliver the recommendations outlined in the Coastal Assessment Report for the Port Pirie Regional Council, as required by the Coastal Motor Vehicle Access Management Strategy (2008).
CARRIED

15.0 OFFICERS' REPORTS:

- 15.4 ENVIRONMENTAL SERVICES (Cont'd)
88 Goode Road
MOVED Cr Haldane SECONDED Cr Hortin
OM16/10 That further action relating to motion OM261/09 re removal of unregistered vehicles on Council land adjacent to 88 Goode Road, be reinforced.
CARRIED

- 15.5 TECHNICAL SERVICES
Manager Technical Services
MOVED Cr Haldane SECONDED Cr Gadaleta
OM17/10 That the report be received.
CARRIED

Cr Carwana left the meeting at 8.45pm.

- 15.5.2 Purchase of Replacement 12 Tonne VIB Roller
MOVED Cr Paparella SECONDED Cr Wilson
OM18/10 1. That Council purchase the Bomag BW211D-04 from BT Equipment for the changeover price of \$96,500.
2. That an adjustment be made at Budget Review 2 to increase the allocation by \$1,500 to the budget to balance the increase.
CARRIED

- 15.5.3 Crystal Brook Dump Point
MOVED Cr Haldane SECONDED Cr Devlin
1. That a dump point be installed in Crystal Brook adjacent to the Jubilee Park (Railway Terrace) toilet.
2. That an application be made to the CMCA for \$2,000 for the supply of the dump unit, and if successful, an amount of \$6,000 be referred to Budget Review.

Cr Carwana returned to the meeting at 8.50pm.

- Amendment
MOVED Cr Gadaleta SECONDED Cr Arnold
OM19/10 1. That a dump point be installed in Crystal Brook adjacent to the Jubilee Park (Railway Terrace) toilet.
2. That an application be made to the CMCA for \$2,000 for the supply of the dump unit.
3. That a budget allocation of \$8,000 be included in Budget Review 2.

The Amendment was put and was CARRIED, became the Motion and was CARRIED.

- 15.5.4 Crystal Brook Skate Park Funding Application
MOVED Cr Devlin SECONDED Cr Hortin
OM20/10 1. That the proposed Crystal Brook Skate Park project be deferred and further work undertaken with the Steering Group to enable a subsequent application for Office of Recreation & Sport funding when next available.
2. That Council's Community Services Officer undertake a survey of youth needs/concerns at Crystal Brook in support of the application.
CARRIED



- 15.0 OFFICERS' REPORTS:
- 15.5 TECHNICAL SERVICES
Mobile Homes Parking – OM27/5/09
MOVED Cr Haldane SECONDED Cr Carwana
OM21/10 That a copy of the information sourced from the CMCA re parking facilities for mobile homes, be made available to Elected Cr Haldane.
CARRIED
- Adjournment (9.05 pm)
MOVED Cr Wilson SECONDED Cr Devlin
OM22/10 That the meeting adjourn for 5 minutes.
CARRIED
- Resumption (9.10 pm)
MOVED Cr Haldane SECONDED Cr Gadaleta
OM23/10 That the meeting resume.
CARRIED
- 15.6 CHIEF EXECUTIVE OFFICER
15.6.1 Good Governance and Administration Practice Policy
MOVED Cr Gadaleta SECONDED Cr Devlin
OM24/10 That the draft Good Governance and Administration Practice Policy as contained in the Agenda of the Ordinary Meeting of Council held on 27 January 2010, be endorsed by Council for the purposes of public consultation in accordance with resolution OM209/09.
CARRIED
- 15.6.2 Audit Committee Terms of Reference
Clause 4.6 (Membership)
MOVED Cr Hortin
That Clause 4.6 of the Audit Committee Terms of Reference read as follows :
Appointments to the committee shall be for the period of the term of office.
Motion lapsed for the want of Secunder.
- Clause 4.7 (Membership)
MOVED Cr Hortin SECONDED Cr Devlin
OM25/10 That Clause 4.7 of the Audit Committee Terms of Reference read as follows :
Council shall appoint the Chairperson from those on the Committee.
CARRIED
- Clause 8.3 (Notice of Meetings)
MOVED Cr Hortin SECONDED Cr Arnold
OM26/10 That Clause 8.3 of the Audit Committee Terms of Reference read as follows :
A special meeting of the committee shall be summoned by the Chief Executive Officer at the request of its presiding member or any two members of the committee.
CARRIED

- 15.0 OFFICERS' REPORTS:
- 15.6 CHIEF EXECUTIVE OFFICER
- 15.6.2 Audit Committee Terms of Reference (Cont'd)
MOVED Cr Haldane SECONDED Cr Devlin
- OM27/10** That the Terms of Reference for Council's Audit Committee, as contained in the Agenda of the Ordinary Meeting of Council held on 27 January 2010, including amendments passed at this meeting, be adopted.
- CARRIED**
- 15.6.3 Historic Fishing Vessel Project
MOVED Cr Devlin SECONDED Cr Paparella
- OM28/10** 1. That the Historic Fishing Vessel Working Party be asked to evaluate the following alternate sites for the housing of the refurbished Italian Fishing Boat, ie adjacent to John Pirie Bridge in the Solomontown Boat Ramp Car Park, Tourism & Arts Centre and the area adjacent to the silos next to Caputo's, and a report be brought back to Council on costings.
2. That Council invite the Italian Community to provide the final design of the proposed 'boat house' for its approval, prior to seeking planning approval.
3. That Council contribute \$75,000 towards the cost of the project (50% to be sourced from the next budget review, with the remainder to be allocated in the 2010/11 budget.)
- CARRIED**
- 15.6.5 Council/Chamber of Commerce Working Party
MOVED Cr Wilson SECONDED Cr Devlin
- OM29/10** That the Council/Chamber of Commerce Working Party consist of the Mayor, Crs Basley and Arnold and the Chief Executive Officer.
- CARRIED**
- 15.6.6 Merger of Regional Development Boards
MOVED Cr Wilson SECONDED Cr Basley
- OM30/10** That Council endorse the amalgamation of the Southern Flinders Ranges Development Board with the Mid-North and Yorke Regional Development Boards to form Mid North-Yorke Regional Development Australia.
- CARRIED**
- 15.6.7 Crystal Brook Football Club Request for Financial Assistance
Mayor Vanstone declared that he is a member of the CBFC.
- MOVED Cr Wilson SECONDED Cr Arnold**
 That Council provide the Crystal Brook Football Club with an interest free loan of \$35,000 (to be repaid within 10 years) and reallocate the \$30,000 RLCIP funds from the Crystal Brook Skate Park to the Crystal Brook Football Club.
- Amendment
MOVED Cr Gadaleta SECONDED Cr Devlin
- OM31/10** 1. That Council provide the Crystal Brook Football Club with an interest free loan of \$35,000 (to be repaid within 10 years)
2. That a grant of \$30,000 to the Crystal Brook Football Club for upgrades be approved subject to receiving RLCIP funding.

15.0 OFFICERS' REPORTS:

15.6 CHIEF EXECUTIVE OFFICER

15.6.7 Crystal Brook Football Club Request for Financial Assistance (Cont'd)

The Amendment was put and was CARRIED, became the Motion and was CARRIED.

15.6.8 Lease of Land at Airport

MOVED Cr Devlin **SECONDED** Cr Hortin

OM32/10

1. That Mr Eyre be advised to submit a Development Application for planning and building approval for this proposal.
2. That a revised Master Plan for the Port Pirie Aerodrome be prepared for the consideration of Council.
- 3 That a Master Plan Working Party consisting of Crs Carwana and Wilson, Chief Executive Officer and Manager Technical Services, be formed to report back to Council within 6 weeks.

CARRIED

15.6.9 Authorise the Use of Council Seal

MOVED Cr Haldane **SECONDED** Cr Carwana

OM33/10

That the Mayor and Chief Executive Officer be authorised to sign and affix the Council Seal to the following documents:

1. Licence Agreement between Port Pirie Regional Council and The Terrace Tennis Group for land comprised in CT Volume 5842 Folio 91 located on The Terrace for a term of two years commencing on 1 December 2009 and expiring at midnight on 30 November 2011, at a licence fee of \$100 per annum (plus GST) for the purpose of social tennis to be played on each Saturday of the week.
2. Form of Acceptance by Port Pirie Regional Council of the offer of the Minister for Environment and Conservation for the dedication of Allotment 21 in Deposited Plan 1000 in the Hundred of Pirie for conservation purposes and placement of the land under the care, control and management of Council.
3. Further Deed of Variation between the Minister for Regional Development and Port Pirie Regional Council (and others) and the Southern Flinders Ranges Development Board Inc to provide final funding to the Regional Development Board with the establishment of Regional Development Australia in the region now reaching finalisation.
4. Funding Agreement between the Commonwealth of Australia as represented by the Department of Education, Employment and Workplace Relations and Port Pirie Regional Council regarding funding for the Port Pirie Regional Material Recovery Facility, a project approved for funding under the Australian Government Jobs Fund – Local Jobs.

CARRIED

16.0 BUSINESS WITHOUT NOTICE:

16.1 Port Davis Boat Ramp

MOVED Cr Wilson SECONDED Cr Arnold

OM34/10 That Technical Services bring back a report to the March 2010 General Purposes Committee on possible upgrading of the concrete ramp at Port Davis Boat Ramp.

CARRIED

16.2 Speed Restrictions

MOVED Cr Arnold SECONDED Cr Wilson

OM35/10 That a copy of the letter to the Department of Transport, Energy and Infrastructure re speed restrictions on National Highway One and increasing creep of 100kph speed limit on Port Wakefield Road (GP129/09), be forwarded to the Member for Frome and he be asked to pursue a response.

16.3 Audit Committee Terms of Reference

Clause 10.6.2.4 – Role of the Committee – External Audit

MOVED Cr Hortin SECONDED Cr Haldane

OM36/10 That Clause 10.6.2.4 of the Audit Committee Terms of Reference be amended in that the following words be added at the beginning of the clause: ‘Satisfy itself that there are no relationships such as family…….’.

CARRIED

16.4 Leave of Absence

MOVED Cr Hortin SECONDED Cr Basley

OM37/10 That leave of absence from all Council meetings be granted to Cr Paparella for the period 1 – 15 February 2010.

CARRIED

17.0 ITEMS FOR CONSIDERATION AS TO CONFIDENTIALITY:

17.1 Conduct of a Staff Member

MOVED Cr Haldane SECONDED Cr Paparella

OM38/10 That pursuant to Section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Dr Andrew Johnson Chief Executive Officer, be excluded from attendance at the meeting for Agenda Item 17.1 (Conduct of a staff member).

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 this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a staff member, in that details of their conduct will be discussed.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of details of the staff member’s conduct may prematurely be disclosed before the details of the report have been discussed with the staff member.

CARRIED

17.0 ITEMS FOR CONSIDERATION AS TO CONFIDENTIALITY:

17.1 Conduct of a Staff Member

MOVED Cr Wilson SECONDED Cr Devlin

OM39/10

That having considered Agenda Item 17.1 (Conduct of a Staff Member) in confidence under Section 90(2) and (3)(f) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of that Act orders that the Council report, including attachments, be retained in confidence for a period of 12 months and that this order be reviewed every 12 months.

CARRIED

18.0 NEXT MEETING: **Wednesday 24 February 2010 at 7.30 pm.**

19.0 CLOSE: The meeting closed at 11.02 pm.

MAYOR

PORT PIRIE REGIONAL COUNCIL

MINUTES OF ITEMS THAT WERE CONSIDERED AND RETAINED UNDER CONFIDENTIALITY PURSUANT TO SECTION 90(2) – 3 (a) OF THE LOCAL GOVERNMENT ACT FOR THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 27 JANUARY 2010.

1.0 CONDUCT OF A COUNCIL EMPLOYEE

Report from Chief Executive Officer advising Elected Members of the results of a SAPOL Anti-Corruption investigation into a Council employee.

Cr Carwana left the meeting at 10.42pm.

MOVED Cr Wilson SECONDED Cr Devlin

1. **That the contents of the Chief Executive Officer's Report and attached SAPOL Report be received and noted.**

2. **That the Mayor and Chief Executive Officer be authorised to prepare and issue a public statement regarding this matter.**

CARRIED

MOVED Cr Gadaleta SECONDED Cr Basley

That pursuant to Section 91 of the Local Government Act 1999, this Council now orders that the public be permitted to be in attendance at this meeting.

CARRIED

MAYOR