DISTRICT COUNCIL OF TUMBY BAY

MINUTES OF THE ORDINARY MEETING OF COUNCIL held at the Council Chamber, Mortlock Street, Tumby Bay on Tuesday 8th May 2012 at 9.00 am.

1.0 ROLL CALL

1.1 Present
Mayor Laurie Collins, Councillors Pam Brougham, Peter Swaffer, Max Wilksch, Samuel Telfer, Murray Mason, Robert Lawrie, Don Baillie and Bob Lawrie.

1.2 In Attendance
Anthony Irvine (Chief Executive Officer), Darren Zechner (Manager Works), Emma McDonald (Manager Environmental Services), Jain Mentieth (Compliance Officer) and Glenda Pickford (Administration Officer).

1.3 Apologies – Dion Watson (Deputy Chief Executive Officer)

2.0 MINUTES OF THE ORDINARY MEETING held on 10th April 2012.

1c/52012 Moved – Swaffer Seconded – Brougham
That the minutes of the Ordinary Meeting held on the 10th April 2012 be confirmed as a correct record. CARRIED

16.0 LATE CORRESPONDENCE

2c/52012 Moved - Robert Lawrie Seconded – Brougham
That the following late reports from the Chief Executive Officer be received

LATECEO 1/512 Exclusion of the Public from a Council or Committee Meeting

LATECONFCEO 2/512 Administration Redevelopment Tenders CARRIED

LATECEO 1/512 Exclusion of the Public from a Council of Committee Meeting

3c/52012 Moved - Robert Lawrie Seconded – Brougham
Exclusion of the public from a Council meeting
That Council orders that the public be excluded, with the exception of the Chief Executive Officer, Works Manager, Works Supervisor, Manager Environmental Services, Compliance Officer, Minute Secretary and Michael Heath (Lowe & Redding Designs) from attendance at so much of this meeting as is necessary to receive, discuss or consider in confidence tenders for the Administration Building renovations and alterations and CEO's Report LATECONFCEO 2/512 as per the provisions of Section 90 (2) the Local Government Act 1999 Section:

- 90(3)(k) tenders for the supply of goods, the provision of services or the carrying out of works. CARRIED
CONFIDENTIAL INFORMATION

SEE CONFIDENTIAL BOOK
Moved - Telfer  
Seconded – Robert Lawrie  

Confidential Documents  
That as per Section 91(9)(a) of the Local Government Act 1999, any documents or 
discussions including the minutes of council relating to discussion on this matter having 
been dealt with on a confidential basis under Section 90 of the Act will remain 
confidential until:

- (Duration of order – until after council has finalised tender negotiations including 
detailed costings and a contract is signed between the parties for the re-
development of the Council Administration Building & environs).  

CARRIED

6.0  
DEPUTATIONS  
Mr Wayne Branson (Board Director) and Fiona Wilkinson (Branch Manager) 
addressed Council on behalf of the Tumby Bay District Community Bank.

3.0  
DECLARATION OF INTEREST – Nil.

4.0  
DEFERRED MOTIONS – Nil.

5.0  
MAYOR’S REPORT  
Moved - Mason  
Seconded – Robert Lawrie  
That the following report from the Mayor be received.  

MAYOR 1/512  
Planning for Public Health and LGA General Meeting  

CARRIED

7.0  
COMMUNITY DELEGATES’/REPRESENTATIVES’ REPORTS  

7.1  
Port Lincoln Civic Hall Management Board  

Moved - Brougham  
Seconded – Mason  
That the following report from the Port Lincoln Civic Hall Management Board 
be received.  

April 2012  
Port Lincoln Civic Hall Management Board Inc – April 2012 Meeting.  

CARRIED

7.2  
Elected Members Reports  

Moved – Bob Lawrie  
Seconded – Brougham  
That the following report from the Deputy Mayor be received.  

DEPUTY MAYOR 1/512  
Planning for Public Health and LGA General Meeting  

CARRIED

Mayor Collins  
- Planning for Health Seminar (Adelaide)  
- Local Government Association General Meeting  
- Informal meeting with MasterPlan (Structure Planning)  
- Southern EP Building Fire Safety committee inspections and meeting  
- Bruce Francis (ex CEO DC of Franklin Harbour) farewell  
- Special Council Meeting – first draft budget considerations
Councillor Mason
- Informal meeting with MasterPlan (Structure Planning)
- Welcome Bendigo Bank Delegates to Tumby Bay
- SEPS Committee meeting and SEPS Audit Committee meeting
- Lower Eyre Road Safety Committee meeting
- Special Council Meeting – first draft budget considerations

Councillor Swaffer
- Informal meeting with MasterPlan (Structure Planning)
- Special Council Meeting – first draft budget considerations

Councillor Wilksch
- SEPS Committee meeting and SEPS Audit Committee meeting
- Technical Services & Works Committee tour and meeting
- Special Council Meeting
- Centrex / Eyre Iron meeting
- Special Council Meeting – first draft budget considerations

Council Robert Lawrie
- Informal meeting with MasterPlan (Structure Planning)
- Lower Eyre Health Advisory Committee meeting
- Special Council Meeting – first draft budget considerations
- School Council Meeting

Councillor Telfer
- Ungarra District Community Sports Club meeting
- Informal meeting with MasterPlan (Structure Planning)
- Special Council Meeting – first draft budget considerations

8.0 QUESTION ON NOTICE – Nil.

9.0 QUESTION WITHOUT NOTICE
Council Staff answered questions from elected members.

10.0 PETITIONS – Nil.

11.0 MOTION ON NOTICE – Nil.

12.0 COUNCIL/COMMUNITY COMMITTEE REPORTS – Nil.
12.1 COUNCIL COMMITTEE REPORTS – Nil.
12.2 COMMUNITY COMMITTEE REPORTS - Nil.

13.0 OFFICERS’ REPORTS
13.1 Chief Executive Officer’s Reports

9c/52012 Moved - Telfer Seconded – Robert Lawrie
That the following reports from the Chief Executive Officer be received.

CEO 1/512 General Business Update
CEO 2/512 Review of Policy 3.07 – Employees use of Council Plant & Equipment  CARRIED

CEO 1/512 General Business Update

10c/52012 Moved - Bob Lawrie Seconded - Wilksch That staff investigate Council’s Balance Sheet to ascertain the amount of accumulated surplus funds held.  CARRIED

11c/52012 Moved – Bob Lawrie Seconded - Swaffer That Council request the following matter of “Reinstating our local Pest Plant Boards in lieu of the NRM Levy” to be included in the EPLGA Agenda for discussion.  CARRIED

Council notes the Strategic Plan Progress Report.

CEO 2/512 Review of Policy 3.07 – Employees use of Council Plant & Equipment

12c/52012 Moved - Wilksch Seconded - Brougham Council requests the CEO to redraft Policy 3.07 - Employees use of Council Plant & Equipment and report back to the next meeting.  CARRIED

13.2 Corporate Services Reports

13c/52012 Moved - Telfer Seconded – Bob Lawrie That the following reports from the Deputy Chief Executive Officer be received:

DCEO 1/412 Statement of Financial Position
DCEO 2/412 Budget v Actual Report
DCEO 3/412 Tumby Bay Oval Recreation Reserve
DCEO 4/412 Council Bank Operating Account  CARRIED

DCEO 1/412 Statement of Financial Position

14c/52012 Moved – Telfer Seconded - Mason That the payment of cheque numbers 21639 to 21657 for a total of $71,264.80 and electronic fund transfer batch numbers 140 to 142 for a total of $172,176.97 be endorsed.  CARRIED

DCEO 2/512 Budget v Actual Report

15c/52012 Moved - Mason Seconded – Robert Lawrie That the report be received and noted.  CARRIED

DCEO 3/512 Re-Development of the Tumby Bay Soldiers Memorial Hall

Noted.

DCEO 4/512 Council Bank Operating Account

16c/52012 Moved – Bob Lawrie Seconded - Telfer That staff be directed to transfer Council’s operating account from Bank SA to the Bendigo Bank as from 1 July 2012.  CARRIED

13.3 Technical Services & Operations Reports – Nil.
13.4 Environmental Services Reports

17c/52012 Moved – Mason Seconded - Telfer
That the following reports including that Late Report from the Manager Environmental Services be received.

MES 1/512 Use of Common Seal & Signing of Marina Waterway Leases

MES 2/512 Adoption of Building Fire Safety Committee Terms of Reference and Membership Endorsement

LATEMES 1/512 Proposed Road Closure – Old School Road Lipson
CARRIED

MES 1/512 Use of Common Seal & Signing of Marina Waterway Leases

18c/52012 Moved – Bob Lawrie Seconded - Baillie
That pursuant to Section 38 of the Local Government Act 1999 Council approves the Mayor and Chief Executive Officer to sign and seal the following documents:

- Memorandum of lease between Council & PG & KJ Cave for Allotment 57 Nelcebee Terrace Deposited Plan 55096 being an allotment of waterway for the sole use of mooring vessels.
- Memorandum of lease between Council & RR Van Wyk for Allotment 101 Nelcebee Terrace Deposited Plan 55096 being for an allotment of waterway for the sole use of mooring vessels.
- Memorandum of lease between Council & JK & DI James for Allotment 13 Graham Smelt Causeway Deposited Plan 55096 being for allotment of waterway for sole use of mooring vessels. CARRIED

MES 2/512 Adoption of Building Fire Safety Committee Terms of Reference and Membership Endorsement

19c/52012 Moved – Robert Lawrie Seconded – Bob Lawrie
That;
1. Council adopt the Southern Eyre Peninsula Building Fire Safety Committee Terms of Reference as presented.
2. The membership of the Southern Eyre Peninsula Building Fire Safety Committee shall be for a period of three years. CARRIED

LATEMES 1/512 Proposed Road Closure – Old School Road Lipson

20c/52012 Moved - Bob Lawrie Seconded – Robert Lawrie
That Council not proceed with the Roads (Opening and Closing) Act 1991 and Local Government Act 1999 procedure to transfer the road reserve portion of the subject land (Old School Rd Lipson) to the applicants M Heath and K & L Talbot-Smith as the current offer is below that outlined in the valuation report received by Council; and

That the Manager Environment Services be delegated to offer the applicants the road reserve portion of land at the valuation price as stated in the valuation report (Job No 7121) plus all associated costs. If the applicants accept Councils position then Council will proceed with the Roads (Opening and Closing) Act 1991 and Local Government Act 1999 procedure to transfer the road reserve portion of the subject land (Old School Rd Lipson) to the applicants M Heath and K & L Talbot-Smith. CARRIED
13.5 Compliance Officer’s Report

21c/52012 Moved - Telfer Seconded – Bob Lawrie
That the following report from the Compliance Officer received.

CO 1/512 Elected Member Training & Development  CARRIED

14.0 OTHER REPORTS – Nil.

15.0 CORRESPONDENCE

22c/52012 Moved - Mason Seconded - Swaffer
That correspondence items C1/0512 to C4/0512 be received.  CARRIED

C1/0511 LGA of SA providing a Media Release on the next step in the Marine Park process
Noted.

C2/0511 LGA of SA providing information on their Local Excellence Update.
Noted.

C3/0511 Operation Pilgrimage Group seeking assistance with their “In the Company of Heroes 1915 - 2015” travelling exhibition.

23c/52012 Moved - Wilksch Seconded – Telfer
That Council not participate in Operation Pilgrimage – “In the Company of Heroes 1915-2015” travelling exhibition and forward the letter to the RSL.  CARRIED

C4/0511 Liz Mickan raising her concerns with South Australia’s Natural Resources Committee inquiry into the Eyre Peninsula Water supply.

24c/52012 Moved - Baillie Seconded - Mason
That Council forward Liz Mickan’s correspondence onto Centrex for a response and also follow up any supplementary questions at the next meeting with the mining company.  CARRIED

Council resolved that staff seek information on undertaking a study tour of iron ore mines in consultation with Centrex and Eyre Iron.

16.0 LATE CORRESPONDENCE

17.0 INFORMATION TABLED

Information tabled for inspection by Councillors.
- Compliance Officer Report 2/512 – Projects Update.
- Land Transfer Report.
- Eyre and Western Region Plan.
19.0 MEETING CLOSED AT 11.10 AM.

DATE: ____________________ CONFIRMED: ____________________

MAYOR