MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WHYALLA
HELD ON MONDAY 15 SEPTEMBER 2014 AT 5.30 PM
IN THE COUNCIL CHAMBER

PRESENT: Mayor J Pollock, Crs T Breuer, C Carter, MK Hodge, R McGinniss
R Rajamani (entered the meeting at 5.35 pm) and J Velthuizen

OFFICERS IN ATTENDANCE:

Chief Executive Officer (Mr P Peppin)
Group Manager Engineering and Infrastructure (Mr A Jamil)
Group Manager Finance and Corporate (Mrs M Tucker)
Group Manager Planning and Development (Mr S Payne)
Executive Officer (Mrs J Hayward)

1. Opening Prayer and Welcome

The meeting opened with the Civic Prayer.

2. Obituary Notices

Maria Kiss
June Newitt
Alan Scoble
Pauline Timms
Wack Earwicker
Kaine Riebe
Marlitta Biagi
Alva Murphy
Ross Sims
Birthe Venning
Judith Griffin
Ian Gudger
Vera Lowe
Roger Summerton
Betty Durkin
Jim Hewitson
Ron Pope
Elaine Roffey
Kathleen Abbott
Gennady Grebenshikoff
Agnes Nowak
3. **Acknowledgement**

We acknowledge that this meeting is held on Barngarla Land and we give thanks for the use of this Land.

4. **Attendance Record**

**Apologies**

Moved Cr Hodge, seconded Cr McGinniss

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C1623-2014
That Council accept the apology from Crs J Marshall and S Minney for the meeting held on Monday 15 September 2014 and a leave of absence be granted for this meeting.

Carried Unanimously
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**Leave of Absence – Nil**

5. **Declaration of Members’ Conflict of Interests** - Nil

6. **Minutes of Previous Meetings**

6.1 Ordinary Council Meeting held on Monday 18 August 2014

Moved Cr Breuer, seconded Cr Velthuizen

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C1624-2014
That the Minutes of the Ordinary Council Meeting held on Monday 18 August 2014, as per copies supplied to Members, be adopted as a true and accurate record of that meeting.

Carried Unanimously
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6.2 Special Council Meeting held on Monday 25 August 2014
Moved Cr Carter, seconded Cr Hodge

**C1625-2014**
That the Minutes of the Special Council Meeting held on Monday 25 August 2014, as per copies supplied to Members, be adopted as a true and correct record to that meeting.

Carried Unanimously

6.3 Special Council Meeting held on Wednesday 3 September 2014
Moved Cr Hodge, seconded Cr Breuer

**C1626-2014**
That the Minutes of the Special Council Meeting held on Wednesday 3 September 2014, as per copies supplied to Members, be adopted as a true and correct record to that meeting.

Carried Unanimously

Cr R Rajamani entered the meeting at 5.25 pm

6.4 Special Council Meeting held on Thursday 11 September 2014
Moved Cr McGinniss, seconded Cr Carter

**C1627-2014**
That the Minutes of the Special Council Meeting held on Thursday 11 September 2014, as per copies supplied to Members, be adopted as a true and correct record to that meeting.

Carried Unanimously

7. Deputations – Nil

8. Presentations

8.1 Ms Anita Crisp, Executive Officer, Upper Spencer Gulf Common Purpose Group, presented on the current initiatives of the Upper Spencer Gulf Common Purpose Group.
9. Petitions – Nil

10. Matters Adjourned / Deferred - Nil

11. Notices of Motion – Nil

12. Questions on Notice – Nil

13. Questions without Notice – Nil

13.1 Cr C Carter

Moved Cr Carter, seconded Cr Rajamani

C1628-2014

That the Questions without Notice from Cr Carter be recorded in the minutes.

Carried Unanimously

13.1.1 Whyalla Airport Baggage Handling

Q.1 What are we doing as a Council to eliminate an OHS issue we have at the arrival hall of a newly renovated airport?

Cr Colin Carter, as Chair of the Airport Advisory and Security Committee, provided background information from a committee meeting in relation to OHS issues re baggage handling at the Whyalla Airport. Cr Carter also outlined options given by Mr Nick Styles - Regional Air as a resolution to the issues under reference.

A.1 Mr Adil Jamil, Group Manager Engineering and Infrastructure advised of a recent survey undertaken by Council and the dimensions of the ramp currently being used at the airport.

Cr Tim Breuer enquired as to whether the trailer could be reversed into the airport baggage handling area.

A.1 cont. Mr Alex Poulton, Manager Business and Sustainability advised that the ‘reversal of the baggage trailer’ had been raised at a Airport Advisory and Security Committee meeting and REX (Regional Air) had dismissed this suggestion.
Based on a survey undertaken by Council the airport is a suitable facility for REX. Mr Poulton advised that how REX determine the operation of the facility is up to them and REX will need to consider their WHS responsibilities. Mr Poulton advised that REX had ample opportunity to talk to Council about their concerns, regarding the design and construction phase, but unfortunately the concerns had been left to operational and implementation before Council were aware of their issues.

Mr Peter Peppin, Chief Executive Officer commented that although staff had advised the matter met compliance - there could be an issue with the service provided and that this matter would be addressed.

13.1.2 Whyalla Leisure Centre – Paint Work

Q.1 We have recently undertaken an upgrade to the Leisure Centre – close to $1M – I have been told that the work which has been undertaken is now leaking and the paintwork is now lifting due to the water running down. What role does Council play in this – are we to fix this at our expense or do we have some comeback from the contractors that have done the work initially?

A.1 Mr Jamil, Group Manager Engineering and Infrastructure advised that he was not aware of such a matter and he would take the Question on Notice.

In regards to Cr Carter’s concerns regarding cost of repairing such works – in the contract documents that Council produces there is a clause that the contractor is responsible for 12 months. If there is a problem in this regards the work would be done at the contractor’s cost.

14. Public Question Time

14.1 Mrs J Waters on behalf of the Whyalla Residents and Ratepayers Association

14.1.1 Carbon Tax Remission

Q.1 What is the position of South Australia and Whyalla City Council in relation to the repeal of the carbon tax and any possible remission to Rate Payers such as is occurring in other States?

A.1 Mrs M Tucker, Group Manager Finance and Corporate advised of the following:

Carbon price statement for residents

In July 2014 the carbon price legislation was repealed by the Australian Parliament.

The Federal Government stated that the carbon price repeal package will:

- reduce the cost of living. The Government has produced modelling that indicates that the average household will save $550 in 2014/15;
- reduce the cost of living. The Government has produced modelling that indicates that the average household will save $550 in 2014/15;
lower retail electricity prices by 9% and retail gas prices by 7% in 2014/15;

- boost economic growth and enhance Australia’s international competitiveness; and,

- reduce annual compliance costs for 370 liable entities by $90 million.

What does this mean for Council?

No Council in South Australia had to pay the carbon price directly under the former Carbon Price Mechanism (CPM).

Councils in other states, such as Brisbane City Council did get caught by the CPM and were required to calculate and collect funds to pay the price. Now that the carbon price obligation is no longer in place these Councils need to look at the funds they collected and identify returns to the community.

“Councils Across SA will be working hard with their suppliers and energy providers to bring to account any savings associated with the repeal of the Carbon Price”¹

Some impact was noted in Council’s Annual Business Plan 2012/13 for the cost of providing street lighting to the community due to expected increases in charges for this supply advised to Council. These increases were therefore pass through charges and not attempts by Council to collect Carbon Tax.

Like householders Council will not be aware of the impact of the carbon price repeal on supply charges and will not be able to account separately for the impact. In cases where Council is made aware of the impact the information will be reflected in public consultation on the 2015/16 draft Annual Business Plan. This is an approach that will be taken by Councils across the State see extract below:

“LGA said Councils would be expected to incorporate any identifiable savings in operating outcomes for the current financial year and factor impacts in to annual plans and budgets for 2015/16. In some instances they may not appear as savings but as deferred or lower annual price increases. Where Councils did receive clear information about price reductions from the tax’s repeal the information should be reported in 2015/16 budget preparations.”²

The immediate impact is an unknown and it will take some time to fully understand. Where there is any benefit obtained by Council resulting from the repeal of the carbon price and the subsequent pass through adjustments in supplier charges and potential future savings, these savings will be factored into the normal Council Annual Business Plan process for 2016/16.

Role of the ACCC (Australian Competition and Consumer Commission)

The ACCC will have new powers to take action against businesses that fail to pass on cost savings attributable to the carbon price repeal.

Businesses which supply regulated goods – electricity, natural gas, synthetic greenhouse gases (typically refrigerant gases) or synthetic greenhouse gas equipment (such as refrigerators and air-conditioners) will be required to pass on all of the cost savings, direct and indirect, that are attributable to the carbon price repeal.
In addition to its existing powers, the ACCC has new powers to:

- monitor prices in key sectors;
- take action against entities in key sectors that attempt to exploit other businesses and consumers by failing to pass on all of their cost savings from the carbon price repeal and
- take action against entities that make false or misleading claims about the effect of the carbon price repeal or carbon price scheme on the price for the supply of goods or services (false or misleading representations).

The Local Government Association of South Australia is working with the ACCC so that it can assist Councils in meeting the ACCC expectations, and Council’s obligations.

Advice from the Australian Local Government Association

The Australian Local Government Association has commissioned legal firm Norton Rose Fulbright to compile a report highlighting the implications of the carbon pricing repeal on Local Government. (This information will be available to you at the time of the Council meeting).

Whyalla Council will continue to be guided by the information provided as it becomes available.


14.1.2 Special Council Meeting - Documentation

Q.1 Was there a Special Council Meeting held on Thursday 11 September 2014 – if so why was there no Notice of the Meeting or Agenda released or made available to the public?

A.1 Mayor Pollock requested that this question be Taken on Notice.

14.1.3 Election Caretaker Policy

Q.1 Has this policy been adopted as yet?

A.1 Mr Peter Peppin, Chief Executive Officer advised that this Policy in conjunction with the Policy relating to the Appointment of Deputy Mayor was adopted some time ago.

Q.2 Can I ask at what meeting this was done at?

A.2 Mrs Waters was advised Council resolved at the July 2014 Council meeting, in relation to three policies: Election Caretaker Policy; Election of Deputy Mayor and Supplementary Elections, that the policies be released for public consultation and if no substantive submissions had been received the policies would be adopted by Council.

Q.3 I made a submission and I have been waiting for it to be adopted? So my response was considered not substantive?
A.3 Mrs Waters was re-advised of the resolution of Council from the 21 July 2014 meeting.

14.2 Mr A Melville-Smith – Veterinarian

14.2.1 Rehoming of Cats

Mr A Melville-Smith outlined a discussion taking place on Facebook regarding the rehoming of a cat.

Q.1 What is the situation with this matter at the moment?

A.1 Mr Stewart Payne, Group Manager Planning and Development advised that Council had made a presentation on behalf of the original owner. Representation has been made asking the current owner if they would be willing to return the cat to the previous owner. I am advised that subject to payment of outstanding costs to the current owner that this is agreeable to the current owner.

Q.2 This is a totally unsatisfactory state of affairs – any cat that is trapped or ends up in the pound and does not have any identification (eg collar or microchip) can be destroyed or rehomed immediately – there is no holding period. Mr Melville-Smith advised of the history behind this matter.

The Council needs to put in place some guidance so that we know what is going on but also so the employees know the processes / timeframes attached to holding cats. Council is trying to encourage responsible pet ownership which means getting pets de-sexed and micro-chipped etc.

Mr Peter Peppin stated he had already advised Mr Melville-Smith that he had referred this matter to Council’s Lawyers and Council would not make any determination until he had received a response from Council’s Lawyers.

15. Motions without Notice

15.1 Cr C Carter

15.1.1 Council use of Contractors

Moved Cr Carter, seconded Cr Rajamani

C1629-2014

That a report be carried out on expenditure / costs broken into (daily rates and lump sum) to outsource contractors by this Council that exceed $250,000 in any one financial year. This report is to reflect the last three financial years and first quarter of 2014/15.

That this report be prepared by Monday 6 October 2014 in readiness for the Audit Committee workshop meeting on 8 October 2014.

Carried

17. Elected Members’ Activities

17.1 Cr MK Hodge

- 20 August 2014  Meeting re Chief Executive Officer Review
- 25 August 2014  Special Council meeting
- 26 August 2014  Nomenclature Committee meeting
- 28 August 2014  Local Government Candidate Briefing
- 1 September 2014  City Strategy and Policy Committee meeting
- 2 September 2014  Mayoral reception for Global Maintenance Conference
- 3 September 2014  Global Maintenance Conference  
  Special Council meeting
- 4 September 2014  Global Maintenance conference
- 5 September 2014  Graeme Jose Spirit of Whyalla Award – Mayoral Reception
- 11 September 2014 Special Council meeting
- 15 September 2014  Council meeting

17.2 Cr J Velthuizen

Cr Velthuizen advised of his, and the Mayor’s attendance at the Opening of the Men’s Shed. Cr Velthuizen praised the work being undertaken by this group.

18. Management Reports

18.1 Group Manager Community – Ordinary Report

18.1.1 Works in Progress - Community

Moved Cr Carter, seconded Cr Breuer

C1630-2014

That the report be received and noted.

Carried Unanimously
18.2  StarClub Community and Recreation Field Officer - Ordinary Report

18.2.1 Final Report for Jubilee Park Master Plan

Moved Cr Carter, seconded Cr Velthuizen

C1631-2014

That the Jubilee Park Precinct Master Plan, as attached at Annexure “A”, be adopted by Council with the following forming the basis of recommendations for the development of the Jubilee Park Precinct:

1. That the Reference Group developed for the project be retained and used as a formal group to steer the development of the Plan and the site.
2. A full bill of quantities (cost estimates) be prepared for the Master Plan (Stage 1).
3. Upon completion of the cost estimates, Council seek funding to develop the centralised facility as a matter of priority.
4. Detailed designs are undertaken for the facility in conjunction with the Reference Group and users.
5. A staged and prioritised development of the site be considered and proposed by the Reference Group.
6. A new management and governance structure for the proposed facility is considered.
7. A Business and Strategic Plan be developed to promote and develop the site as the premier events space on the Eyre Peninsula serving the local and regional communities of Whyalla and beyond.

Carried Unanimously

18.3  Group Manager Planning and Development- Ordinary Reports

18.3.1 Relocation to Jubilee Park

Moved Cr Velthuizen, seconded Cr Carter

C1632-2014

That the report be received and noted.

Carried Unanimously
18.3.2  Works in Progress – Planning and Development
Moved Cr Carter, seconded Cr Breuer

C1633-2014
That the report be received and noted.
Carried Unanimously

18.4  Group Manager Engineering and Infrastructure - Ordinary Report
18.4.1  Works in Progress – Engineering and Infrastructure
Moved Cr Carter, seconded Cr Breuer

C1634-2014
That the report be received and noted.
Carried Unanimously

18.5  Group Manager Finance and Corporate - Ordinary Report
18.5.1  Works in Progress – Engineering and Infrastructure
Moved Cr Hodge, seconded Cr Velthuizen

C1635-2014
That the report be received and noted.
Carried Unanimously
18.6  Executive Manager Engineering Services - Ordinary Reports

18.6.1  Regional Development Fund 2014/15 – Community Infrastructure Program

Moved Cr Carter, seconded Cr Velthuizen

**C1636-2014**

That Council approves the Administration to submit full application for the Leisure Centre Improvement Project and allocate $440,000 in its 2015/16 Capital Works Program, should Council be successful in receiving funding.

Carried Unanimously

18.6.2  SA Water Standard Recycled Water Agreement

Moved Cr Velthuizen, seconded Cr Hodge

**C1637-2014**

That Council:

1. approve the draft agreement as attached in Annexure “A”; and
2. authorise the Mayor and the Chief Executive Officer to sign and seal the agreement for and on behalf of Council.

Carried Unanimously

18.7  Senior Finance Officer - Ordinary Reports

18.7.1  Capital Works Program Update

Moved Cr Carter, seconded Cr Hodge

**C1638-2014**

That the adjustment to the Capital Works Program be adopted including:

- additional borrowings of $350,000; and
- additional reserve funds allocated of $95,000.

Carried Unanimously
18.7.2 Marina “Tickets per Launch” Fees

Moved Cr Carter, seconded Cr Hodge

C1639-2014

That Council:

- adopt Option 2 to retain the $10 fee adopted on 30 June 2014, which will be recognised as Parking and Launch Fees; and
- the fee charge be advertised for a period of 21 days from 22 September 2014 to 12 October 2014.

Carried Unanimously

Mr S Payne, Group Manager Planning and Development vacated the meeting at 7.00 pm and resumed his seat at 7.02 pm

18.8 Manager Business Services and Sustainability - Ordinary Reports

18.8.1 Kerbside Collection Policy

Moved Cr Carter, seconded Cr Hodge

C1640-2014

That Council endorse the deletion of 240L red bins from the Kerbside Collection Service Policy, subject to Council’s Public Consultation Policy to remove any ambiguity within the document and if no substantive submissions are received, the policy be adopted and implemented.

Carried Unanimously

Manager Business Services and Sustainability – Late Items

Moved Cr Carter, seconded Cr Breuer

C1641-2014

That the late items submitted by the Manager Business Services and Sustainability be received as Urgent Business.

Carried Unanimously
18.8.2 Landscape Design (Late Item)

Moved Cr Hodge, seconded Cr Velthuizen

**C1642-2014**

That the landscape design for the Cartledge Avenue/McDouall Stuart Avenue Roundabout be released for public consultation, in accordance with Council’s Public Consultation Policy, for a period of 21 days, after which time, if no substantive submissions have been received from the public, the landscape design be adopted and implemented.

Carried Unanimously

18.8.3 Saleable Products at Waste and Resource Recovery Centre (WRRC) (Late Item)

Moved Cr Carter, seconded Cr Rajamani

**C1643-2014**

That Council:

- approve the price increase from $9/t to $11/t for recycled crushed concrete at the Mount Laura Waste and Resource Recovery Centre.

Carried Unanimously

18.8.4 Garden Entry Visitor Information Centre (VIC) (Late Item)

Moved Cr Carter, seconded Cr Rajamani

**C1644-2014**

That Council agree to the opening of the gardens for free public use during the VIC hours of operation.

Carried Unanimously

Mr A Jamil, Group Manger Engineering and Infrastructure vacated the meeting at 7.16 pm
18.9 Planning Manager – Ordinary Reports

18.9.1 Development Assessment Panel Presiding Member Appointments

Moved Cr McGinniss, seconded Cr Velthuizen

**C1645-2014**

That:

1. Ms Lisa White be re-appointed to the position of Presiding Member of the Council Development Assessment Panel, for a further term of two years from the date of appointment; and

2. a notice be placed in the Whyalla News advising the community of the re-appointment.

*Carried Unanimously*

Mr A Jamil, Group Manager Engineering and Infrastructure and resumed his seat at 7.20 pm

18.9.2 Mobile Vendors Policy

Moved Cr Breuer, seconded Cr Carter

**C1646-2014**

That:

1. Council endorse the Mobile Vendors Policy in its amended form as described in Annexure “C”, subject to any necessary editorial revisions; and

2. Administration write to the representors responding to their submission and advise them of Council’s decision.

*Carried Unanimously*
18.10 Team Leader Ranger Services – Ordinary Reports

18.10.1 Adoption of By-Laws

Moved Cr Hodge, seconded Cr Rajamani

C1647-2014

1. That, in the exercise of the powers contained in Section 246 of the Local Government Act 1999, having satisfied the consultation requirements of the Act and noting that one submission was received from the public in relation to the proposed by-laws and, after having had regard to the National Completion Policy Report, the Certificates of Validity provided by the Council’s legal practitioner, the letter of approval from the Minister of Transport in respect of By-law Numbers 2, 7, 9 and 10 and the recommendations from the Dog and Cat Management Board, the majority of Council, in the presence of at least two-thirds of its members, hereby makes and passes the following by-laws as attached:

   a) Permits and Penalties By-law No. 1 of 2014
   b) Local Government Land By-law No. 2 of 2014
   c) Roads By-law No. 3 of 2014
   d) Moveable Signs By-law No. 4 of 2014
   e) Dogs By-law No. 5 of 2014
   f) Cats By-law No. 6 of 2014
   g) Caravans & Camping By-Law No. 7 of 2014;
   h) Waste Management By-Law No. 8 of 2014;
   i) Boat Harbours & Facilities No. 9 of 2014; and
   j) Foreshore By-law No. 10 of 2014

2. That the minutes reflect the number of members who voted in favour of the resolution to evidence that the resolution was supported by an absolute majority of the members of Council.

Carried Unanimously
18.10.2 Introduction of a Twelve Month Trial Dry Zone within Civic Park

Moved Cr Carter, seconded Cr Rajamani

**C1648-2014**

That:

1. Council convene a forum and invite relevant specialists and stakeholders who might advise on the nature and extent of perceived anti-social behaviours within Civic Park and their causes and consider suitable means of addressing these behaviours, one of which being the imposition of a Dry Area under the Liquor Licencing Act.

2. Invitations to attend the forum be sent to one or more health professionals and representatives of Housing SA, Families SA, SA Police, Council and members of the public including representatives of stakeholder groups (various park users).

Carried Unanimously

18.10.3 Draft Animal Management Plan 2014-2018

Moved Cr Carter, seconded Cr Velthuizen

**C1649-2014**

That Council accept the proposed Animal Management Plan as suitable for public consultation in accordance with Council's Consultation Policy and that following consultation, should there be no substantive representations requiring modification of the Plan and further referral to Council, that it be adopted for submission to the Dog and Cat Management Board.

Carried Unanimously
18.11  Project Manager Assets and Programming - Ordinary Report

18.11.1 Naming of Foreshore and Car Parks

Moved Cr Velthuizen, seconded Cr Carter

C1650-2014

That Council considers the naming of the foreshore area as:

- Whyalla City Beach, with the associated car parks, as Whyalla City Beach Northern Car Park and Whyalla City Beach Southern Car Park.

Carried Unanimously

18.12  Property and Leasing Officer - Ordinary Reports

18.12.1 Whyalla Band Hall Lease

Moved Cr Velthuizen, seconded Cr Carter

C1651-2014

That Council:

1. Grant a Lease to the Whyalla Music Association Incorporated over Part Allotment 158-159 McBryde Terrace, CR 5440/570, Band Hall;
2. Grant the Lease for a period of five (5) years;
3. Consider that the commencement Lease Fee be set at $6,665.00, to be reviewed annually by CPI;
4. Requests the Lessee to provide written evidence should the Lessee consider the lease fee inappropriate, justifying the request for a reduction in the recommended lease fee;
5. Grant the agreement be signed under delegated authority by the Chief Executive Officer

Carried Unanimously
18.12.2 Whyalla Bowling Club Lease

Moved Cr Velthuizen, seconded Cr Carter

**C1652-2014**

That Council, subject to public consultation being undertaken as per Council's Public Consultation Policy:

1. Grant a Lease to the Whyalla Bowling Club Inc over Part Allotment 158-159 McBryde Terrace, CR 5440/570;
2. Grant the Lease for a period of five (5) years commencing on 1 January 2015 and ending on 31 December 2019 with a further five (5) year right of renewal;
3. Resolve that the commencement Lease Rental be set at $713.61, to be reviewed annually by CPI; and
4. that on the proviso that no substantive submissions are received the agreement is signed and sealed.

Carried Unanimously

19. Chief Executive Officer’s Reports

19.1 Action Report September 2014 Council Meeting

Moved Cr Hodge, seconded Cr Rajamani

**C1653-2014**

That the September 2014 meeting Action Report, as submitted by the Chief Executive Officer, be received and noted.

Carried Unanimously

19.2 Chief Executive Officer’s Newsletter

Moved Cr Velthuzien, seconded Cr Carter

**C1654-2014**

That the Chief Executive Officer’s Newsletter be received.

Carried Unanimously
20. **Information Reports**

20.1 Mayor JN Pollock – List of Engagements

Moved Cr McGinniss, seconded Cr Hodge

**C1655-2014**

That the Information Report, as listed below, be received and noted:

- Mayor JN Pollock – List of Engagements

Carried Unanimously

21. **Committee Reports**

21.1 Executive Management Team Meeting held on Friday 22 August 2014

Moved Cr Carter, seconded Cr Hodge

**C1656-2014**

That the Minutes of the Executive Management Team meeting held on Friday 22 August 2014 be received and noted.

Carried Unanimously

21.2 City Strategy and Policy Committee Meeting held on Monday 1 September 2014

Moved Cr Velthuizen, seconded Cr Hodge

**C1657-2014**

That the Minutes of the City Strategy and Policy Committee meeting held on Monday 1 September 2014 be received and the recommendations from the meeting be adopted.

Carried Unanimously
21.3 Nomenclature Committee Meeting held on Tuesday 2 September 2014

Moved Cr Rajamani, seconded Cr Breuer

C1658-2014

That the Minutes of the Nomenclature Committee meeting held on Tuesday 2 September 2014 be received and the recommendations from the meeting be adopted.

Carried Unanimously

22. Other Urgent Business - Nil

Adjournment of Meeting – 8.00 pm

Resumption of Meeting – 8.10 pm

Mr P Peppin, Chief Executive Officer vacated the meeting at 8.11 pm and resumed his seat at 8.13 pm

23. Consideration of Confidential Items

23.1 Group Manager Finance and Corporate – Ordinary Report - Confidential

23.1.1 Outstanding Rates

Moved Cr Breuer, seconded Cr Hodge

C1659-2014

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 Peter Peppin, Chief Executive Officer, Adil Jamil, Group Manager Engineering and Infrastructure, Stewart Payne, Group Manager Planning and Development, Michelle Tucker, Group Manager Finance and Corporate, Ravi Joshi, Manager Assets and Engineering, Alex Poulton, Manager Business Services and Sustainability and Mrs J Hayward, Executive Officer be excluded from attendance at the meeting of Agenda Item 23.1.1 – Outstanding Rates.

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 which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

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 information to be disclosed and discussed would disclose personal affairs of person(s).

Carried Unanimously
Moved Cr Carter, seconded Cr Hodge

C1661-2014

That having considered Agenda Item 23.1.1 – Outstanding Rates in confidence under Section 90(2) and (3)(a) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders the Council report and all minutes be retained in confidence for a period of 12 months unless finalised beforehand.

Carried Unanimously

23.2 Project Manager Assets and Programming – Ordinary Report - Confidential

23.2.1 Whyalla Football League

Moved Cr Velthuizen, seconded Cr Breuer

C1662-2014

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 Peter Peppin, Chief Executive Officer, Adil Jamil, Group Manager Engineering and Infrastructure, Stewart Payne, Group Manager Planning and Development, Michelle Tucker, Group Manager Finance and Corporate, Ravi Joshi, Manager Assets and Engineering, Alex Poulton, Manager Business Services and Sustainability and Mrs J Hayward, Executive Officer be excluded from attendance at the meeting of Agenda Item 23.2.1 – Whyalla Football League.

The Council is satisfied that, pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information which could reasonably be expected to confer a commercial advantage on a person with whom Council is proposing to conduct business with.

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 information to be disclosed and discussed would prejudice the Council’s commercial position during the current ongoing negotiations.

Carried Unanimously
Moved Cr Velthuizen, seconded Cr Hodge

**C1663-2014**

- Council adopts the changes to the lease agreement to include a CPI increase to the annual maintenance payment; and
- the CPI increase be applicable from September 2014; and
- annual increases be calculated using CPI All Groups Average for the June quarter preceding payment.

Carried Unanimously

23.3 Manager Business Services and Sustainability – Ordinary Report - Confidential

23.3.1 Purchase of Landfill Compactor

Moved Cr Rajamani, seconded Cr McGinniss

**C1664-2014**

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 Peter Peppin, Chief Executive Officer, Adil Jamil, Group Manager Engineering and Infrastructure, Stewart Payne, Group Manager Planning and Development, Michelle Tucker, Group Manager Finance and Corporate, Ravi Joshi, Manager Assets and Engineering, Alex Poulton, Manager Business Services and Sustainability and Mrs J Hayward, Executive Officer be excluded from attendance at the meeting of Agenda Item 23.3.1 – Purchase of Landfill Compactor.

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 this Agenda Item for the provision of a compactor for the Whyalla Landfill.

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 information to be disclosed and discussed has the potential to impact adversely on each of the tenderers.

Carried Unanimously
Moved Cr Velthuizen, seconded Cr Breuer

C1666-2014

That having considered Agenda Item 23.3.1 – Purchase of Landfill Compactor in confidence under Section 90(2) and (3)(k) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders the Council report and all minutes be retained in confidence until the execution of the contract.

Carried Unanimously

25. Closure

The Presiding Member declared the meeting closed at 8.20 pm.

26. Date of Next Meeting

Monday 20 October 2014

Confirmed ...........................................
Presiding Member – October 2014