

## **DISTRICT COUNCIL OF TUMBY BAY**

**MINUTES OF THE ORDINARY MEETING OF COUNCIL** held at the Council Chamber, Mortlock Street, Tumby Bay on Tuesday 12<sup>th</sup> February 2019 at 5.30pm.

### **1.0 ROLL CALL**

#### **1.1 Present**

Deputy Mayor Robert Randall (Chair), Councillors Bob Lawrie, Hannah Allen-Jordan, Stephen Hibbit and Ricky Trenberth

#### **1.2 In Attendance**

Trevor Smith (CEO), Dion Watson (DCEO), Damian Windsor (Manager Works and Infrastructure), Emma McDonald (Manager Environmental Services) and Jodie Blum (Executive Assistant)

#### **1.3 Apologies – Mayor Sam Telfer and Cr Helen Kroemer**

#### **1.4 Leave of Absence – Nil.**

#### **1.5 Absent – Nil.**

### **2.0 MINUTES OF PREVIOUS MEETING**

#### **2.1 MINUTES OF THE ORDINARY MEETING held on 8<sup>th</sup> January 2019.**

1c/22019

Moved – Cr Hibbit

Seconded – Cr Trenberth

That the Minutes of the Ordinary Meeting held on the 8<sup>th</sup> January 2019 be confirmed as a correct record.

**CARRIED**

### **3.0 DECLARATION OF INTEREST – Nil.**

### **4.0 DEFERRED MOTIONS – Nil.**

### **5.0 MAYOR'S REPORT – Nil.**

- Joint Mayors Meeting with DCLEP and Port Lincoln
- NBN Local Strategic Roundtable
- Informal Gathering- Council Workshop
- Australia Day Breakfast and Awards
- Informal Gathering- Council Workshop Free Eyre
- DCTB Budget Development Meeting
- LGA Board Meeting
- SA Regional Organisation of Councils Board Meeting
- State Environment Minister Meeting re: NRM
- State Health Minister Meeting re: Regional Health
- Community Development Officer Farewell, Christine Charlton

### **6.0 DEPUTATIONS – Nil.**

### **7.0 COMMUNITY DELEGATES'/REPRESENTATIVES' REPORTS**

**7.1 Elected Members Reports****Cr Randall**

- Informal Gathering- Council Workshop
- Australia Day Breakfast
- Informal Gathering- Council Workshop Free Eyre
- Tumby Bay Progress Association Executive Meeting
- Lower Eyre Road Safety Committee Meeting
- Ordinary Council Meeting

**Cr Allen-Jordan**

- Informal Gathering- Council Workshop
- Australia Day Breakfast
- Informal Gathering- Council Workshop Free Eyre
- Tumby Bay Progress Association Executive Meeting
- Ordinary Council Meeting

**Cr Hibbit**

- Tumby Bay Progress Association Meeting
- St Margaret's Anglican Church Summer Art Exhibition
- Informal Gathering- Council Workshop
- Australia Day Breakfast
- Informal Gathering- Council Workshop Free Eyre
- Ungarra Progress Association Meeting
- Ordinary Council Meeting

**Cr Trenberth**

- Informal Gathering- Council Workshop
- Australia Day Breakfast
- Informal Gathering- Council Workshop Free Eyre
- Ordinary Council Meeting

**8.0 QUESTION ON NOTICE – Nil.****9.0 QUESTION WITHOUT NOTICE**

- Pioneer Tower
- SpendMapp

**10.0 PETITIONS – Nil.****11.0 MOTION ON NOTICE**

2c/22019

Moved – Cr Hibbit

Seconded – Cr Trenberth

1. That as a trial in 2019 the District Council of Tumby Bay move selected Council meetings to locations around the Tumby Bay Council district for the purpose of exposing members of the community to Council meetings and providing opportunities before and/or after meetings to meet with elected members and officers;
2. That in 2019 the meeting times, dates and locations to be moved are:
  - 6.00pm, 12 March – Koppio Museum; and
  - 6.00pm, 10 September – Ungarra Recreation Centre.

**CARRIED**



**DCEO 1/219 Statement of Financial Position**

9c/22019 Moved – Cr Lawrie Seconded – Cr Allen-Jordan  
That the payment of cheque numbers 23584 to 23595 for a total of \$54,223.50 and electronic fund transfer batch numbers 503 to 507 for a total of \$606,538.35 be endorsed.

**CARRIED****DCEO 2/219 Budget v Actual Report**

10c/22019 Moved – Cr Lawrie Seconded – Cr Trenberth  
That the report be received and noted.

**CARRIED****DCEO 3/219 Investment Report**

11c/22019 Moved – Cr Hibbit Seconded – Cr Trenberth  
That the report be received and noted.

**CARRIED****13.3 Technical Services & Operations Reports**

12c/22019 Moved – Cr Allen Jordan Seconded – Cr Hibbit  
That the following reports from the Manager Works and Infrastructure be received.

**MWI 1/219 Borrow Pit Compensation Payments  
MWI 2/219 Sign and Seal Access Deed****CARRIED****MWI 1/219 Borrow Pit Compensation Payments**

13c/22019 Moved – Cr Hibbit Seconded – Cr Allen-Jordan  
That Council adds Compensation Payable for Rubble Extraction from Borrow Pits to the Register of Fees and Charges and that the amount of \$0.15 per tonne be applied effective to payments made from 1 January 2019.

**Amendment**

Moved – Cr Lawrie Seconded –  
That Council adds Compensation Payable for Rubble Extraction from Borrow Pits to the Register of Fees and Charges and that the amount of \$0.47per m<sup>3</sup> for cropping land and \$0.20 per m<sup>3</sup> for non-arable land to be applied effective to payments made from 1 January 2019.

**AMENDMENT LAPSED**

The original motion was then put.

**CARRIED****MWI 2/219 Sign and Seal Access Deed**

14c/22019 Moved – Cr Allen-Jordan Seconded – Cr Hibbit  
That the Mayor and Chief Executive Officer sign and seal the Access Deed between the Council and Raymond Leo and Julianne Glenda Fitzgerald.

**CARRIED**

**13.4 Manager Environmental Services Reports**

15c/22019 Moved – Cr Allen-Jordan                      Seconded – Cr Trenberth  
That the following report from the Manager Environmental Services be received.

**MES 1/219                      Port Neill CWMS – Project Update**

**CARRIED**

**MES 1/219                      Port Neill CWMS – Project Update**

16c/22019 Moved – Cr Hibbit                                      Seconded – Cr Trenberth  
For Information

**CARRIED**

**CEO 5/219                      Order to Exclude the Public**

17c/22019 Moved – Cr Lawrie                                      Seconded – Cr Trenberth  
That pursuant to Section 90(2) of the *Local Government Act 1999*, the Council orders that all persons, except the Chief Executive Officer, Deputy Chief Executive Officer, Manager Works and Infrastructure, Manager Environmental Services and Executive Assistant, be excluded from attendance at the meeting for Agenda Item CEOCONF1/219.  
The Council is satisfied that, pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is commercial information for a confidential nature (not being a trade secret).

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed by the need to discuss this agenda item in confidence because the disclosure of the Council's commercial position may prejudice the Council's ability to negotiate a cost-effective proposal for the benefit of the Council and the community.

**CARRIED**

19c/22019 Moved – Cr Allen-Jordan                                      Seconded – Cr Hibbit  
*Confidential Documents:*  
That having considered Agenda Item CEOCONF 1/219 in confidence under section 90(2) and (3)(b) of the Local Government Act 1999, the Council pursuant to section 91(7) of the Act orders that the officer's report, the discussion and any other associated information submitted to this meeting be retained in confidence. This order to be reviewed after the relevant documentation has been signed.

**CARRIED**

**14.0                      OTHER REPORTS – Nil.**

**15.0                      CORRESPONDENCE – Nil.**

**16.0**            **LATE CORRESPONDENCE****16.1**            **Free Eyre – Request for Letter of Support****16.2**            **Order to Exclude the Public**

20c/22019

Moved – Cr Trenberth

Seconded – Cr Allen-Jordan

That pursuant to Section 90(2) of the *Local Government Act 1999*, the Council orders that all persons, except the Chief Executive Officer, Deputy Chief Executive Officer, Manager Works and Infrastructure, Manager Environmental Services and Executive Assistant, be excluded from attendance at the meeting for late correspondence Item from Free Eyre “Request for Letter of Support”.

The Council is satisfied that, pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is commercial information for a confidential nature (not being a trade secret)

**CARRIED****Free Eyre – Request for Letter of Support**

21c/22019

Moved – Cr Trenberth

Seconded – Cr Allen-Jordan

That the email correspondence from Free Eyre be received and noted.

**CARRIED**

Moved - Cr Lawrie

Seconded -

That the District Council of Tumbly Bay support Free Eyre’s application to the Commonwealth Regional Growth Fund for \$10 million for the construction of a port and grain infrastructure at Port Spencer.

**MOTION LAPSED**

22c/22019

Moved – Cr Hibbit

Seconded – Cr Trenberth

*Confidential Documents:*

That having considered late correspondence Item from Free Eyre “Request for Letter of Support” in confidence under section 90(2) and (3)(b) of the Local Government Act 1999, the Council pursuant to section 91(7) of the Act orders that the discussion and any other associated information submitted to this meeting not be retained in confidence.

**CARRIED****17.0**            **INFORMATION TABLED** – Land Transfer Report**18.0**            **ITEMS LAID ON THE TABLE** – Nil.**19.0**            **MATTERS IN CONFIDENCE**

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Minutes for Confidential Book

18c/22019 CEOCONF 1/219 Ritz Café – Lease

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23c/22019

Moved – Cr Hibbit  
Ordinary Council Meeting resumed at 6.34pm

Seconded – Cr Trenberth

**CARRIED**

20.0

**MEETING CLOSED AT** – 6.35pm

DATE: \_\_\_\_\_ CONFIRMED: \_\_\_\_\_

**Mayor**