



City of Port Lincoln



Port Lincoln - Seafood Capital of Australia

MINUTES

for the

ORDINARY COUNCIL MEETING

held on

MONDAY 17 AUGUST 2015

at 7.30pm



MINUTES

COMMITTEE	ORDINARY COUNCIL
MEETING DATE	Monday 17 August 2015
LOCATION	COUNCIL CHAMBERS, LEVEL 1 60 TASMAN TERRACE, PORT LINCOLN
FILE REF	MIN201539

1. PRESENT

Mayor Green
Deputy Mayor Starke
Councillor Bartlett
Councillor Broadfoot
Councillor Davis
Councillor Davies
Councillor Jolley
Councillor Mantle
Councillor Mislov
Councillor Papazoglov
Councillor Rogers

Also in Attendance

Mr Rob Donaldson – Chief Executive Officer
Mr Nigel Melzner – Manager Community Infrastructure
Mrs Lynne Jolley – Manager Corporate Governance
Ms Nicole Bichard – Senior Finance Officer – joined the meeting at 7.45pm
Ms Anna Bell – Minute Secretary

2. OPENING STATEMENT

“The City of Port Lincoln acknowledges and respects the diversity of cultural heritage and beliefs within our community. As a Council we are committed to serving the best interests and needs of all people in our city, and we endeavour to discharge our duties conscientiously to the best of our ability.”

3. APOLOGIES

Nil

4. MINUTES OF THE PREVIOUS MEETINGS**CO 15/174****Confirmation of the Minutes of the Previous Meeting****Moved: Councillor Rogers Seconded: Councillor Papazoglov**

That the Minutes of the Previous Ordinary Council Meeting held on Monday 3 August 2015 as per copies supplied to members be confirmed as a true and correct record of that meeting.

CARRIED**5. BUSINESS ARISING FROM THE MINUTES****5.1. BRONZE MEMORIAL STATUE**

Mr Nigel Melzner, Manager Community Infrastructure, reported on recent correspondence relating to the proposed supply and installation of a statue in Eyre Park adjacent to the War Memorial. The proponent has confirmed that the statue would be constructed of bronze as per the original proposal, and not sandstone as discussed at the 3 August 2015 Council Meeting.

6. COMMUNITY PRESENTATIONS, PETITIONS AND DEPUTATIONS**6.1. CRAIG HASLAM – AUSTRALIAN WILDLIFE ADVENTURES**

Mr Craig Haslam, Australian Wildlife Adventures, made a presentation to Council on the visitor experiences offered by Australian Wildlife Adventures, including discussion of Local Government involvement in regional tourism and international awareness of the Eyre Peninsula region.

7. COMMUNITY QUESTION TIME

Nil

8. DISCLOSURE OF INTEREST

This Agenda item is for Members to give consideration of their obligations under the Local Government Act Sections 73 and 74 as to whether there is an item within this Agenda that may give rise to a Member forming the view that they have an interest which is to be disclosed and whether it is an interest that requires that they not take part in the discussion, voting or be present in the Chambers.

A Member may form the view that they have an interest that requires disclosure under Section 74(1) and (2), but does not require them to take any further action under Section 74(4) if Section 74(4b) applies.

A Member may also form the view that they have an association with a matter but not to the extent that they believe they are required to disclose an interest in an Agenda item matter, and as such would like their association recorded in the Minutes.

All disclosures are recorded in the Minutes.

Councillor Davies disclosed an interest in item 20.2 – Dickens Park – Community Garden due to her position as Manager of Community House Inc and her discussions regarding the proposal with Mr Nigel Melzner, Manager Community Infrastructure.

9. MOTIONS ON THE TABLE

Nil

10. MAYORAL REPORT

10.1. *MAYOR'S ACTIVITY REPORT – 31 JULY – 7 AUGUST 2015*

10.2. *PROPOSAL TO CHANGE THE SOUTH AUSTRALIAN TIME ZONE*

Mayor Green reported on discussions with other Mayors and Councils within the Eyre Peninsula region in relation to the proposal to change SA's time zone from CST to EST. Mayor Green provided feedback from these discussions, reporting that all Councils were strongly opposed to the proposed change from CST to EST, or a split in SA time zones which would result in the West Coast being on a different time zone to the rest of SA.

10.3. *SOUTH AUSTRALIAN REGIONAL AWARDS*

Mayor Green announced that the City of Port Lincoln has been successful in its submission to the 2015 Regional Awards for the Cruise Ships Visits to Port Lincoln, becoming a finalist in the Tourism Awards category. The Awards Presentation evening is being held in Whyalla on 7 October 2015.

11. DEPUTY MAYOR'S REPORT

Nil

12. COUNCILLORS' REPORTS & NOTICES OF MOTION

12.1. *COUNCILLOR PAPAZOGLOV – LOWER EYRE ROAD SAFETY COMMITTEE*

12.1.1. *Purchase of Old Vehicle for Use as a Training Tool*

Councillor Papazoglov reported attending the Lower Eyre Road Safety Committee meeting in August 2015, advising that the Committee purchased an old car for use in shows around the Eyre Peninsula in order to teach young drivers how to identify defects in cars to make sure they are roadworthy during and after purchase.

12.1.2. *Pedestrian Crossing at CBD Intersections*

Councillor Papazoglov reported on several intersections near and around the CBD that are difficult to cross in a gopher or other mobility vehicles, as many road intersections do not have an opening or ramp on both sides of the road. Gopher and mobility users are forced to travel along the road to access the nearest drive way before getting back onto the footpath. Councillor Papazoglov requested an audit of CBD intersections to identify the problem areas.

12.2. COUNCILLOR PAPAZOGLOV - HEALTH ADVISORY COMMITTEE

Councillor Papazoglov reported his attendance at the Health Advisory Council meeting on Thursday 13 August 2015. Councillor Papazoglov offered to investigate approval for the installation of additional adult outdoor exercise machines in the vicinity of the one previously installed adjacent to the Port Lincoln Hotel.

Mr Nigel Melzner, Manager Community Infrastructure advised that Council had not received any recent proposals to install further outdoor exercise machines. Council supports, in principle, the concept of including adult outdoor exercise equipment in well-chosen open space locations, and would consider any future applications.

12.3. COUNCILLOR DAVIS

Councillor Davis reported on her attendance at the Muroto farewell function on Sunday 16 August 2015 at the Ravendale Complex, and a site inspection of the Town Jetty with Mr Peter Davis and several fellow Councillors and Council staff.

13. QUESTIONS FROM COUNCILLORS**13.1. COUNCILLOR STARKE**

Councillor Starke relayed recent community speculation that two of the letters on the new "Lest We Forget" memorial at Eyre Park were installed in reverse, and asked if Council staff would be rectifying the situation.

Mr Nigel Melzner, Manager Community Infrastructure, reported that he had spoken with the manufacturer who advised that the lettering was chemically embedded in the base wall and would be difficult to rectify. Mr Melzner advised that at this stage there were no plans to make any changes to the letters.

13.2. COUNCILLOR BROADFOOT

Councillor Broadfoot advised she had received notification of a traffic hazard at the Porter Street/Tasman Terrace/King Street intersection, and enquired on the possibility of installing a 'left-only' turning designation from the left lane of Porter Street into Tasman Terrace to avoid a serious traffic accident.

The CEO took the question on notice.

14. REPORTS FROM COUNCIL COMMITTEES – NON CONFIDENTIAL**14.1. FINANCIAL MANAGEMENT AUDIT COMMITTEE****4. BUSINESS ARISING FROM THE MINUTES**

FM 15/0013

*Nomination of New Chairperson for Financial Management Audit Committee**Moved: Councillor Bartlett**Seconded: Councillor Jolley*

That the Committee recommends to Council that Independent Member Greg Eden be appointed as the Chairperson of the Financial Management Audit Committee.

CARRIED

CO 15/175	Financial Management Audit Committee
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Moved: Councillor Bartlett Seconded: Councillor Mislov

That the Minutes of the Financial Management Audit Committee Meeting held on Wednesday 5 August 2015 be received, and that the recommendation be adopted.

CARRIED

15. REPORTS/MINUTES OF COMMUNITY COMMITTEES
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Nil

16. CHIEF EXECUTIVE OFFICER

16.1. INDOOR AQUATIC FACILITY – PROJECT SCOPE

CO 15/176	Indoor Aquatic Facility – Project Scope
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Moved: Councillor Starke Seconded: Councillor Rogers

That Council determines a capital expenditure budget for the refurbishment of the Port Lincoln Leisure Centre of \$5 million, to be allocated as \$4.5 million for the Indoor Aquatic Facility and \$500,000 for the non-aquatics components of the complex, with the intent of undertaking refurbishment works between May and September 2016.

CARRIED

Councillor Davies called for a Division

The Presiding Member declared the vote set aside

Members Voting in the Affirmative: Councillor Papazoglov, Starke, Jolley, Davis, Broadfoot, Bartlett, Rogers

Members Voting in the Negative: Councillor Davies, Mantle, Mislov

The Presiding Member declared the Motion **CARRIED**

CO 15/177	Indoor Aquatic Facility – Refurbishment Scope of Works
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Moved: Councillor Broadfoot Seconded: Councillor Mislov

1. That the final report of DASH Architects in relation to refurbishment scope be received, and the refurbishment scope of works and related cost estimates be further developed based on the 'essential work' recommendations of that report, for further consideration and confirmation by Council. The scope development to specifically consider:
 - a. upgrade of the existing 'splash pool' and related plant and equipment to provide a dedicated rehabilitation and learn to swim facility, instead of renewal expenditure on the existing spa and its plant and equipment;

- b. deletion of major expansion of change room and toilet facilities, but retention of full renewal and upgrade to meet DDA, child-safe and group activity requirements (with a more extensive scope to be considered if partner funds enable).
2. That Council notes the draft Long Term Financial Plan presented in a separate report for consideration on 17 August 2015, and determines, in principle, to finance the Leisure Centre refurbishment works by:
 - a. borrowings of \$4 million on a variable interest rate, interest-only basis, to be undertaken in 2015/16 and 2016/17 as required by a project payment schedule; and
 - b. use of Council cash reserve funds.
3. That the report of the Financial Management Audit Committee of 5 August 2015 be noted together with the CEO responses included in the 17 August 2015 report to Council.
4. That the report of SGL Consulting Group in relation to Review of Future Operating Models be received and further considered by Council.

CARRIED

17. SENIOR FINANCE OFFICER

17.1. LONG TERM FINANCIAL PLAN – FOR ADOPTION

CO 15/178	Long Term Financial Plan – For Adoption
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Moved: Councillor Rogers Seconded: Councillor Jolley

That Council adopts the Long Term Financial Plan 2017-2026 (document reference N20151925) as presented, as a Strategic Management Plan for the City of Port Lincoln pursuant to the Local Government Act 1999, Section 122 (1a)(a).

CARRIED

Councillor Mislov called for a Division

The Presiding Member declared the vote set aside

Members Voting in the Affirmative: Councillor Rogers, Bartlett, Broadfoot, Davis, Jolley, Mantle, Starke, Papazoglov

Members Voting in the Negative: Councillor Davies, Mislov

The Presiding Member declared the Motion **CARRIED**

9.01pm Councillor Mislov left her Chair

9.01pm Councillor Mislov returned to her Chair

18. EXECUTIVE DIRECTOR DEVELOPMENT & ENVIRONMENT

18.1. DRAFT SOUTH AUSTRALIA LOCAL NUISANCE AND LITTER CONTROL BILL 2015 FOR CONSULTATION

9.07pm Councillor Davies left her Chair

9.07pm Councillor Davies returned to her Chair

9.07pm Councillor Rogers left his Chair

9.08pm Councillor Rogers returned to his Chair

19. MANAGER OPERATIONS

Nil

20. MANAGER COMMUNITY INFRASTRUCTURE

20.1. PROPOSAL TO INSTALL A CREMATOR AT NORTH SHIELDS CEMETERY

CO 15/179

Proposal to Install a Cremator at North Shields Cemetery

Moved: Councillor Papazoglov Seconded: Councillor Davies

That Council agrees in principle to the proposal of Williams Funeral Services to enter into a lease with the City of Port Lincoln for use of a portion of land at the North Shields Cemetery for the purposes of installing and operating a cremator, subject to:

1. the proponent receiving Development Approval from the District Council of Lower Eyre Peninsula, an EPA license to operate a crematorium, and any other relevant approvals required from governing agencies;
2. the terms and conditions (including implementation costs, lease fee and the like) of an appropriate lease or other form of agreement to occupy the land being established on a commercial basis having regard to relevant valuation and/or professional advice;
3. Council's further consideration of possible lease terms and conditions following receipt of relevant advice and confirmation of the proponent's proposal in further detail.

CARRIED

20.2. DICKENS PARK – COMMUNITY GARDEN

Councillor Davies declared an interest in item 20.2 – Dickens Park – Community Garden, due to her position as Manager of Community House Inc and her dealings in relation to this proposal with Mr Nigel Melzner, Manager Community Infrastructure, and left the meeting at 9.23pm.

CO 15/180**Dickens Park – Community Garden****Moved: Councillor Papazoglov Seconded: Councillor Jolley**

- 1. That Council authorises Community House Port Lincoln Inc to proceed with the construction of five (5) raised garden beds on a portion of Community Land known as Dickens Park, in accordance with plans provided and attached to the report of the Manager Community Infrastructure, subject to:
 - a. all construction being undertaken to the satisfaction of Council’s Manager Community Infrastructure;**
 - b. preparation, supervision and undertaking of work by program participants being the subject of appropriate arrangements to ensure fulfilment of both parties obligations under the Work Health and Safety Act 2012.****
- 2. That a Memorandum of Understanding be established between the City of Port Lincoln and Community House Port Lincoln Inc to define and agree that the overall responsibility, liability, ownership, on-going care, maintenance and replacement of the community garden beds will remain with Community House Port Lincoln Inc.**

CARRIED

Councillor Davies returned to the Meeting at 9.30pm

21. MANAGER COMMUNITY DEVELOPMENT

Nil

22. MANAGER CORPORATE GOVERNANCE

22.1. COUNCIL POLICIES FOR ADOPTION

CO 15/181 Council Policies for Adoption

Moved: Councillor Davis Seconded: Councillor Starke

That Council endorses the following revised policies presented as attachments to the report of the Manager Corporate Governance, as policies of the City of Port Lincoln:

- 12.16.34 Volunteer Management
- 17.63.5 Fishermen's Memorial
- 2.63.7 Community Recognition Infrastructure – Memorials & Plaques
- 16.63.6 Use of Council Marquee
- 2.63.5 Awards
- 9.63.22 Mayors/Chairpersons Seeking Legal Advice
- 18.63.6 Crest & Logo
- 9.63.18 Council Member's Induction Policy
- 20.63.1 Commercial Use of Footpath
- 3.63.8 Enforcement

CARRIED

9.41pm Councillor Papazoglov left his Chair

9.41pm Councillor Papazoglov returned to his Chair

CO 15/182 Council Policy for Adoption – 2.63.6 Community Advertising

Moved: Councillor Davis Seconded: Councillor Papazoglov

That Council endorses revised Policy 2.63.6 Community Advertising, presented as an attachment to the report of the Manager Corporate Governance, as a policy of the City of Port Lincoln.

CARRIED

23. TABLED PUBLICATIONS AND CIRCULARS

Nil

24. URGENT BUSINESS WITHOUT NOTICE

24.1. COUNCILLOR ROGERS – RESIGNATION

Mayor Green reported that the CEO had received formal notification of the resignation by Councillor Travis Rogers, effective Saturday 29 August 2015.

Mayor Green thanked Councillor Rogers for his positive and enthusiastic approach to the role of Elected Member for the City of Port Lincoln over the past 4¹/₂ years, and congratulated him on his dedication and commitment to the City of Port Lincoln.

The CEO confirmed that Councillor Rogers' official resignation date was 29 August 2015, being 14 days from when he gave notice.

24.2. COUNCILLOR MISLOV – COUNCILLORS EXTRANET

Councillor Mislov enquired whether Councillors' Extranet could be set up with a 'forum' tab to allow informal discussion between Councillors, eliminating the necessity to record manage 'general chatter' emails that may not be deemed necessary for recording purposes.

Mrs Lynne Jolley, Manager Corporate Governance advised that the Councillors' Extranet was initially designed to allow Elected Members access to Council documents and as a forum for general discussion between Councillors on matters that did not require recording. Mrs Jolley advised that Council staff were waiting on legal advice regarding records management of Councillor 'forum' discussions.

24.3. COUNCILLOR PAPAZOGLOV – TASMAN TERRACE PEDESTRIAN CROSSING

Councillor Papazoglov reported being contacted by Mrs Janet Nicholls regarding the possibility of installing a pedestrian crossing on Tasman Terrace between the Port Lincoln Hotel and the adjacent carpark to avoid pedestrian/vehicle accidents. Mrs Nicholls advised Councillor Papazoglov that in May this year while crossing Tasman Terrace between the Port Lincoln Hotel and the adjacent carpark, she was struck by a vehicle and knocked to the ground. Although not seriously injured, Mrs Nicholls was concerned that young children or the elderly were at risk when crossing the road in this vicinity.

The CEO took the question on notice.

24.4. COUNCILLOR ROGERS - RESIGNATION

Councillor Rogers confirmed his resignation from his role as Elected Member for the City of Port Lincoln, effective Saturday 29 August 2015. Councillor Rogers acknowledged the dedication of the Mayor, Councillors, Senior Management and Council staff in providing guidance and support to both himself and the community during his term in Office. Councillor Rogers expressed great satisfaction in serving the people of Port Lincoln, congratulating Council on its forward thinking and proactive decision making, and wished all Councillors, Senior Management and staff every success for the future.

On behalf of Senior Management and staff, CEO Rob Donaldson complimented Councillor Rogers on his positive and enthusiastic approach in accepting and working through the various issues before Council during his term in Office, remarking that he is held in high regard within Council and throughout the community. Mr Donaldson thanked Councillor Rogers, and wished him every success for the future.

Mr Donaldson also advised that the resignation of Councillor Rogers would result in a casual vacancy on membership of Council, however in accordance with the Local Government (Elections) Act 1999, there is no immediate requirement to fill the vacancy, unless Council receives one or more further resignations during the specified period of the current Council term.

The CEO will provide a report to the next meeting of Council to formally advise of the casual vacancy.

25. CONFIDENTIAL MATTERS PURSUANT TO SECTION 90 OF THE LOCAL GOVERNMENT ACT 1999

Nil

26. MINUTES AND RECOMMENDATIONS OF COUNCIL COMMITTEES – IN CONFIDENCE

Nil

27. NEXT MEETING

Monday 7 September 2015

28. CLOSURE

There being no further business, the meeting was declared closed at 10.02pm