



Yorke Peninsula Council

Minutes of the Meeting of the Yorke Peninsula Council

held on Wednesday 12th April 2017,
in the Council Chambers
57 Main Street Minlaton commencing at 5.30pm
(Subject to confirmation)

ITEM 1 WELCOME

Mayor Ray Agnew OAM welcomed everyone to the meeting, he then recited the opening prayer and declared the meeting open.

PRESENT

Mayor Ray Agnew OAM, Deputy Mayor Scott Hoyle, Councillors Trevor Davey, Naomi Bittner, John Rich, Veronica Brundell, Alan Headon, Darren Braund, Adam Meyer, David Langford and Tania Stock.

IN ATTENDANCE

Andrew Cameron	Chief Executive Officer
David Harding	Director Corporate and Community Services
Roger Brooks	Director Development Services
Trevor Graham	Director Assets and Infrastructure Services
Jackie Reddaway	Minute Secretary

LEAVE OF ABSENCE

Nil

APOLOGIES

Cr Jeff Cook

Mayor Agnew went on to advise Elected Members that Cr Cook had contacted the CEO requesting a leave of absence for the remainder of April 2017 due to ill health.

CONFLICT OF INTEREST

Mayor Ray Agnew reminded all Elected Members of the requirement to disclose any conflict of interest in relation to any matters before Council.

Cr Tania Stock declared a Perceived Conflict of Interest for Item Debate Item 6.1 R1 Black Point Boat Ramp Walkways Tender she completed the SF019 declaration with details of the conflict of interest and action she planned to take.

Cr Veronica Brundell declared a Perceived Conflict of Interest for Item Debate Item 6.1 R1 Black Point Boat Ramp Walkways Tender she completed the SF019 declaration with details of the conflict of interest and action she planned to take.

MINUTES OF THE PREVIOUS MEETING

Cr Rich moved Cr Meyer seconded

That the minutes of the Council meeting held on Wednesday 8th March 2017 at 5.30pm be confirmed as a true record.

CARRIED 080/2017 (12/04/2017)

Cr Braund moved Cr Headon seconded

That the minutes of the Confidential Council meeting held on Wednesday 8th March 2017 at 6.49pm be confirmed as a true record.

CARRIED 081/2017 (12/04/2017)

Cr Langford moved Cr Stock seconded

That the minutes of the Confidential Council meeting held on Wednesday 8th March 2017 at 6.52pm be confirmed as a true record.

CARRIED 082/2017 (12/04/2017)

Cr Rich moved Cr Bittner seconded

That the minutes of the Confidential Council meeting held on Wednesday 8th March 2017 at 6.54pm be confirmed as a true record.

CARRIED 083/2017 (12/04/2017)

Cr Headon moved Cr Hoyle seconded

That the minutes of the Confidential Council meeting held on Wednesday 8th March 2017 at 6.56pm be confirmed as a true record.

CARRIED 084/2017 (12/04/2017)

ITEM 1.10 QUESTIONS WITHOUT NOTICE

Cr Meyer - On 10th August last year, Peter Farrow from Coobowie Progress attended and explained the loan that was taken out on their behalf by Council.

Councillors asked for a report into the matter so we could make an informed decision.

Mr Mayor, It's now 8 months since Councillors put in that request and I was wondering if staff had met with Coobowie Progress and completed the report for us.

Question taken on notice by Director Corporate and Community Services.

ITEM 2 MAYORS REPORT

Mayor Agnew spoke to his report.

Mayor Agnew provided an update on the recent Community Cabinet regional visit.

Cr Langford moved Cr Headon seconded

That the report from Mayor Agnew be received.

CARRIED 085/2017 (12/04/2017)

ADOPTION OF INFORMATION AGENDA

Cr Stock requested that item 4.3 R3 Hillside Mine Community Voice Minutes be withdrawn temporarily so that she could address this item.

Cr Stock advised that she had forwarded some additional information in relation to Hillside Mine Community Voice Committee to Elected Members for information.

Cr Stock moved Cr Braund seconded

That the information items contained within the Information Agenda, be received.

CARRIED 086/2017 (12/04/2017)

ITEM 5 VISITORS TO THE MEETING

5.40pm Mayor Agnew invited Mr Barry Noble and Mr Bill Gill on behalf of the Black Point Progress Association to address the Council.

Mr Noble spoke about the Black Point Boat Ramp Walkways Project.

5.50pm The presentation concluded.

ITEM 6 DEBATE AGENDA

CHIEF EXECUTIVE OFFICER

DA/CEO/R1

BLACK POINT BOAT RAMP WALKWAYS TENDER 160-2016

Cr Tania Stock and Cr Veronica Brundell declared a Perceived Conflict of Interest with Item 6.1 R1, they both remained in the Chamber but did not participate in debate or vote on this matter.

Cr Hoyle moved Cr Bittner seconded

That Council:

1. agree to lift the matter "Black Point Boat Ramp Walkways Tender 160-2016" from the table for further consideration by Elected Members.
2. resume the point of debate with the live motion under consideration below.

CARRIED 087/2017 (12/04/2017)

Cr Meyer moved Cr Davey seconded

That Council:

1. receive the report and tender submissions;
2. decline to approve \$177k contribution to the Black Point Boat Ramp Walkways.

CARRIED

Cr Davey called for a division – As a consequence the result of the above motion was set aside.

Upon dividing, five Members voted in the Affirmative; and three Members voted in the negative.

Members voting in the affirmative

Cr Langford
Cr Meyer
Cr Headon
Cr Davey
Cr Braund

Members voting in the negative

Cr Bittner
Cr Rich
Cr Hoyle

The Mayor declared the motion

CARRIED 088/2017 (12/04/2017)

Cr Bittner enquired with the Mayor, if she could present a subsequent motion. The Mayor allowed the motion.

Cr Bittner moved Cr Braund seconded

That Council:

1. authorises the Chief Executive Officer to work through the safety and design issues, as identified by the GHD peer review report, with GHD, Ecospec, Aztec and Black Point Progress Association.
2. supports the investigation of financing the \$177k (or the full amount if this figure changes) as a loan to BPPA. YPC would consider taking over the residual loan payments on the basis that successful full revocation of community land occurs as per current consultation process.

CARRIED

Cr Davey called for a division – As a consequence the result of the above motion was set aside.

Upon dividing, six Members voted in the Affirmative; and two Members voted in the negative.

Members voting in the affirmative

Cr Meyer
Cr Headon
Cr Braund
Cr Bittner
Cr Rich
Cr Hoyle

Members voting in the negative

Cr Langford
Cr Davey

The Mayor declared the motion

CARRIED 089/2017 (12/04/2017)

DA/CEO/R2

PUBLIC AWARENESS CAMPAIGN

Cr Headon moved Cr Hoyle seconded

That Council:

1. notes the unanimous decision from South Australian Councils at the 2016 LGA Ordinary General Meeting to reject rate capping;
2. opposes rate capping in any form;
3. agrees to support and participate in the LGA's public awareness campaign including placing material in quarterly rates notices; and
4. notes the LGA will continue to work with all Members of Parliament and political parties to ensure rate capping is not imposed on South Australian communities.

CARRIED 090/2017 (12/04/2017)

DA/CEO/R3

DELEGATIONS REGISTER

Cr Hoyle moved Cr Davey seconded

That having conducted its annual review of the Council's Delegations Register in accordance with Section 44(6) of the Local Government Act 1999, the Council:

1. Revocations

- 1.1 Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following:
 - 1.1.1 Community Titles Act 1996
 - 1.1.2 Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008
 - 1.1.3 Dog & Cat Management Act July 2013
 - 1.1.4 Environment Protection Act 1993 and Environment Protection (Waste Management) Policy 1994
 - 1.1.5 Expiation of Offences Act 1996
 - 1.1.6 Fences Act 1975
 - 1.1.7 Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005
 - 1.1.8 Food Act 2001
 - 1.1.9 Freedom of Information Act 1991
 - 1.1.10 Housing Improvement Act 1940
 - 1.1.11 Land & Business (Sale and Conveyancing) Act 1994
 - 1.1.12 Liquor Licensing Act 1997
 - 1.1.13 Local Government Act 1934
 - 1.1.14 Local Government Act 1999
 - 1.1.15 Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005

- 1.1.16 SA Public Health Act 2011 and Public and Environmental Health (Wastewater) Regulations 2013 and Public and Environmental Health (Legionella) Regulations 2013, Public Health (General) Regulations 2013
- 1.1.17 Roads (Opening & Closing) Act 1991
- 1.1.18 Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014
- 1.1.19 Safe Drinking Water Act 2011
- 1.1.20 Supported Residential Facilities Act 1992 & Regulations 2009
- 1.1.21 Unclaimed Goods Act 1987
- 1.1.22 Water Industry Act 2012 and Water Industry Regulations 2012
- 1.1.23 Work Health and Safety Act 2012
- 1.1.24 Real Property Act 1886
- 1.1.26 Strata Titles Act 1988
- 1.1.27 Heavy Vehicle National Law (South Australia) Act 2013
- 1.1.28 Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014
- 1.1.29 Permits and Penalties By-Law
- 1.1.30 Local Government Land By-Law
- 1.1.31 Roads By-Law
- 1.1.32 Moveable Signs By-Law
- 1.1.33 Nuisances Caused by Building Sites By-Law
- 1.1.34 Port Vincent Marina By-Law
- 1.1.35 Dogs and Cats By-Law 2013

2. Delegations made under Local Government Act 1999

- 2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instruments of Delegation are hereby delegated this 12th day of April 2017 to the person occupying the office of Chief Executive Officer, or any person acting in the position of Chief Executive Officer, subject to the conditions and or limitations specified herein or in the Schedule of Conditions in the proposed Instruments of Delegation;
 - 2.1.1 Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014
 - 2.1.2 Community Titles Act 1996
 - 2.1.3 Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008
 - 2.1.4 Dog & Cat Management Act July 2013
 - 2.1.5 Environment Protection Act 1993 and Environment Protection (Waste Management) Policy 1994
 - 2.1.6 Expiation of Offences Act 1996
 - 2.1.7 Fences Act 1975

- 2.1.8 Chief Executive Officer - Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005
- 2.1.8 Fire Prevention Officers - Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005
- 2.1.9 Food Act 2001
- 2.1.10 Freedom of Information Act 1991
- 2.1.11 Heavy Vehicle National Law (South Australia) Act 2013
- 2.1.12 Housing Improvement Act 1940
- 2.1.13 Land & Business (Sale and Conveyancing) Act 1994
- 2.1.14 Liquor Licensing Act 1997
- 2.1.15 Local Government Act 1999
- 2.1.16 Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017
- 2.1.17 Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2004
- 2.1.18 Real Property Act 1886
- 2.1.19 Electronic Conveyancing National Law (South Australia) Act 2013
- 2.1.20 Roads (Opening & Closing) Act 1991
- 2.1.21 Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014
- 2.1.21 Ministers Instrument of General Approval and Delegation under Road Traffic Act 22 August 2013
- 2.1.21 Authorisations under the Road Traffic Act 1961
- 2.1.21 Sub delegation to the Chief Executive Officer under the Road Traffic Act 1961
- 2.1.22 Safe Drinking Water Act 2011
- 2.1.23 SA Public Health Act 2011 and Public and Environmental Health (Wastewater) Regulations 2013 and Public and Environmental Health (Legionella) Regulations 2013, SA Public Health (General) Regulations 2013
- 2.1.24 Strata Titles Act 1988
- 2.1.25 Supported Residential Facilities Act 1992 & Regulations 2009
- 2.1.26 Unclaimed Goods Act 1987
- 2.1.27 Water Industry Act 2012 and Water Industry Regulations 2012
- 2.1.28 Work Health and Safety Act 2012
- 2.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instruments of Delegation.

3. Delegations made under the Development Act 1993

- 3.1 In exercise of the powers contained in Section 20 and 34(23) of the Development Act 1993, the powers and functions under the Development Act 1993, Development (Development Plans) Amendment Act 2006 and the Development Regulations 2008 contained in the proposed Instrument of Delegation annexed to the Report dated 12th April 2017 and entitled Delegations Register are hereby delegated this 12th day of April 2017 to the person occupying the office of Chief Executive Officer, or any person acting in the position of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
- 3.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.

The powers and functions that have been delegated to the Council's Development Assessment Panel are contained within the CDAP Delegations Policy PO127 which was endorsed by Council at the 21st January 2017 Council meeting.

4. Delegations made under Food Act 2001

- 4.1 In exercise of the powers contained in Section 91 of the Food Act 2001, the powers and functions under the Food Act 2001 contained in the proposed Instrument of Delegation annexed to the Report dated 12th April 2017 and entitled Delegations Register are hereby delegated this 12th day of April 2017 to the person occupying the office of Chief Executive Officer, or any person acting in the position of Chief Executive Officer, ('the head of the enforcement agency' for the purposes of the Food Act 2001), subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.
- 4.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.

5. Delegations made under Public and Environmental Health Act 1987

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6. Delegations made under Supported Residential Facilities Act 1992

- 6.1 In exercise of the power contained in Section 9 of the Supported Residential Facilities Act 1992, the powers and functions under the Supported Residential Facilities Act 1992 contained in the proposed Instrument of Delegation annexed to the Report dated 12th April 2017 and entitled Delegations Register are hereby delegated this 12th day of April 2017 to the person occupying the office of Chief Executive Officer or any person acting in the position of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.
- 6.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the

proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.

7. Authorisations and Sub-delegation under the Road Traffic Act 1961

- 7.1 In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the 'Instrument') the Council authorises the following person(s) pursuant to Clause A.7 of the Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such person(s) shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements:

Trevor Graham - Director Assets & Infrastructure Services

Roy Dick - Works Manager

Stephen Goldsworthy - Operations Manager

Nicholas Hoskin - Operations Coordinator

- 7.2 In accordance with Clause A.7 of the Instrument, the Council is of the opinion that the following person(s) is/are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument:

Trevor Graham (Director Assets & Infrastructure Services)

Roy Dick (Works Manager)

Stephen Goldsworthy (Operations Manager)

Nicholas Hoskin (Operations Coordinator)

- 7.3 In exercise of the power contained in, and in accordance with, Clause G.1 of the Instrument, the power contained in Section 33(1) of the Road Traffic Act 1961 and delegated to the Council pursuant to Clause G of the Instrument and contained in the proposed Instrument of Sub-delegation annexed to the Report dated 12th April 2017 and entitled Delegations Register is hereby sub-delegated this 12th day of April 2017 to the person occupying the office of Chief Executive Officer or any person acting in the position of Chief Executive Officer, of the Council subject to:

- (i) the conditions contained in the Instrument; and
- (ii) any conditions contained in this Resolution or in the Instrument of Sub-delegation.; and
- (iii) the creation of a separate instrument in writing reflecting such sub-delegation under the Instrument and this Resolution.

- 7.4 In accordance with Clause E.2 of the Instrument, the Council is of the opinion that the following person(s) has (have) an appropriate level of knowledge and expertise in the preparation of traffic management Plans:

Trevor Graham (Director Assets & Infrastructure Services)

Roy Dick (Works Manager)

Stephen Goldsworthy (Operations Manager)

Nicholas Hoskin (Operations Coordinator)

Dwayne Werfel (Works Supervisor North)

Guido Varricchio (Works Supervisor South)

Jason Coe (Leading Worker Central)

Michael Wuttke (Leading Worker North)

Stuart Heinrich-Smith (Leading Worker South)

Phil Herrmann (Senior Compliance Officer)

8. Delegations under Safe Drinking Water Act 2011 (of enforcement agency)

- 8.1 In exercise of the power contained in Section 43 of the Safe Drinking Water Act 2011 the powers and functions of the Council as a relevant authority under the Safe Drinking Water Act 2011 contained in the proposed Instrument of Delegation annexed to the Report dated 12th April 2017 and entitled Delegations Register are hereby delegated this 12th day of April 2017 to the person occupying the office of Chief Executive Officer or any person acting in the position of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Safe Drinking Water Act 2011.
- 8.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Safe Drinking Water Act 2011.

9. Delegation under Council By-Laws

- 9.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following By-Laws and specified in the proposed Instruments of Delegation for By-Laws contained in the Annexures to this report are hereby delegated this 12th day of April 2017 to the person occupying the office of Chief Executive Officer, or any person acting in the position of Chief Executive Officer, subject to the conditions and or limitations specified herein or in the Schedule of Conditions in the proposed Instruments of Delegation for the By-Laws:

9.1.1 Permits and Penalties By-Law 2013

9.1.2 Local Government Land By-Law 2013

9.1.3 Roads By-Law 2013

9.1.4 Moveable Signs By-Law 2013

9.1.5 Nuisances Caused By Building Sites By-Law 2013

9.1.6 Port Vincent Marina By-Law 2013

9.1.7 Dogs & Cats By-Law 2013

9.2 The Chief Executive Officer is authorised to sub-delegate these powers to other employees of the Council as the Chief Executive Officer considers fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instruments of Delegation for the By-Laws.

CARRIED 091/2017 (12/04/2017)

CORPORATE AND COMMUNITY SERVICES – DEBATE

DA/CCS/R1

FINANCIAL REPORT 31st MARCH 2017

Cr Langford moved Cr Hoyle seconded

That Council receive the financial report and capital projects update report as at 31st March 2017.

CARRIED 092/2017 (12/04/2017)

Cr Davey moved Cr Hoyle seconded

That Council receive the late item from the Director Corporate and Community Services in relation to the Chinaman Wells Seawall Funding for consideration.

CARRIED 093/2017 (12/04/2017)

DA/CCS/R2

CHINAMAN WELLS SEAWALL FUNDING – DEBENTURE LOAN

Cr Davey moved Cr Meyer seconded

1. Pursuant to the provision of Section 134 of the Local Government Act 1999, the Yorke Peninsula Council does hereby order that the said Council shall borrow by means of a debenture loan on the security of the general revenue of the Council, the sum of \$209,179 (Two Hundred and Nine Thousand One Hundred and Seventy Nine Dollars) from the Local Government Finance Authority and that the said loan shall be for a period of 10 (Ten) years. The said loan will be for the funding of the Chinaman Wells Sea Wall project with all costs to be recovered via a separate rate declared for a ten (10) year period commencing on 1st July 2017 on properties benefitting from the construction and also accessing funding from Council.
2. That Council authorise the Mayor and Chief Executive Officer to sign and seal any documentation necessary to give effect to this resolution.

CARRIED 094/2017 (12/04/2017)

DEVELOPMENT SERVICES – DEBATE

DA/DS/R1

AUTHORISATION LAND MANAGEMENT AGREEMENT

Cr Bittner moved Cr Rich seconded

That Council authorise the Mayor and Chief Executive Officer to sign and affix the Common Seal on the relevant documents relating to the Supplementary Deed to the existing Land Management Agreement on land described as Allotment 7 (DP44261) Gleesons Road, Hundred of Carribe in the area named White Hut (CT: 5339/216).

CARRIED 095/2017 (12/04/2017)

DA/DS/R2

YORKE PENINSULA BUILDING FIRE SAFETY COMMITTEE

Cr Hoyle moved Cr Headon seconded

That Council:

1. remove Mr Gareth Harrison from the Yorke Peninsula Building Fire Safety Committee.
2. appoint the following persons to the Yorke Peninsula Building Fire Safety Committee for a period of three years;

Mr Peter Harmer – as a person who holds prescribed qualifications in Building Surveying.

Mr Julian Aggiss – as a person nominated by the Chief Officer of the Country Fire Service.

Mr Roger Brooks – as a person with expertise in the area of fire safety.

Mr Allan Cotton – as a person with expertise in the area of fire safety.

Mr Totem Douangmala and Mr Phillip Watters as deputy members.

3. adopt the attached Terms of Reference for the Yorke Peninsula Building Fire Safety Committee.

CARRIED 096/2017 (12/04/2017)

DA/DS/R3

BUSH CAMPING WORKING PARTY

Cr Hoyle moved Cr Stock seconded

That Council receive the Minutes of the Bush Camping Working Party meeting held on Wednesday 8th March 2017.

CARRIED 097/2017 (12/04/2017)

GENERAL BUSINESS

Cr Langford has previously requested that Fire Permit Burning commencement date be brought back to 15th April and queried what the outcome was of his request. Cr Trevor Davey reminded him that this matter had been reported back to Council and the Bushfire Management Committee would not support the request.

ITEM 8 CONFIDENTIAL AGENDA

CORPORATE AND COMMUNITY SERVICES– CONFIDENTIAL AGENDA

CA/CCS/R1

CARAVAN PARK WASHING MACHINE SERVICING

Cr Rich moved Cr Hoyle seconded

Section 90(3)(k) Order

1. That 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 the Chief Executive Officer, Executive Assistant to the CEO and Mayor, Director Corporate and Community Services, Director Development Services, Director Assets and Infrastructure Services, Corporate Services Officer and Manager Business and Public Relations.

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 agenda item 8 Caravan Park Washing Machine Servicing is confidential information relating to –

“(1) tenders for the supply of goods, the provision of services or the carrying out of works;”

Accordingly, the Council is satisfied that the principle which states the meeting be conducted in a place open to the public has been outweighed in the circumstances.

Section 91(7) Order

2. That having considered agenda item 8 Caravan Park Washing Machine Servicing in confidence under section 90(2) and (3) (k) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the agenda report, and supporting documentation relevant to agenda item 8 titled Caravan Park Washing Machine Servicing be retained in confidence for a period of 12 months.

CARRIED 098/2017 (12/04/2017)

6.22pm

The public were asked to leave and the Chamber was secured.

6.26pm *The public meeting resumed.*

Released In Camera Minute 099/2017

Cr Bittner moved Cr Headon seconded

That Council approve an exemption from the calling of open or selective tenders as required under section 4.2 of Council's policy, PO058 Purchasing and Procurement Policy, and accept the quotation provided by Total Commercial Equipment of \$175,760 (\$35,152 payable annually) for provision and servicing of commercial washing machines at all Council managed caravan parks for the next 5 year period.

CARRIED 099/2017 (12/04/2017)

CA/AIS/R2

PURCHASE OF ONE (1) CONSTRUCTION GRADER TENDER 164/2017

Cr Langford moved Cr Braund seconded

Section 90(3)(k) Order

1. That 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 the Chief Executive Officer, Executive Assistant to the CEO and Mayor, Director Corporate and Community Services, Director Development Services and Director Assets and Infrastructure.

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 agenda item 8 Purchase of One (1) Construction Grader Tender is confidential information relating to –

“(1) tenders for the supply of goods, the provision of services or the carrying out of works;”

Accordingly, the Council is satisfied that the principle which states the meeting be conducted in a place open to the public has been outweighed in the circumstances.

Section 91(7) Order

2. That having considered agenda item 8 Purchase of One (1) Construction Grader Tender in confidence under section 90(2) and (3) (k) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the agenda report, and supporting documentation relevant to agenda item 8 titled Purchase of One (1) Construction Grader Tender be retained in confidence for a period of 12 months.

CARRIED 101/2017 (12/04/2017)

6.26pm

The public were asked to leave and the Chamber was secured.

6.28pm *The public meeting resumed.*

Released in Camera Minute 102/2017

Cr Davey moved Cr Hoyle seconded

That Council accept the tender of \$294,000 (GST exclusive) from Cavill Power Products Pty Ltd (Cavpower) for the purchase of one (1) construction grader (Model: Caterpillar 12M Motor Grader).

CARRIED 102/2017 (12/04/2017)

ITEM 9 NEXT COUNCIL MEETING

Wednesday 10th May 2017 commencing at 5.30pm.

6.31pm

Mayor Ray Agnew thanked all for their attendance and declared the meeting closed.

ITEM 10 CLOSURE

The Meeting Closed at 6.31pm.

.....
Mayor Ray Agnew OAM

10th May 2017



Yorke Peninsula Council

**The following Minutes of the Confidential Meeting of
the Yorke Peninsula Council are
released and Returned to the Public Record**

13th April 2016 @ 5.58pm



Yorke Peninsula Council

Minutes of the Confidential Meeting of the Yorke Peninsula Council

held on Wednesday 13th April 2016,
in the Council Chambers
57 Main Street Minlaton commencing at 5.58pm

(Subject to confirmation)

ITEM 1 WELCOME

Mayor Ray Agnew OAM welcomed everyone to the meeting, he then recited the opening prayer and declared the meeting open.

PRESENT

Mayor Ray Agnew OAM, Deputy Mayor Trevor Davey, Councillors Naomi Bittner, Veronica Brundell, Alan Headon, Darren Braund, Adam Meyer, David Langford, Jeff Cook, Scott Hoyle and Tania Stock.

IN ATTENDANCE

Andrew Cameron	Chief Executive Officer
David Harding	Director Corporate and Community Services
Roger Brooks	Director Development Services
Stephen Goldsworthy	Acting Director Assets and Infrastructure Services
Jackie Reddaway	Minute Secretary

LEAVE OF ABSENCE

Cr John Rich from 8th April 2016 – 22nd June 2016

APOLOGIES

Nil

CONFLICT OF INTEREST

Mayor Ray Agnew reminded all Elected Members of the requirement to disclose any conflict of interest in relation to any matters before Council.

ITEM 8 CONFIDENTIAL AGENDA

CA/DS/R1

TENDER TO LEASE THE MAITLAND CHILDREN'S CENTRE

Elected Members asked questions in relation to the report.

Mr Brooks and Mr Cameron spoke to the report.

Cr Davey moved Cr Langford seconded

That Council accept the tender from Patricia Donlevy to Lease the Maitland Children's Centre premises located at 15 Kilkerran Terrace Maitland SA 5573 for the purposes of establishing a childcare centre (tender number 149/2016), subject to Patricia Donlevy meeting the terms of the Lease Agreement and approval by the Education and Early Childhood Services Registration and Standards Board of South Australia.

CARRIED 080/2016 (13/04/2016)

Cr Langford moved Cr Headon seconded

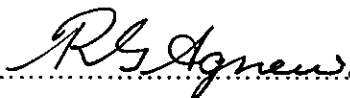
That Council move out of the in camera confidential meeting and return to the public meeting.

CARRIED 081/2016 (13/04/2016)

The confidential meeting closed.

ITEM 10 CLOSURE

The Meeting Closed at 6.13pm.



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Mayor Ray Agnew OAM

11th May 2016