



MINUTES

Ordinary Council Meeting

(Subject to confirmation)

16 January 2019

**MINUTES OF YORKE PENINSULA
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS , MINLATON TOWN HALL, 57 MAIN STREET,
MINLATON
ON WEDNESDAY, 16 JANUARY 2019 AT 5.30PM**

1 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY BY MAYOR

Mayor Darren Braund welcomed everyone to the meeting gave an Acknowledgement of Country, he welcomed those present in the gallery, provided a special welcome to Renee Edwards and returning staff Member Allan Cotton (filling in for the Director Development Services) and declared the meeting open.

2 OPENING PRAYER

3 PRESENT

Mayor Darren Braund, Cr Richard Carruthers, Cr Adam Meyer, Cr Leanne O'Brien, Cr Anthony Bennett, Cr Naomi Bittner, Cr Kristin Murdock, Cr David Langford, Cr Roger Johns, Cr Jeffrey Cook

In Attendance

Andrew Cameron (CEO), David Harding (Director Corporate and Community Services), Trevor Graham (Director Assets and Infrastructure Services), Allan Cotton (Senior Development Officer), Jackie Reddaway (Minute Secretary), Luka Honner (Executive Support Officer)

4 LEAVE OF ABSENCE

Deputy Mayor Tania Stock and Cr John Rich

5 APOLOGIES

Roger Brooks (Director Development Services)

6 CONFLICT OF INTEREST

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

AGENDA ITEM 6 CONFLICT OF INTEREST DECLARATION	
Disclosure of [type] of Conflict of Interest being declared	Material
Elected Member Name	Cr Anthony Bennett
Matter to be discussed (Agenda Item #)	23.2
Nature of the Interest (as described by the Member)	As a Director of a company that has been asked to price the project

Manner in which the Member addressed with the Actual or Perceived Conflict of Interest	Leaving the Room
If the Member voted on the matter, the manner in which he or she voted	Not applicable
The manner in which majority of persons who were entitled to vote at the meeting voted on the matter	23.2 CARRIED 005/2019 (16/01/2019)

7 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION

RESOLUTION

Moved: Cr Leanne O'Brien

Seconded: Cr David Langford

That the minutes of the Ordinary Council Meeting held on 12 December 2018 be confirmed.

CARRIED 001/2019 (16/01/2019)

8 MOTIONS ON NOTICE

Nil

9 QUESTIONS ON NOTICE

Nil

10 QUESTIONS WITHOUT NOTICE

Nil

11 PETITIONS

Nil

12 MAYOR

12.1 MAYOR'S MONTHLY REPORT DECEMBER 2018

PURPOSE

To keep Elected Members updated on Mayoral activities during the month of December 2018.

RESOLUTION

Moved: Cr Jeffrey Cook

Seconded: Cr Naomi Bittner

That the report be received.

CARRIED 002/2019 (16/01/2019)

13 COUNCILLORS' REPORT

Nil

INFORMATION AGENDA

14 ITEMS FOR EXCLUSION

Nil

15 RECEIPT OF INFORMATION REPORTS

ADOPTION OF INFORMATION AGENDA

Moved: Cr Kristin Murdock

Seconded: Cr David Langford

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

CARRIED 003/2019 (16/01/2019)

20 VISITORS TO THE MEETING

Nil

DEBATE AGENDA

21 MAYOR

Nil

22 CHIEF EXECUTIVE OFFICER

Nil

23 CORPORATE AND COMMUNITY SERVICES

23.1 FINANCIAL REPORT AS AT 31 DECEMBER 2018

PURPOSE

For Council to consider the financial report and capital projects update report as at 31 December 2018.

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Adam Meyer

That Council receive the financial report and capital projects update report as at 31 December 2018.

CARRIED 004/2019 (16/01/2019)

At 5:35 pm, Cr Anthony Bennett declared a material conflict of interest and left the meeting and the Chambers.

23.2 WESTERN UNITED (SYP) SPORTS CLUB - REQUEST FOR COMMUNITY LOAN

PURPOSE

The Western United (SYP) Sports & Community Club Inc. has submitted a request to Council seeking a Community Loan of \$77,299 over a term of ten (10) years to enable them to upgrade and expand their kitchen facilities to a commercial standard, as well as the establishment of an outdoor seating area and the purchase of a new "ride on" mower intended for ground maintenance. This report seeks Council's endorsement of the loan request.

RESOLUTION

Moved: Cr Jeffrey Cook

Seconded: Cr Naomi Bittner

That Council:

1. approve the provision of a Community Loan to the Western United (SYP) Sports & Community Club Inc. for the amount of \$77,299 for a period of ten (10) years repayable by six (6) monthly instalments in arrears; and
2. pursuant to the provision of Section 134 of the Local Government Act 1999, 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 \$77,299 (Seventy Seven Thousand, Two Hundred and Ninety Nine Dollars) from the Local Government Finance Authority and that the said loan shall be for a period of ten (10) years. The said loan will be for the Western United (SYP) Sports & Community Club Inc. to upgrade and expand their kitchen facilities, as well as the establishment of an outdoor seating area. They are also facilitating the purchase of a new ride on mover.
3. the Mayor and Chief Executive Officer be authorised to sign and seal any documentation to give effect to this resolution.

CARRIED 005/2019 (16/01/2019)

At 5:37 pm, Cr Anthony Bennett returned to the meeting.

24 ASSETS AND INFRASTRUCTURE SERVICES

Nil

25 DEVELOPMENT SERVICES**25.1 LAND MANAGEMENT AGREEMENT - 37 LAKE FOWLER ROAD COOBOWIE****PURPOSE**

The purpose of this report is to seek endorsement from Council for a Land Management Agreement and approval for the Mayor and Chief Executive Officer to seal and sign the appropriate documents.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Richard Carruthers

That Council:

1. consent to the proposed Land Management Agreement being annexed to the Titles of allotments 1, 2, 3 and 5 as created through the division of land identified as 37 Lake Fowler Road Coobowie (Development Application 544/D019/2012).
2. authorise the Mayor and Chief Executive Officer to sign and affix the Common Seal on the relevant documents relating to the establishment of the Land Management Agreement over allotments 1, 2, 3 and 5 as proposed in Development Application number 544/D019/2012.

CARRIED UNANIMOUSLY 006/2019 (16/01/2019)

26 GENERAL BUSINESS

Section 85 of the Act requires that matters on the Agenda are described with reasonable "particularity and accuracy" and reports and other documentation to be considered at the meeting are available to the public prior to the meeting. The practice of general business should be restricted to matters of urgency.

Cr Richard Carruthers advised members in relation to Ardrossan's recent wins in the SA KESAB Awards for their new Visitor Information Outlet, Best medium town in South Australia and also best town in South Australia. The National Award Judging will be held in February with an announcement to be made at the National Awards in Tasmania in April. Ardrossan is very pleased with themselves, for both Ardrossan and Yorke Peninsula.

Mayor Darren Braund offered a note of congratulations to Ardrossan and let's put our best foot forward in the National Judging.

CONFIDENTIAL AGENDA**27 CONFIDENTIAL ITEMS**

5.45pm

27.1 CLEANING AND MINOR MAINTENANCE OF COUNCIL PREMISES TENDER 191/2018**RESOLUTION**

Moved: Cr David Langford

Seconded: Cr Roger Johns

Section 90 Order

That pursuant to Section 90(2) and (3)(k) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.1 Cleaning and Minor Maintenance of Council Premises Tender 191/2018, with the exception of the following persons:

- Chief Executive Officer
- Executive Assistant to CEO and Mayor
- Executive Support Officer
- Director Corporate and Community Services
- Director Assets and Infrastructure
- Director Development Services

The Council is satisfied that, pursuant to Section 90(2) and (3)(k) of the Act, the information to be received, discussed or considered in relation to report Item 27.1 Cleaning and Minor Maintenance of Council Premises Tender 191/2018, is confidential information relating to:

- (k) tenders for the supply of goods, the provision of services or the carrying out of works.

Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

CARRIED 007/2019 (16/01/2019)

27.2 PURCHASE OF ONE (1) PATROL GRADER TENDER 192/2018**RESOLUTION**

Moved: Cr Roger Johns

Seconded: Cr Kristin Murdock

Section 90 Order

That pursuant to Section 90(2) and (3)(k) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.2 Purchase of One (1) Patrol Grader Tender 192/2018, with the exception of the following persons:

- Chief Executive Officer
- Executive Assistant to CEO and Mayor
- Executive Support Officer
- Director Corporate and Community Services
- Director Assets and Infrastructure
- Director Development Services

The Council is satisfied that, pursuant to Section 90(2) and (3)(k) of the Act, the information to be received, discussed or considered in relation to report Item 27.2 Purchase of One (1) Patrol Grader Tender 192/2018, is confidential information relating to:

- (k) tenders for the supply of goods, the provision of services or the carrying out of works.

Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

CARRIED 008/2019 (16/01/2019)

27.3 DRILLING AND BLASTING SERVICES TENDER 193/2018

RESOLUTION

Moved: Cr Richard Carruthers

Seconded: Cr David Langford

Section 90 Order

That pursuant to Section 90(2) and (3)(k) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.3 Drilling and Blasting Services Tender 193/2018, with the exception of the following persons:

- Chief Executive Officer
- Executive Assistant to CEO and Mayor
- Executive Support Officer
- Director Corporate and Community Services
- Director Assets and Infrastructure
- Director Development Services

The Council is satisfied that, pursuant to Section 90(2) and (3)(k) of the Act, the information to be received, discussed or considered in relation to report Item 27.3 Drilling and Blasting Services Tender 193/2018, is confidential information relating to:

- (k) tenders for the supply of goods, the provision of services or the carrying out of works.

Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

CARRIED 009/2019 (16/01/2019)

5.45pm The public were asked to leave and the Chamber was secured.

RESUMPTION OF THE PUBLIC MEETING

5.53pm Released in Camera Minutes

27.1 CLEANING AND MINOR MAINTENANCE OF COUNCIL PREMISES TENDER 191/2018**RESOLUTION**

Moved: Cr Naomi Bittner

Seconded: Cr Roger Johns

That Council accept the tender submission from Rapid Detail Pty Ltd for the cleaning and minor maintenance of Council facilities for five (5) years, commencing in February 2019.

CARRIED 010/2019 (16/01/2019)

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Richard Carruthers

Section 91 Order

That having considered report 27.1 Cleaning and Minor Maintenance of Council Premises Tender 191/2018 in confidence under Section 90(2) and (3)(k) of the Local Government Act 1999 (the Act) the Council, pursuant to Section 91 (7) and 91 (9) of the Act orders that the agenda report, attachments, minutes and supporting documentation relevant to report 27.1 Cleaning and Minor Maintenance of Council Premises Tender 191/2018 be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 011/2019 (16/01/2019)

27.2 PURCHASE OF ONE (1) PATROL GRADER TENDER 192/2018**RESOLUTION**

Moved: Cr David Langford

Seconded: Cr Roger Johns

That Council accept the tender of \$351,000.00 (GST exclusive), including the optional extra of LED lights for \$1,971.00 (GST exclusive), for the purchase of one (1) Caterpillar (CAT) 120M Motor Grader from Cavpower Pty Ltd, including the trade-in of \$85,000.00 (GST exclusive), resulting in a changeover price of \$267,971.00 (GST exclusive).

CARRIED 012/2019 (16/01/2019)

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Naomi Bittner

Section 91 Order

That having considered report 27.2 Purchase of One (1) Patrol Grader Tender 192/2018 in confidence under Section 90(2) and (3)(k) of the Local Government Act 1999 (the Act) the Council, pursuant to Section 91 (7) and 91 (9) of the Act orders that the agenda report, attachments, minutes and supporting documentation relevant to report 27.2 Purchase of One (1) Patrol Grader Tender 192/2018 be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 013/2019 (16/01/2019)

27.3 DRILLING AND BLASTING SERVICES TENDER 193/2018

RESOLUTION

Moved: Cr David Langford
Seconded: Cr Adam Meyer

That Council accept the tender of \$120,960.00 (GST exclusive) from TecBlast Services to undertake drilling and blasting services to net 32,000 bulk cubic metres of limestone rubble filling.

CARRIED 014/2019 (16/01/2019)

RESOLUTION

Moved: Cr Anthony Bennett
Seconded: Cr Roger Johns

Section 91 Order

That having considered report 27.3 Drilling and Blasting Services Tender 193/2018 in confidence under Section 90(2) and (3)(k) of the Local Government Act 1999 (the Act) the Council, pursuant to Section 91 (7) and 91 (9) of the Act orders that the agenda report, attachments, minutes and supporting documentation relevant to report 27.3 Drilling and Blasting Services Tender 193/2018 be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 015/2019 (16/01/2019)

28 NEXT MEETING

Wednesday 13 February 2019

29 CLOSURE

The Meeting closed at 5.54pm.

The minutes of this meeting were confirmed at the Council Meeting held on 13 February 2019.

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MAYOR DARREN BRAUND