



MINUTES

Ordinary Council Meeting

8 November 2023

15

**MINUTES OF YORKE PENINSULA
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MINLATON TOWN HALL, 57 MAIN STREET, MINLATON
ON WEDNESDAY, 8 NOVEMBER 2023 AT 5.30PM**

1 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY BY MAYOR

Mayor Darren Braund welcomed everyone to the meeting and declared the meeting open.

2 OPENING PRAYER

3 PRESENT

Mayor Darren Braund, Cr Richard Carruthers, Cr Naomi Bittner, Cr Trevor Clerke, Cr Alan Headon, Cr Kylie Gray, Cr Scott Hoyle, Cr Roger Johns, Cr Kristin Murdock, Cr Michael O'Connell, Cr Tania Stock (*arrived at 6.19pm*)

In Attendance

Andrew Cameron (CEO), Andre Kompler (Director Assets & Infrastructure Services), Ben Thompson (Director Corporate & Community Services), Dustin Guthberg (Director Development Services), Natalie McDonald (Minute Secretary)

4 LEAVE OF ABSENCE

RESOLUTION

Moved: Cr Kristin Murdock

Seconded: Cr Scott Hoyle

Section 90 Order

That pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 4 Leave of Absence, with the exception of the following persons:

- Executive Assistant to CEO and Mayor

The Council is satisfied that, pursuant to Section 90(2) and (3)(a) of the Act, the information to be received, discussed or considered in relation to report Item 4 Leave of Absence, is confidential information relating to:

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

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 238/2023 (8/11/2023)

5.32pm - The public and staff were removed from the meeting and the Chamber secured.

RESUMPTION OF PUBLIC MEETING – 5.44PM

Released in camera minute – 5.44pm.



4 LEAVE OF ABSENCE

MOTION

Moved: Cr Kristin Murdock
 Seconded: Cr Alan Headon

That Council grant Cr Adam Meyer a leave of absence for the period from 5 November 2023 to 13 November 2023.

MOTION LOST

RESOLUTION

Moved: Cr Naomi Bittner
 Seconded: Cr Richard Carruthers

Section 91 Order

That having considered Item 4 Leave of Absence in confidence under Section 90(2) and (3)(a) of the Local Government Act 1999 (the Act) the Council, pursuant to Section 91(7) and 91(9) of the Act orders minutes relevant to Item 4 Leave of Absence be retained in confidence and not available for public inspection until the conclusion of Council’s consideration of Item 4 Leave of Absence.

CARRIED 239/2023 (8/11/2023)

5 APOLOGIES

Cr Adam Meyer

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.

Type of Conflict of Interest being declared:	General Conflict of Interest
Elected Member Name:	Cr Michael O’Connell
Matter to be discussed (<i>Agenda Item #</i>):	23.1 – Edithburgh Tidal Pool Shark Deterrent Net
Nature of the Interest being declared:	Edithburgh Progress association have funded the Barrier Net and the installation, inspection and removal, if approved. As a member of the Edithburgh Progress Association, and out of an abundance of caution, I will leave the Chamber and not participate with Item 23.1.
I intend to participate in the meeting in relation to this General Conflict of Interest:	No
The manner in which the majority of persons who were entitled to vote at the meeting voted on the matter:	RESOLUTION Moved: Cr Naomi Bittner Seconded: Cr Alan Headon That Council accept to take full care and control of the Edithburgh Tidal Pool Shark Deterrent Net and engage a contractor to undertake the recommended assessment and monitoring

	requirements as presented. Edithburgh Progress Association will be invoiced for all actual costs incurred. CARRIED 248/2023 (8/11/2023)
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7 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION

RESOLUTION

Moved: Cr Alan Headon
Seconded: Cr Richard Carruthers

That the minutes of the Ordinary Council Meeting held on 11 October 2023 be confirmed.

CARRIED 240/2023 (8/11/2023)

RESOLUTION

Moved: Cr Trevor Clerke
Seconded: Cr Michael O'Connell

That the minutes of the Confidential Council Meeting held on 11 October 2023 be confirmed.

- 27.1 – Enterprise Resource Planning (ERP) Replacement Project

CARRIED 241/2023 (8/11/2023)

RESOLUTION

Moved: Cr Kylie Gray
Seconded: Cr Scott Hoyle

That the minutes of the Confidential Council Meeting held on 11 October 2023 be confirmed.

- 27.2 – North Coast Road Stage Two Tender

CARRIED 242/2023 (8/11/2023)

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 OCTOBER 2023****PURPOSE**

To keep Elected Members updated on Mayoral activities during the month of October 2023.

Mayor Darren Braund congratulated the Minlaton Caravan Park on receiving a silver medal at the recent SA Tourism Awards in the category of Caravan and Holiday Parks.

Mayor Darren Braund took pleasure in informing the meeting he had this morning attended at the opening of the IGA Supermarket at Edithburgh. The opening holds special significance to the Mayor with his great grandparents originally purchasing the site in 1931 to expand the Braund's general store business and his grandmother working there for 70 years. His father and uncle also worked there for 47 years as did many other family members.

RESOLUTION

Moved: Cr Kristin Murdock

Seconded: Cr Alan Headon

That the report be received.

CARRIED 243/2023 (8/11/2023)

13 COUNCILLORS' REPORT

Nil

INFORMATION AGENDA**14 ITEMS FOR EXCLUSION**

Nil

15-19 RECEIPT OF INFORMATION REPORTS**RESOLUTION**

Moved: Cr Michael O'Connell

Seconded: Cr Trevor Clerke

ADOPTION OF INFORMATION AGENDA

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

CARRIED 244/2023 (8/11/2023)

20 VISITORS TO THE MEETING

5.50pm – 5.55pm – Kirri White addressed the meeting in relation to Item 25.1 – Land Management Agreement Request Waiver – Lot 269 Bush Track Parsons Beach.

DEBATE AGENDA

21 MAYOR

Nil

22 CHIEF EXECUTIVE OFFICER

22.1 POLICY UPDATE - PO105 COUNCIL CEREMONIES AND CIVIC EVENTS POLICY

PURPOSE

To seek Council's endorsement of the updated Policy PO105 Council Ceremonies and Civic Events Policy.

RESOLUTION

Moved: Cr Alan Headon
Seconded: Cr Kylie Gray

That Council endorse and adopt the updated PO105 Council Ceremonies and Civic Events Policy for inclusion in Council's Policy Manual and on Council's website.

CARRIED 245/2023 (8/11/2023)

22.2 AUDITED GENERAL PURPOSE FINANCIAL STATEMENTS 2022/2023

PURPOSE

For Council to receive and endorse the 2022/2023 audited General Purpose Financial Statements and management representation letter.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Scott Hoyle

That the Council:

1. Endorse the General Purpose Financial Statements for the year ended 30th June 2023;
2. Receive and note the Management Representation Letter provided to Council's External Auditor; and
3. Receive and note the Audit Management Letter provided by Council's External Auditor.

CARRIED 246/2023 (8/11/2023)



22.3 ADOPTION OF THE 2022-2023 ANNUAL REPORT**PURPOSE**

For Council to consider, approve and adopt the Annual Report for 2022-2023.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Michael O'Connell

That Council adopts the Annual Report for 2022-2023, which includes the adopted financial statements of Council and incorporates the Legatus Group Annual Report and their financial statements.

CARRIED 247/2023 (8/11/2023)

23 CORPORATE AND COMMUNITY SERVICES

6.02pm - Cr Michael O'Connell declared a General Conflict of Interest and left the meeting.

23.1 EDITHBURGH TIDAL POOL SHARK DETERRENT NET**PURPOSE**

For Elected Members to consider accepting full care and control of the Edithburgh tidal pool shark deterrent net.

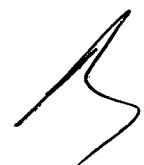
RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Alan Headon

That Council accept to take full care and control of the Edithburgh Tidal Pool Shark Deterrent Net and engage a contractor to undertake the recommended assessment and monitoring requirements as presented. Edithburgh Progress Association will be invoiced for all actual costs incurred.

CARRIED 248/2023 (8/11/2023)

6.14pm - Cr Michael O'Connell returned to the meeting.



23.2 SALUTING THEIR SERVICE GRANT APPLICATION - VIETNAM VETERANS MEMORIAL WALK**PURPOSE**

To seek Council approval to proceed with the necessary planning steps and subsequently apply for the Federal Government's Saluting Their Service Commemorative Grant in order to create a Vietnam War Memorial Walk between Coobowie and Edithburgh.

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Michael O'Connell

That Council endorse staff proceeding with planning the Vietnam War Memorial Walk in partnership with Roger Hogben and John Edwards, including community consultation, and then applying for the Federal Government's Saluting Their Service Commemorative Grant for the project.

CARRIED 249/2023 (8/11/2023)

23.3 REQUEST FOR ACCEPTANCE - FREE OF CHARGE ASSET - MAITLAND AND DISTRICT LIONS CLUB**PURPOSE**

Council has been approached by the Maitland and District Lions Club seeking to gift the Maitland and District Lions Shelter at the Maitland Cemetery to Council as a "Free of Charge" asset.

RESOLUTION

Moved: Cr Alan Headon
Seconded: Cr Roger Johns

That Council accept the donation of the Maitland and District Lions Club Shelter at the Maitland Cemetery as an asset "Free of Charge" and authorise the shelter to be added to Council's asset register.

CARRIED 250/2023 (8/11/2023)

6.19pm Cr Tania Stock entered the Chamber and joined the meeting.


23.4 REQUEST FOR ACCEPTANCE - FREE OF CHARGE ASSET - ARDROSSAN PROGRESS ASSOCIATION**PURPOSE**

For Council to consider accepting the Ardrossan Pump Track as a 'Free of Charge' asset from Ardrossan Progress Association.

RESOLUTION

Moved: Cr Richard Carruthers
Seconded: Cr Alan Headon

That Council accept the donation of the Ardrossan Pump Track as an asset 'Free of Charge' and authorise the pump track to be added to Council's asset register.

CARRIED 251/2023 (8/11/2023) 

23.5 POLICY REVIEW - PO089 ELECTED MEMBER ALLOWANCES AND BENEFITS POLICY

PURPOSE

To seek Council's endorsement of the updated PO089 Elected Member Allowances and Benefits Policy.

RESOLUTION

Moved: Cr Kylie Gray
Seconded: Cr Alan Headon

That Council endorse the updated PO089 Elected Member Allowances and Benefits Policy as presented.

CARRIED 252/2023 (8/11/2023)

23.6 POLICY REVIEW - PO008 BAD DEBTS - DELEGATION OF AUTHORITY

PURPOSE

To seek Council's endorsement for the updated PO008 Bad Debts – Delegation of Authority Policy.

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Michael O'Connell

That Council endorse and adopt the updated PO008 Bad Debts – Delegation of Authority Policy as presented for inclusion in Council's Policy Manual and on Council's website.

CARRIED 253/2023 (8/11/2023)

23.7 FINANCIAL REPORT AS AT 31 OCTOBER 2023

PURPOSE

For Council to consider the financial report and capital projects update report as at 31 October 2023.

RESOLUTION

Moved: Cr Michael O'Connell
Seconded: Cr Trevor Clerke

That Council receive the financial report and capital projects update report as at 31 October 2023.

CARRIED 254/2023 (8/11/2023)



23.8 SEPTEMBER QUARTERLY BUDGET REVIEW 2023-2024**PURPOSE**

For Council consideration and endorsement of the September quarterly budget review (as at 30 September 2023) of Council's 2023/2024 Budget and associated financial statements, ratios and changes.

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Kylie Gray

That Council endorse the 2023/2024 September Budget Review changes as presented in the attached Summary of Changes, Statement of Comprehensive Income and Uniform Presentation of Finances and receive the updated Statement of Financial Position, Statement of Cash Flows, Statement of Changes in Equity and Financial Indicators (Ratios).

CARRIED 255/2023 (8/11/2023)

24 ASSETS AND INFRASTRUCTURE SERVICES**24.1 BALGOWAN BOAT RAMP FACILITY OPTIONS****PURPOSE**

To seek an endorsement from Council as to the preferred funding option for the Balgowan boat ramp.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Scott Hoyle

That Council recognise the funding challenges it has ahead on a plethora of infrastructure, along with evolving environmental challenges, such as sea level rise, and commit no further funding to this project, except for better signage to highlight the risks of boat ramp and breakwater use.

CARRIED 256/2023 (8/11/2023)



25 DEVELOPMENT SERVICES**25.1 LAND MANAGEMENT AGREEMENT - REQUEST WAIVER - LOT 269 BUSH TRACK PARSONS BEACH****PURPOSE**

To seek authorisation for the Chief Executive Officer to approve the request for a partial waiver or variation of the land owners' obligations under Land Management Agreement No. 7239996 to permit the implementation of DA 23016543 on land at Lot 269 Bush Track, Parsons Beach (Certificate of Title Volume 5429 Folio 895) subject to the land owners entering a supplementary agreement with the Council which limits guest access to the coast and obliges the landowner to revegetate portion of the land as generally depicted in the Beach Access and Revegetation Plan dated 15 October 2023.

MOTION

Moved: Cr Kylie Gray
Seconded: Cr Scott Hoyle

That Council does not authorise the Chief Executive Officer to approve the request for a partial waiver or variation of the land owners' obligations under Land Management Agreement No. 7239996 to permit the implementation of DA 23016543 on land at Lot 269 Bush Track, Parsons Beach (Certificate of Title Volume 5429 Folio 895) subject to the land owners entering a supplementary agreement with the Council which limits guest access to the coast and obliges the landowner to revegetate portion of the land as generally depicted in the Beach Access and Revegetation Plan dated 15 October 2023.

The vote was tied at five all. Due to equality of votes the Mayor was required to use his casting vote and voted against the motion.

MOTION LOST**RESOLUTION**

Moved: Cr Naomi Bittner
Seconded: Cr Michael O'Connell

That Council authorise the Chief Executive Officer to approve the request for a partial waiver or variation of the land owners' obligations under Land Management Agreement No. 7239996 to permit the implementation of DA 23016543 on land at Lot 269 Bush Track, Parsons Beach (Certificate of Title Volume 5429 Folio 895) subject to the land owners entering a supplementary agreement with the Council which limits guest access to the coast and obliges the landowner to revegetate portion of the land as generally depicted in the Beach Access and Revegetation Plan dated 15 October 2023.

The vote was tied at five all. Due to equality of votes the Mayor was required to use his casting vote and voted in favour of the motion.

Cr Scott Hoyle called for a division.

In Favour: Mayor Darren Braund, Crs Richard Carruthers, Naomi Bittner, Trevor Clerke, Alan Headon and Michael O'Connell

Against: Crs Kylie Gray, Scott Hoyle, Roger Johns, Kristin Murdock and Tania Stock

CARRIED 257/2023 (8/11/2023)

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 a meeting are available to the public prior to the meeting. The practice of general business should be restricted to matters of urgency.

Nil.

CONFIDENTIAL AGENDA**27 CONFIDENTIAL ITEMS****27.1 REQUEST FOR EXEMPTION - PURCHASE OF ONE SEMI WATER TANKER****RESOLUTION**

Moved: Cr Richard Carruthers

Seconded: Cr Scott Hoyle

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 Request for Exemption - Purchase of One Semi Water Tanker, with the exception of the following persons:

- Chief Executive Officer
- Executive Assistant to CEO and Mayor
- Director Corporate and Community Services
- Director Assets and Infrastructure Services
- 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 Request for Exemption - Purchase of One Semi Water Tanker, 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 258/2023 (8/11/2023)

27.2 PURCHASE OF ONE SELF PROPELLED VIBRATORY SINGLE SMOOTH DRUM ROLLER TENDER 235/2023**RESOLUTION**

Moved: Cr Kristin Murdock

Seconded: Cr Kylie Gray

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 Self Propelled Vibratory Single Smooth Drum Roller Tender 235/2023, with the exception of the following persons:

- Chief Executive Officer
- Executive Assistant to CEO and Mayor
- Director Corporate and Community Services



- Director Assets and Infrastructure Services
- 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 Self Propelled Vibratory Single Smooth Drum Roller Tender 235/2023, 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 259/2023 (8/11/2023)

27.3 PURCHASE OF ONE PATROL GRADER TENDER 236/2023

RESOLUTION

Moved: Cr Michael O'Connell

Seconded: Cr Trevor Clerke

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 Purchase of One Patrol Grader Tender 236/2023, with the exception of the following persons:

- Chief Executive Officer
- Executive Assistant to CEO and Mayor
- Director Corporate and Community Services
- Director Assets and Infrastructure Services
- 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 Purchase of One Patrol Grader Tender 236/2023, 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 260/2023 (8/11/2023)

27.4 BITUMEN SEALING REHABILITATION PROGRAM 2023-2024 TENDER 237/2023

RESOLUTION

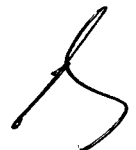
Moved: Cr Alan Headon

Seconded: Cr Kylie Gray

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 27.4 Bitumen Sealing Rehabilitation Program 2023-2024 Tender 237/2023, with the exception of the following persons:

- Chief Executive Officer
- Executive Assistant to CEO and Mayor
- Director Corporate and Community Services



- Director Assets and Infrastructure Services
- 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 27.4 Bitumen Sealing Rehabilitation Program 2023-2024 Tender 237/2023, 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 261/2023 (8/11/2023)

27.5 ROBERT STREET MAITLAND CONCEPT DESIGN REPORT

RESOLUTION

Moved: Cr Trevor Clerke

Seconded: Cr Roger Johns

Section 90 Order

That pursuant to Section 90(2) and (3)(b)(i),(d)(i) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.5 Robert Street Maitland Concept Design Report, with the exception of the following persons:

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

The Council is satisfied that, pursuant to Section 90(2) and (3)(b)(i),(d)(i) of the Act, the information to be received, discussed or considered in relation to report Item 27.5 Robert Street Maitland Concept Design Report, is confidential information relating to:

- (b)(i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council
- (d)(i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party.

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 262/2023 (8/11/2023)



27.6 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW**RESOLUTION**

Moved: Cr Kylie Gray

Seconded: Cr Michael O'Connell

Section 90 Order

That pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.6 Chief Executive Officer Performance Review, with the exception of the following persons:

- Mr Matthew Hobby, Director Perks People Solutions

The Council is satisfied that, pursuant to Section 90(2) and (3)(a) of the Act, the information to be received, discussed or considered in relation to report Item 27.6 Chief Executive Officer Performance Review, is confidential information relating to:

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

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 263/2023 (8/11/2023)

7.02pm – The public were removed from the meeting and the Chamber secured.

RESUMPTION OF PUBLIC MEETING – 7.55PM

Released in camera minute – 7.03pm

27.1 REQUEST FOR EXEMPTION - PURCHASE OF ONE SEMI WATER TANKER**PURPOSE**

To seek an endorsement of procurement outside of Council's P0058 Purchasing and Procurement Policy for the purchase of one (1) semi water tanker.

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Alan Headon

That Council accept the quotation of \$116,700 (GST exclusive) from Freightmore Transport for the purchase of one (1) semi water tanker.

CARRIED 264/2023 (8/11/2023)



RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Alan Headon

Section 91 Order

That having considered report 27.1 Request for Exemption - Purchase of One Semi Water Tanker 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 Request for Exemption - Purchase of One Semi Water Tanker be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 265/2023 (8/11/2023)

Released in camera minute – 7.04pm

27.2 PURCHASE OF ONE SELF PROPELLED VIBRATORY SINGLE SMOOTH DRUM ROLLER TENDER 235/2023**PURPOSE**

To provide relevant information in support of the recent open tender process for the purchase of one (1) self propelled vibratory single smooth drum roller (tender number 235/2023), pursuant to the relevant sections of the Purchasing and Procurement Policy (PO058).

RESOLUTION

Moved: Cr Michael O'Connell
Seconded: Cr Scott Hoyle

That Council accept the tender of \$196,500 (GST exclusive) for the purchase of one Dynapac CA500D "C SPEC" Single Drum Roller from CEA Pty Ltd, including the trade-in of \$2,000 (GST exclusive), resulting in a changeover price of \$194,500 (GST exclusive).

CARRIED 266/2023 (8/11/2023)

RESOLUTION

Moved: Cr Trevor Clerke
Seconded: Cr Naomi Bittner

Section 91 Order

That having considered report 27.2 Purchase of One Self Propelled Vibratory Single Smooth Drum Roller Tender 235/2023 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 Self Propelled Vibratory Single Smooth Drum Roller Tender 235/2023 be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 267/2023 (8/11/2023)

Released in camera minute – 7.11pm



27.3 PURCHASE OF ONE PATROL GRADER TENDER 236/2023**PURPOSE**

To provide relevant information in support of the recent open tender process for the purchase of one (1) patrol grader (tender number 236/2023), pursuant to the relevant sections of the Purchasing and Procurement Policy (PO058).

RESOLUTION

Moved: Cr Roger Johns
Seconded: Cr Naomi Bittner

That Council accept the tender of \$490,000 (GST exclusive) for the purchase of one Caterpillar (CAT) 140JOY3 Motor Grader from Cavpower Pty Ltd, including the trade-in of \$85,000 (GST exclusive), resulting in a changeover price of \$405,000 (GST exclusive).

CARRIED 268/2023 (8/11/2023)

RESOLUTION

Moved: Cr Roger Johns
Seconded: Cr Naomi Bittner

Section 91 Order

That having considered report 27.3 Purchase of One Patrol Grader Tender 236/2023 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 Purchase of One Patrol Grader Tender 236/2023 be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 269/2023 (8/11/2023)

Released in camera minute – 7.12pm

27.4 BITUMEN SEALING REHABILITATION PROGRAM 2023-2024 TENDER 237/2023**PURPOSE**

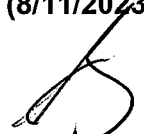
To provide relevant information in support of the recent open tender process for the Bitumen Seal Program 2023/24 (tender 237/2023), pursuant to the relevant sections of the Purchasing and Procurement Policy (PO058).

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Alan Headon

That Council accept the tender of \$709,031.85 from Inroads Pty Ltd for the Bitumen Sealing Rehabilitation Program 2023/24.

CARRIED 270/2023 (8/11/2023)



RESOLUTION

Moved: Cr Michael O'Connell
Seconded: Cr Trevor Clerke

Section 91 Order

That having considered report 27.4 Bitumen Sealing Rehabilitation Program 2023-2024 Tender 237/2023 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 27.4 Bitumen Sealing Rehabilitation Program 2023-2024 Tender 237/2023 be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 271/2023 (8/11/2023)

Released in camera minutes – 7.18pm

27.5 ROBERT STREET MAITLAND CONCEPT DESIGN REPORT**PURPOSE**

To seek endorsement of the Robert Street Maitland Concept Design Report (the Report) and next steps.

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Tania Stock

Section 91 Order

That having considered report 27.5 Robert Street Maitland Concept Design Report in confidence under Section 90(2) and (3)(b)(i),(d)(i) 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 27.5 Robert Street Maitland Concept Design Report be retained in confidence and not available for public inspection for a period of 2 years with the exclusion of the Robert Street Maitland Concept Design Report to be released at the conclusion of the Council meeting.

CARRIED 273/2023 (8/11/2023)

Released in camera minute – 7.55pm.



27.6 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Scott Hoyle

Section 91 Order

That having considered report 27.6 Chief Executive Officer Performance Review in confidence under Section 90(2) and (3)(a) 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 27.6 Chief Executive Officer Performance Review be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 275/2023 (8/11/2023)

28 NEXT MEETING

Wednesday 13 December 2023

29 CLOSURE

The Meeting closed at 7.56pm.

The minutes of this meeting were confirmed at the Council Meeting held on 13 December 2023.


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MAYOR DARREN BRAUND