



## *Yorke Peninsula Council*

# **Minutes of the Meeting of the Yorke Peninsula Council**

held on Wednesday 9<sup>th</sup> November 2016,  
in the Council Chambers  
57 Main Street Minlaton commencing at 5.30pm  
(Subject to confirmation)

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### **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**

Cr Jeff Cook

### **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.

## **MINUTES OF THE PREVIOUS MEETING**

**Cr Headon moved Cr Davey seconded**

That the minutes of the Council meeting held on Wednesday 12<sup>th</sup> October 2016 at 5.30pm be confirmed as a true record.

**CARRIED 220/2016 (09/11/2016)**

## **ITEM 2 MAYORS REPORT**

Mayor Agnew advised that he wished to record the recent passing of former Councillor Valma Clift who was first elected to the District Council of Central Yorke Peninsula in May 1995 and served as a Councillor until May 2003.

He also advised that Cr Adam Meyer had joined the meeting at Marion Bay with GHD in relation to the Marion Bay Boat Ramp.

He had the pleasure of attending the SA Tourism Awards where both the Walk the Yorke Project and Port Vincent Caravan Park had won Silver Awards and he congratulated all who had been involved in these projects.

**Cr Langford moved Cr Meyer seconded**

That the report from Mayor Agnew be received.

**CARRIED 221/2016 (09/11/2016)**

## **ADOPTION OF INFORMATION AGENDA**

**Cr Bittner moved Cr Rich seconded**

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

**CARRIED 222/2016 (09/11/2016)**

## **ITEM 6 DEBATE AGENDA**

### **CHIEF EXECUTIVE OFFICER**

#### **DA/CEO/R1**

### **2015/16 AUDITED GENERAL PURPOSE FINANCIAL STATEMENTS**

**Cr Langford moved Cr Rich seconded**

That the audited General Purpose Financial Statements for the year ended 30<sup>th</sup> June 2016 be adopted and that:

1. the Chief Executive Officer and Mayor be authorised to certify the accounts, and
2. the Chief Executive Officer and the Presiding Member of the Audit Committee sign the Certification of Auditor Independence, and
3. the Chief Executive Officer and the Director Corporate and Community Services be authorised to sign the Management Representation letter to the Auditors.

**CARRIED 223/2016 (09/11/2016)**

**DA/CEO/R2**

**ANNUAL REPORT 2015/16**

**Cr Meyer moved Cr Stock seconded**

That Council considers, approves and adopts the Annual Report for 2015/16 which includes the adopted financial statements of Council, the Central Local Government Region Annual Report and their financial statements.

**CARRIED 224/2016 (09/11/2016)**

**CORPORATE AND COMMUNITY SERVICES – DEBATE**

**DA/CCS/R1**

**FINANCIAL REPORT 31<sup>ST</sup> OCTOBER 2016**

**Cr Langford moved Cr Headon seconded**

That Council receive the financial report and capital projects update report as at 31<sup>st</sup> October 2016.

**CARRIED 225/2016 (09/11/2016)**

**DA/CCS/R2**

**APPOINTMENT OF INDEPENDENT AUDIT COMMITTEE MEMBERS**

**Cr Headon moved Cr Hoyle seconded**

That:

1. Mr Peter Brass and Mr Robert Reiman be appointed as Independent Members on Council's Audit Committee for a period of four (4) years from 1<sup>st</sup> December 2016 to 30<sup>th</sup> November 2020 and;
2. the Audit Committee be delegated authority to appoint a Chairperson for the Committee at their December 2016 meeting.

**CARRIED 226/2016 (09/11/2016)**

**DA/CCS/R3**

**2016/17 SEPTEMBER QUARTERLY BUDGET REVIEW**

**Cr Meyer moved Cr Hoyle seconded**

That Council adopt the changes to the 2016/17 Budget as presented in the following financial statements and reports:

1. Budgeted statement of comprehensive income; and
2. Budgeted statement of financial position; and
3. Budgeted statement of changes in equity; and
4. Budgeted statement of cash flows, and
5. Budgeted uniform presentation of finances; and
6. Budgeted financial indicators.

**CARRIED 227/2016 (09/11/2016)**

## **DEVELOPMENT SERVICES – DEBATE**

### **DA/DS/R1**

#### **BALGOWAN KIOSK – LEASE DEED OF ASSIGNMENT**

##### **Cr Davey moved Cr Headon seconded**

That Council:

1. approve the lease reassignment from Sandra Haseldine to KB Leisure Pty Ltd, on the same terms and conditions as the current lease over a Part Section of 362 PLN 130600 Crown Record: Volume 5757 Folio 183, being the location of the Balgowan Kiosk.
2. authorise the Mayor and Chief Executive Officer to sign and affix Council's seal to the relevant documents necessary to execute the lease assignment documents.

**CARRIED 228/2016 (09/11/2016)**

## **GENERAL BUSINESS**

### **Cr Braund**

Advised Members that he wished to congratulate the organisers on the Day at the Burgh held on the weekend. There was music, food, wine with 4 live venues operating at once. The day was sponsored by the Edithburgh Progress Association. The organisers hope that the event will continue to grow and has the potential to become a significant event for our region.

### **Cr Meyer**

Advised members he would like to commend the Council Staff in relation to the toilets and car park improvements to the two Berry Bay locations. A Junior surf contest was held last Saturday with very positive comments received from local residents and visitors from other areas.

Congratulations to the CEO and involved staff in relation to the successful sentencing of Karen Schulz and Victim Impact Statement as outlined in the Media.

## **ITEM 8 CONFIDENTIAL AGENDA**

### **ASSETS AND INFRASTRUCTURE SERVICES – CONFIDENTIAL AGENDA**

#### **CA/AIS/R1**

##### **UNSEALED ROAD CONSTRUCTION TENDER 152/2016**

##### **Cr Langford moved Cr Bittner 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 Services.

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 Unsealed Road Construction 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 Unsealed Road Construction 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 Unsealed Road Construction Tender be retained in confidence for a period of 12 months.

**CARRIED 229/2016 (09/11/2016)**

5.46pm

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

6.05pm

The public meeting resumed.

*Released in camera minute 231/2016 (09/11/2016)*

**Cr Bittner moved Cr Headon seconded**

That Council endorse Geoff Wilde Earthmoving Pty Ltd as the preferred contractor to undertake unsealed road construction requirements.

*In camera minute.*

**CA/AIS/R2**

**PURCHASE OF ONE (1) PATROL GRADER TENDER 155/2016**

**Cr Langford moved Cr Headon 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 Services.

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) Patrol 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) Patrol 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 Purchase of one (1) Patrol Grader Tender be retained in confidence for a period of 12 months.

**CARRIED 233/2016 (09/11/2016)**

6.06pm

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

6.08pm

The public meeting resumed.

*Released in camera minute 234/2016 (09/11/2016)*

**Cr Davey moved Cr Hoyle seconded**

That Council accept the tender of \$261,000 (GST exclusive) from Cavill Power Products Pty Ltd (Cavpower) for the purchase of one (1) patrol grader (Model: Caterpillar 120M Motor Grader).

**CORPORATE AND COMMUNITY SERVICES – CONFIDENTIAL AGENDA**

**CA/CCS/R3**

**UPDATE ON PROJECT – CONSTRUCTION OF FOUR (4) CARAVAN PARK CABINS AT THE MARION BAY CARAVAN PARK TENDER 128/2015**

**Cr Langford moved Cr Stock 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 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 Update on Project – Construction of four (4) Caravan Park Cabins at the Marion Bay Caravan Park Tender 128/2015 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 Update on Project – Construction of four (4) Caravan Park Cabins at the Marion Bay Caravan Park Tender 128/2015 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 Update on Project – Construction of four (4) Caravan Park Cabins at the Marion Bay Caravan Park Tender 128/2015 be retained in confidence for a period of 12 months.

**CARRIED 236/2016 (09/11/2016)**

6.08pm

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

6.10pm

*The public meeting resumed.*

**ITEM 9 NEXT COUNCIL MEETING**

Wednesday 14<sup>th</sup> December 2016 commencing at 5.30pm.

6.11pm

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

**ITEM 10 CLOSURE**

The Meeting Closed at 6.11pm.

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**Mayor Ray Agnew OAM**

14<sup>th</sup> December 2016