



# **MINUTES**

## **Ordinary Council Meeting**

(Subject to confirmation)

**13 November 2019**

**MINUTES OF YORKE PENINSULA  
COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS , MINLATON TOWN HALL, 57 MAIN STREET,  
MINLATON  
ON WEDNESDAY, 13 NOVEMBER 2019 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, Deputy Mayor Tania Stock, Cr Adam Meyer, Cr Leanne O'Brien, Cr Anthony Bennett, Cr Kristin Murdock, 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), Roger Brooks (Director Development Services), Luka Oster (Minute Secretary)

**4 LEAVE OF ABSENCE**

Nil

**5 APOLOGIES**

Cr John Rich, Cr Richard Carruthers, Cr David Langford, Cr Naomi Bittner

**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.

<b>AGENDA ITEM 6 CONFLICT OF INTEREST DECLARATION</b>	
<b>Disclosure of [type] of Conflict of Interest declared</b>	Perceived
<b>Elected Member Name</b>	Cr Tania Stock
<b>Matter to be discussed (Agenda Item #)</b>	19.6
<b>Nature of the Interest (as described by the Member)</b>	My husband and I own a vacant block at Black Point. There may be a perception that I have a conflict of interest due to this. The information agenda item is to receive a report indicating a review of the Black Point Development Plan will be placed on hold due to the introduction of the Planning Development Code. I provide

	this declaration in an abundance of caution, however there is no conflict of interest in this matter as any discussions relating to Black Point now have at this point been withdrawn from discussion until further notice.
<b>Manner in which the Member addressed with the Actual or Perceived Conflict of Interest</b>	I will support the report being received, however I will not participate or vote on any discussion in relation to the details of the report.
<b>If the Member voted on the matter, the manner in which he or she voted</b>	Voted in favour
<b>The manner in which majority of persons who were entitled to vote at the meeting voted on the matter</b>	<b>CARRIED 260/2019 (13/11/2019)</b>

## 7 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION

### RESOLUTION

Moved: Cr Leanne O'Brien  
 Seconded: Cr Anthony Bennett

That the minutes of the Ordinary Council Meeting held on 9 October 2019 be confirmed.

**CARRIED 257/2019 (13/11/2019)**

### RESOLUTION

Moved: Cr Roger Johns  
 Seconded: Cr Adam Meyer

That the minutes of the Confidential Council Meeting – Yorketown Airstrip Upgrade Tender 201-2019 held on 9 October 2019 be confirmed.

**CARRIED 258/2019 (13/11/2019)**

## 8 MOTIONS ON NOTICE

Nil

## 9 QUESTIONS ON NOTICE

Nil

## 10 QUESTIONS WITHOUT NOTICE

Nil

## 11 PETITIONS

Nil

**12 MAYOR**

Mayor Darren Braund gave a verbal update to his Mayor's Monthly Report including:

- informing Elected Members of the recent launch of the SA Coastal Councils Alliance at the LGA Conference;
- recent meeting with Adam Kennedy from AME Recruitment in relation to the CEO Performance Review;
- congratulations to all involved in the You Rock Fest recently held at Ardrossan;
- congratulations to all involved with Council's Bush Camping sites and Yorketown Caravan Park on the recent wins at the Grey Nomad Awards;
- congratulations to Redwing Farm on winning the award for South Australia's Best Hosted Accommodation at the 2019 South Australian Tourism Awards;
- recently attended the SA Coastal Conference where Deb Furbank and Letitia Dahl-Helm gave a presentation on the YPC Coastal Management Strategy;
- a reminder that nominations for the Australia Day Awards close this Friday, 15 November 2019;
- good luck to all involved with the Edithburgh 150<sup>th</sup> Celebrations and A Day at the 'Burgh events being held this weekend.

**12.1 MAYOR'S MONTHLY REPORT OCTOBER 2019****PURPOSE**

To keep Elected Members updated on Mayoral activities during the month of October 2019.

**RESOLUTION**

Moved: Cr Tania Stock  
Seconded: Cr Leanne O'Brien

That the report be received.

**CARRIED 259/2019 (13/11/2019)**

**13 COUNCILLORS' REPORT**

Nil

*5.41pm - Cr Tania Stock declared a perceived Conflict of Interest with Item 19.6 Update – Process to Review Zoning of Land at Black Point and remained in the Chambers.*

**INFORMATION AGENDA****14 ITEMS FOR EXCLUSION**

Nil

Cr Adam Meyer requested Black Point Progress Association be advised of Council's decision to place on hold the process to review the current zoning at Black Point and the reasons why.

**15 RECEIPT OF INFORMATION REPORTS****ADOPTION OF INFORMATION AGENDA**

Moved: Cr Jeffrey Cook  
Seconded: Cr Kristin Murdock

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

**CARRIED 260/2019 (13/11/2019)**

**20 VISITORS TO THE MEETING**

Helen Dyer – Review of the Operations of the Development Services Department

Mayor Darren Braund advised that Helen would make her presentation to Council later in the meeting at Agenda Item 22.4.

**DEBATE AGENDA****21 MAYOR**

Nil

**22 CHIEF EXECUTIVE OFFICER****22.1 AUDITED GENERAL PURPOSE FINANCIAL STATEMENTS 2018/2019****PURPOSE**

To present Council's 2018/2019 audited General Purpose Financial Statements ("Statements"), Audit Completion Report, Management Representation Letter and accompanying reports for Council's consideration and endorsement.

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Jeffrey Cook

That Council:

1. Endorse the audited General Purpose Financial Statements for the year ended 30 June 2019;
2. Receive and note the Management Representation Letter provided to Council's External Auditor;  
and
3. Receive and note the Audit Completion Report provided by Council's External Auditor.

**CARRIED 261/2019 (13/11/2019)**

**22.2 ADOPTION OF 2018/19 ANNUAL REPORT****PURPOSE**

For Council to consider, approve and adopt the Annual Report for 2018/2019 for distribution in accordance with legislation prior to 30 November 2019.

**RESOLUTION**

Moved: Cr Tania Stock  
Seconded: Cr Adam Meyer

That Council considers, approves and adopts the Annual Report for 2018/2019 which includes the adopted financial statements of Council and incorporates the Legatus Group Annual Report and their financial statements.

**CARRIED 262/2019 (13/11/2019)**

**22.3 LOCAL GOVERNMENT REFORMS SUBMISSION****PURPOSE**

To seek Council's endorsement of the submission made to Minister for Transport, Infrastructure and Local Government, Stephan Knoll MP, in relation to the proposed Local Government Reforms.

**RESOLUTION**

Moved: Cr Roger Johns  
Seconded: Cr Leanne O'Brien

That Council endorse the submission sent to Minister for Transport, Infrastructure and Local Government, Hon Stephan Knoll MP, in relation to the proposed Local Government Reforms.

**CARRIED 263/2019 (13/11/2019)**

*5.46pm – Mayor Darren Braund invited Helen Dyer and Nicole Tan to make their presentation to Council in relation to the Review of Operations of the Development Services Department.*

*6.24pm – The presentation concluded.*

**22.4 REVIEW OF OPERATIONS - YORKE PENINSULA COUNCIL DEVELOPMENT DEPARTMENT****PURPOSE**

To provide Elected Members with a copy of the Findings Report prepared by Holmes Dyer in relation to the Review of Operations – Yorke Peninsula Council Development Department.

**RESOLUTION**

Moved: Cr Jeffrey Cook

Seconded: Cr Adam Meyer

That Council:

1. receive the Review of Operations – Yorke Peninsula Council Development Department Findings Report prepared by Holmes Dyer;
2. authorise the CEO to implement the recommendations made in the Review of Operations – Yorke Peninsula Council Development Department Findings Report prepared by Holmes Dyer; and
3. request that the CEO provides quarterly updates on the progress of the recommendations being implemented.

**CARRIED UNANIMOUSLY 264/2019 (13/11/2019)**

**23 CORPORATE AND COMMUNITY SERVICES****23.1 FINANCIAL REPORT AS AT 31 OCTOBER 2019****PURPOSE**

For Council to consider the financial report and capital projects update report as at 31 October 2019.

**RESOLUTION**

Moved: Cr Adam Meyer

Seconded: Cr Anthony Bennett

That Council receive the financial report and capital projects update report as at 31 October 2019.

**CARRIED 265/2019 (13/11/2019)**

Cr Tania Stock raised a question in relation to the price variance for the Sandy Church Road project. CEO Andrew Cameron advised he would seek clarification and update Elected Members.

**23.2 SEPTEMBER QUARTERLY BUDGET REVIEW 2019/2020****PURPOSE**

For Council consideration and endorsement of September quarterly budget review (as at 30 September 2019) of Council's 2019/2020 Budget and associated financial statements, ratios and changes.

**RESOLUTION**

Moved: Cr Leanne O'Brien

Seconded: Cr Tania Stock

That Council endorse the 2019/2020 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 266/2019 (13/11/2019)**

**23.3 POLICY REVIEW - PO060 - RATES RELIEF POLICY****PURPOSE**

To seek endorsement for the updated PO060 Rates Relief Policy.

**RESOLUTION**

Moved: Cr Jeffrey Cook

Seconded: Cr Kristin Murdock

That Council endorse and adopt the updated PO060 Rates Relief Policy for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 267/2019 (13/11/2019)**



**23.4 SOUTH AUSTRALIAN NATIONAL FOOTBALL LEAGUE (SANFL) SPONSORSHIP SUPPORT****PURPOSE**

Yorke Peninsula Council has been approached by the South Australian National Football League (SANFL) to assist via funding to support a proposed restructure of the governance of regional football in South Australia starting in 2020. The restructure aims to provide additional support to Country Leagues and Clubs in South Australia.

**MOTION**

Moved: Cr Jeffrey Cook

That Council approve a contribution of \$2,000 (ex GST) per annum for three years commencing in 2019/20 to support our local clubs in the proposed overall governance restructure and the appointment of a full-time Football Operations Coordinator based in the Yorke and Mid-North region.

Cr Jeff Cook withdrew the motion.

**RESOLUTION**

Moved: Cr Kristin Murdock

Seconded: Cr Tania Stock

That the matter lie on the table.

**CARRIED 268/2019 (13/11/2019)**

**23.5 MINLATON CARAVAN PARK REQUEST FOR LICENCE EXTENSION - PUBLIC CONSULTATION****PURPOSE**

To seek Council approval to undertake a public consultation process in regard to a request for an extension pertaining to the operation of the Minlaton Caravan Park operated under licence from Council by Lennerth and Zeuner Pty Ltd as the new licensees.

**RESOLUTION**

Moved: Cr Jeffrey Cook

Seconded: Cr Adam Meyer

That Council approve the commencement of the Community Engagement process for amending the licence/lease term of the Minlaton Caravan Park to allow for five (5), five (5) year rights of renewal resulting in an overall lease term of twenty five (25) years from 31 October 2020.

**CARRIED 269/2019 (13/11/2019)**

**24 ASSETS AND INFRASTRUCTURE SERVICES****24.1 DRAFT BUILDINGS AND OTHER STRUCTURES ASSET MANAGEMENT PLAN****PURPOSE**

This report requests Council endorsement and adoption of the draft Buildings and Other Structures Asset Management Plan.

**RESOLUTION**

Moved: Cr Tania Stock  
Seconded: Cr Roger Johns

That Council endorse and adopt the draft Buildings and Other Structures Asset Management Plan.

**CARRIED 270/2019 (13/11/2019)**

**24.2 POLICY UPDATE - PO128 ASSET MANAGEMENT POLICY****PURPOSE**

To seek endorsement and approval from Council for the updated PO128 Asset Management Policy.

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Leanne O'Brien

That Council endorse and adopt the updated PO128 Asset Management Policy for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 271/2019 (13/11/2019)**

**25 DEVELOPMENT SERVICES****25.1 PROPOSED REVOCATION OF COMMUNITY LAND CLASSIFICATION ALLOTMENT 29 (RESERVE), CHENOWETH CRESCENT PARSONS BEACH****PURPOSE**

To consider submissions received in relation to the public consultation process for the proposed revocation of Community Land classification, for the purpose of selling the land at Allotment 29 (Reserve), Chenoweth Crescent, Parsons Beach, Certificate of Title Volume 5539 Folio 478.

**RESOLUTION**

Moved: Cr Jeffrey Cook

Seconded: Cr Kristin Murdock

That Council:

1. receive and consider the written submissions in response to the public consultation for the proposed revocation of the Community Land classification for Allotment 29 (Reserve), Chenoweth Crescent, Parsons Beach, Certificate of Title Volume 5539 Folio 478; and
2. to proceed with seeking Ministerial approval for the revocation of the Community Land classification for Allotment 29 (Reserve), Chenoweth Crescent, Parsons Beach, Certificate of Title Volume 5539 Folio 478 (in accordance with Section 194(3)(a) of the Local Government Act 1999); and
3. authorise the Mayor and Chief Executive Officer to sign and affix Council's Common Seal to the relevant documents necessary to execute the revocation and transfer of properties.

**CARRIED 272/2019 (13/11/2019)**

**25.2 LAND MANAGEMENT AGREEMENT****PURPOSE**

To seek authorisation from Council for the Mayor and Chief Executive Officer to execute a Land Management Agreement relating to development at Allotment 201, Deposited Plan 115095 in the area named Sultana Point, Hundred of Melville, commonly known as Lot 201, Kona Crescent, Sultana Point.

**RESOLUTION**

Moved: Cr Adam Meyer

Seconded: Cr Tania Stock

That Council authorise the Mayor and Chief Executive Officer to sign and affix the Common Seal on the relevant documents relating to the Land Management Agreement over land identified as Allotments 102 and 103 in Development Application 544/1408/2018 (544/D021/18).

**CARRIED 273/2019 (13/11/2019)**

**25.3 LAND MANAGEMENT AGREEMENT****PURPOSE**

To seek authorisation from Council for the Mayor and Chief Executive Officer to execute a Land Management Agreement relating to a proposed development at Section 271 Hundred of Para Wurlie in the area named Point Turton, commonly known as 242 North Coast Road, Point Turton.

**RESOLUTION**

Moved: Cr Jeffrey Cook  
Seconded: Cr Leanne O'Brien

That Council authorise the Mayor and Chief Executive Officer to sign and affix the Common Seal on the relevant documents relating to the Land Management Agreement over land identified as Section 271 Hundred of Para Wurlie in the area named Point Turton, as contained within Certificate of Title Volume 5430 Folio 91.

**CARRIED 274/2019 (13/11/2019)**

**25.4 ACCESS ADVISORY WORKING PARTY MINUTES****PURPOSE**

For Council to receive the Minutes of Council's Access Advisory Working Party meeting held on 25 October 2019.

**RESOLUTION**

Moved: Cr Tania Stock  
Seconded: Cr Anthony Bennett

That Council:

1. receive the Minutes of the Access Advisory Working Party meeting held on 25 October 2019.
2. commit \$300 for line marking a disabled carpark space in the business precinct and installing a grab rail on the corner of Ramsay and Main Street, Port Vincent.
3. commit \$5,000 for the installation of a concrete access pathway from the side entrance of the Corny Point Hall to the external toilets.
4. commit \$4,400 towards four (4) crossovers within the township of Maitland.

**CARRIED 275/2019 (13/11/2019)**

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

**Cr Anthony Bennett**

Acknowledged the great community spirit and quick response by volunteers in fighting fires at White Hut and Foul Bay earlier in the week.

**Cr Adam Meyer**

Also recognised the quick response from volunteers, especially farm units, and the assistance it provided in bringing the fires under control quickly.

**CONFIDENTIAL AGENDA****27 CONFIDENTIAL ITEMS****27.1 STORMWATER SPOON DRAIN REPLACEMENT TENDER 204-2019****RESOLUTION**

Moved: Cr Anthony Bennett

Seconded: Cr Adam Meyer

**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 Stormwater Spoon Drain Replacement Tender 204-2019, 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
- 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 Stormwater Spoon Drain Replacement Tender 204-2019, 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 276/2019 (13/11/2019)**

**27.2 PURCHASE OF ONE (1) TOWED COMBINATION ROLLER TENDER 207-2019****RESOLUTION**

Moved: Cr Jeffrey Cook

Seconded: Cr Tania Stock

**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) Towed Combination Roller Tender 207-2019, 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
- 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) Towed Combination Roller Tender 207-2019, 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 277/2019 (13/11/2019)**

*6.59pm – The public were asked to leave and the Chambers secured.*

**RESUMPTION OF PUBLIC MEETING**

7.03pm - Released in camera minutes

**RESOLUTION**

Moved: Cr Jeffrey Cook  
Seconded: Cr Leanne O'Brien

That Council endorse Transformer Services Pty Ltd T/A TFS Civil as the preferred contractor to undertake stormwater spoon drain replacement at various locations within the Council area up to the budget amount of \$150,000 (GST exclusive).

**CARRIED 278/2019 (13/11/2019)**

**RESOLUTION**

Moved: Cr Anthony Bennett  
Seconded: Cr Tania Stock

**Section 91 Order**

That having considered report 27.1 Stormwater Spoon Drain Replacement Tender 204-2019 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 Stormwater Spoon Drain Replacement Tender 204-2019 be retained in confidence and not available for public inspection for a period of 12 months.

**CARRIED 279/2019 (13/11/2019)**

**RESOLUTION**

Moved: Cr Roger Johns  
Seconded: Cr Kristin Murdock

That Council accept the tender of \$139,750 (GST exclusive) for the purchase of one (1) BH-1830 Towed Combination Roller from Broons Group Pty Ltd, including the trade-in of \$3,500 (GST exclusive), resulting in a changeover price of \$136,250 (GST exclusive).

**CARRIED 280/2019 (13/11/2019)**

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Anthony Bennett

**Section 91 Order**

That having considered report 27.2 Purchase of One (1) Towed Combination Roller Tender 207-2019 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) Towed Combination Roller Tender 207-2019 be retained in confidence and not available for public inspection for a period of 12 months.

**CARRIED 281/2019 (13/11/2019)**

**28 NEXT MEETING**

Wednesday 11 December 2019

**29 CLOSURE**

The Meeting closed at 7.04pm.

The minutes of this meeting were confirmed at the Council Meeting held on 11 December 2019.

.....  
**MAYOR DARREN BRAUND**