



# **MINUTES**

## **Ordinary Council Meeting**

(Subject to confirmation)

**11 December 2019**

**MINUTES OF YORKE PENINSULA  
COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS , MINLATON TOWN HALL, 57 MAIN STREET,  
MINLATON  
ON WEDNESDAY, 11 DECEMBER 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 John Rich, 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), Roger Brooks (Director Development Services), Luka Oster (Minute Secretary)

**4 LEAVE OF ABSENCE**

Nil

**5 APOLOGIES**

Nil

**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>	Mayor Darren Braund
<b>Matter to be discussed (Agenda Item #)</b>	23.9
<b>Nature of the Interest (as described by the Member)</b>	The President of the Edithburgh Tennis Club is my Uncle. Though I have no affiliation with the Club there may be a perception of influence

<b>Manner in which the Member addressed with the Actual or Perceived Conflict of Interest</b>	Leave Chamber
<b>If the Member voted on the matter, the manner in which he or she voted</b>	N/A
<b>The manner in which majority of persons who were entitled to vote at the meeting voted on the matter</b>	<b>LAPSED</b>

## 7 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION

### RESOLUTION

Moved: Cr Leanne O'Brien  
 Seconded: Cr Richard Carruthers

That the minutes of the Ordinary Council Meeting held on 13 November 2019 be confirmed.

**CARRIED 283/2019 (11/12/2019)**

### RESOLUTION

Moved: Cr David Langford  
 Seconded: Cr Anthony Bennett

That the minutes of the Confidential Council Meeting held on 13 November 2019 – Stormwater Spoon Drain Replacement Tender 204-2019 be confirmed.

**CARRIED 284/2019 (11/12/2019)**

### RESOLUTION

Moved: Cr David Langford  
 Seconded: Cr Tania Stock

That the minutes of the Confidential Council Meeting held on 13 November 2019 – Purchase One (1) Tower Combination Roller Tender 207-2019 be confirmed.

**CARRIED 285/2019 (11/12/2019)**

### RESOLUTION

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

That the minutes of the Special Council Meeting held on 27 November 2019 be confirmed.

**CARRIED 286/2019 (11/12/2019)**

## 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:

- Thanks to Peter Brass, Presiding Member of the Audit Committee, who has resigned after 9 years of service;
- Congratulations to Cr Jeff Cook who has recently reached the milestone of 36 years of service as a Councillor; Cr Cook has also recently retired as a bus driver for the Maitland Lutheran School after 11 years of service. He was an inaugural bus driver for the school and saw the fleet expand from 1 bus to 6;
- Congratulations to Trevor Graham, Director Assets and Infrastructure Services, who has recently become a Grandfather for the first time;
- BlazeAid have now commenced volunteer work at Edithburgh/Yorketown with 25-30 volunteers working each day; a team is being set up to undertake work in the Price area also;
- A Recovery Committee has been formed and recently met for the first time; the committee comprises Peter Stockings, Karen Warren (BlazeAid), Marty Collins (Ag Group), Ben Wundersitz (Farmer representing Price area), Max Barr (NRM), Council (Roger Brooks, Andrew Cameron and myself), PIRSA, SA Housing, Salvos and SAPOL; they will determine community needs after the bushfires and how best to respond as well as help administrate the many donations that continue to be received;
- A Recognition Day to thank volunteers and fundraise for the bushfire recovery has been planned for Sunday 19 January 2019 at the Edithburgh Oval and will include a couple cricket matches and possible celebrities;
- The Governor's Office have confirmed that His Excellency will be visiting Edithburgh on Friday 20 and Saturday 21 December 2019 to meet, local CFS and BlazeAid volunteers and visit some of the affected areas;
- The Annual Staff Recognition Breakfast is scheduled to be held Wednesday 18 December 2019 pending a favourable weather forecast.

Cr Adam Meyer congratulated Mayor Darren Braund on his exceptional conduct and response in dealing with the recent bushfires.

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

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

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Anthony Bennett  
That the report be received.

**CARRIED 287/2019 (11/12/2019)**

**13 COUNCILLORS' REPORT**

Nil

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

Nil.

**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 288/2019 (11/12/2019)**

**20 VISITORS TO THE MEETING**

*5.42pm – Mayor Darren Braund invited Debra Richardson to make her presentation to the Council in relation to her role as Local Recovery Coordinator.*

*5.54pm – The presentation concluded.*

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

Nil

**22 CHIEF EXECUTIVE OFFICER****22.1 BUILDING AND DEVELOPMENT FIRE RECOVERY - WAIVING OF DEVELOPMENT APPLICATION FEES****PURPOSE**

For Council to endorse the Chief Executive Officer waiving all Development Application fees for applicants who have damaged and or destroyed property as a result of the Yorketown and Price Fires.

**RESOLUTION**

Moved: Cr Jeffrey Cook  
Seconded: Cr Naomi Bittner

That Council endorse the Chief Executive Officer waiving all Development Application fees for applicants who have damaged and or destroyed property as a result of the Yorketown and Price Fire until 1 July 2021.

**CARRIED UNANIMOUSLY 289/2019 (11/12/2019)**

**22.2 DROUGHT COMMUNITIES PROGRAMME****PURPOSE**

To seek endorsement of projects to the value of \$1 million to be submitted in the grant application for the Australian Government's Drought Communities Programme - Extension.

**RESOLUTION**

Moved: Cr David Langford  
Seconded: Cr Adam Meyer

That Council:

1. endorse the CEO to apply for projects under the Australian Government's Drought Communities Programme - Extension;
2. endorse the projects (as listed below) to be submitted in the grant application:
  - (a) Ardrossan Stormwater Harvesting Project (\$123,000);
  - (b) Bush Camping Amenities (\$110,000);
    - (i) Wauraltee;
    - (ii) Barkers Rocks;
    - (iii) Daly Head;
  - (c) Footpath Paving Project (\$120,000);
    - (i) Waterloo Bay Road, Yorketown;
    - (ii) Beach Road, Coobowie;

- (d) Minlaton Airfield Water Tank for Firefighting (\$55,000);
  - (e) North Cliff Stairs, Ardrossan (\$50,000);
  - (f) Public Toilet Refresh Program (\$150,000);
  - (g) Road Patch Sheeting Program (\$240,000);
    - (i) Pipeline Road, Arthurton;
    - (ii) Honner Road, Arthurton;
    - (iii) Old Boundary Road, Arthurton;
    - (iv) Koolywurtie Church Road, Koolywurtie;
    - (v) Butler Road, Koolywurtie;
    - (vi) Tomney Road, Koolywurtie;
  - (h) Toilet Upgrade – Harry Butler Precinct Project (\$42,000); and
  - (i) Watering System Controllers (\$100,000);
3. endorse the preparation of an Adverse Event Plan in partnership with Barunga West and Copper Coast Councils, to be part-funded by a \$10,000 allocation of Council's grant application (funding requirement);
4. approve an exemption for open tendering under PO058 Purchasing and Procurement Policy, for the above mentioned projects, delegating authority to the CEO;

**CARRIED 290/2019 (11/12/2019)**

*6.15pm – Cr Jeff Cook left the meeting and did not return.*

### **22.3 YOU ROCK FEST 2020**

#### **PURPOSE**

To seek a financial commitment to hold the YOu Rock fEst event in October 2020.

#### **RESOLUTION**

Moved: Cr Adam Meyer

Seconded: Cr Leanne O'Brien

That Council:

1. Endorse the allocation of fourteen thousand, two hundred dollars (\$14200) in unutilised funds, designated for a Community Food Fair in the 2019/2020 budget period, to the 2020 YOu Rock fEst;
2. Endorse the allocation of one thousand dollars (\$1,000) in unutilised funds, designated for a community art project in the 2019/2020 budget period, to the 2020 YOu Rock fEst;
3. Endorse an application to the Building Better Regions Fund – Community Investments Stream – Round Four – Drought Support, requesting eighty thousand dollars (\$40,000) for the 2020 YOu Rock fEst;
4. Endorse a cash allocation of up to forty five thousand (\$15,000) for the 2020/2021 budget period for the YOu Rock fEst, subject to a successful Building Better Regions Fund – Community Investments Stream – Round Four – Drought Support application.

**CARRIED 291/2019 (11/12/2019)**

**23 CORPORATE AND COMMUNITY SERVICES**

*6.19pm – Mayor Darren Braund declared a conflict of interest and left the chamber. Deputy Mayor Tania Stock took the chair.*

**23.9 REQUEST FOR FINANCIAL SUPPORT FOR EDITHBURGH TENNIS CLUB****PURPOSE**

To seek funding to assist in covering the shortfall required to complete the resurfacing of the Edithburgh Tennis/Netball Courts.

**MOTION**

Moved: Cr Adam Meyer

That Council endorse a contribution of \$10,000 (excluding GST) to guarantee that the resurfacing of the Edithburgh Tennis/Netball Courts project can be successfully delivered by the Edithburgh Tennis Club.

**LAPSED**

*6.30pm – Mayor Darren Braund returned to the chamber and resumed the chair.*

*6.31pm – Cr Tania Stock left the meeting and did not return.*

**23.1 FINANCIAL REPORT AS AT 30 NOVEMBER 2019****PURPOSE**

For Council to consider the financial report and capital projects update report as at 30 November 2019.

**RESOLUTION**

Moved: Cr David Langford

Seconded: Cr Leanne O'Brien

That Council receive the financial report and capital projects update report as at 30 November 2019.

**CARRIED 292/2019 (11/12/2019)**



**23.2 REVIEW PO057 COMMUNITY ENGAGEMENT POLICY****PURPOSE**

Following a period of community consultation, to seek endorsement of the updated PO057 Community Engagement Policy.

**RESOLUTION**

Moved: Cr Naomi Bittner  
Seconded: Cr Anthony Bennett

That Council endorse and adopt the updated PO057 Community Engagement Policy, presented as Attachment 1, with amendments to sections 1 and 4 of the policy to refer to minimum standards rather than examples or a guide, for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 293/2019 (11/12/2019)**

**23.3 AUDIT COMMITTEE TERMS OF REFERENCE REVIEW****PURPOSE**

For consideration and endorsement of the Audit Committee Terms of Reference (TOR).

**RESOLUTION**

Moved: Cr David Langford  
Seconded: Cr Adam Meyer

That Council adopt the updated Audit Committee Terms of Reference as presented.

**CARRIED 294/2019 (11/12/2019)**

**23.4 POLICY REVIEW - PO008 BAD DEBTS - DELEGATION OF AUTHORITY POLICY****PURPOSE**

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

**RESOLUTION**

Moved: Cr Naomi Bittner  
Seconded: Cr Kristin Murdock

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

**CARRIED 295/2019 (11/12/2019)**

**23.5 POLICY REVIEW - PO095 FINANCIAL INSTITUTIONS AUTHORITY POLICY**

**PURPOSE**

To seek endorsement for the updated PO095 Financial Institutions Authority Policy.

**RESOLUTION**

Moved: Cr David Langford

Seconded: Cr John Rich

That Council endorse and adopt the updated PO095 Financial Institutions Authority Policy for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 296/2019 (11/12/2019)**

**23.6 POLICY REVIEW - PO124 ASSET ACCOUNTING POLICY**

**PURPOSE**

To seek endorsement for the updated PO124 Asset Accounting Policy.

**RESOLUTION**

Moved: Cr Adam Meyer

Seconded: Cr Anthony Bennett

That Council endorse and adopt the updated PO124 Asset Accounting Policy for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 297/2019 (11/12/2019)**

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

For Council to reconsider the request from the South Australian National Football League (SANFL) to assist via funding as requested and support a proposed restructure of the governance of regional football in South Australia starting in 2020.

**RESOLUTION**

Moved: Cr Naomi Bittner  
Seconded: Cr Anthony Bennett

That the matter of endorsing a contribution to the South Australian Football League (SANFL) is lifted from the table for consideration.

**CARRIED 298/2019 (11/12/2019)**

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr John Rich

That Council does not endorse a contribution of \$2,000 (ex GST) per annum for three years commencing in 2019/20 to support the four (4) local clubs in the Yorke Peninsula Council area in the proposed overall governance restructure and for the appointment of a full-time Football Operations Coordinator based in the Yorke and Mid-North region.

**CARRIED 299/2019 (11/12/2019)**

**23.8 REQUEST FOR SPONSORSHIP - PORT VINCENT GALA DAY FIREWORKS****PURPOSE**

To request funding in the form of sponsorship for the Port Vincent Gala Day Fireworks being held on 1 January 2020.

This item lapsed for want of a mover. The meeting moved to the next agenda item.

**24 ASSETS AND INFRASTRUCTURE SERVICES****24.1 POLICY UPDATE - PO043 UNDERGROUND SERVICE INSTALLATION POLICY****PURPOSE**

To seek endorsement and approval from Council for the updated PO043 Underground Service Installation Policy.

**RESOLUTION**

Moved: Cr David Langford

Seconded: Cr Adam Meyer

That Council endorse and adopt the updated PO043 Underground Service Installation Policy for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 300/2019 (11/12/2019)**

**25 DEVELOPMENT SERVICES****25.1 MEMBER APPOINTMENT TO THE COUNCIL ASSESMENT PANEL****PURPOSE**

For Council to consider member appointments to Council's Assessment Panel in accordance with Section 83 (1) of the Planning, Development and Infrastructure Act 2016, for the two-year term commencing 1 January 2020 and concluding 1 January 2022.

**RESOLUTION**

Moved: Cr Naomi Bittner

Seconded: Cr David Langford

That Council:

1. adopt the attached, reviewed Terms of Reference (Attachment 1) for the Yorke Peninsula Council Assessment Panel.

AND

2. having regard to Section 83 of the Planning, Development and Infrastructure Act 2016 appoint the following Members to the Yorke Peninsula Council Assessment Panel for a 2 year term commencing 1 January 2020.

2.1 Presiding Member:

(1) Debra Agnew

## 2.2 Independent Members:

- (1) Elinor Walker
- (2) Ben Green
- (3) Peter Allan

## 2.3 Elected Member:

- (1) Cr Jeff Cook

## 2.4 Deputy Elected Member:

- (1) Cr John Rich

3. in exercise of the powers contained in Section 20 of the Development Act 1993 the powers, functions and duties under the Development Act, and the Development Regulations 2008 which were previously delegated by the Council have been reviewed and revised delegations regarding the Assessment Manager as a result of changes to legislation, have been included in the attached Delegations Policy.

**CARRIED 301/2019 (11/12/2019)**

*6.58pm – Cr Naomi Bittner left the meeting and did not return.*

## **25.2 CAT MANAGEMENT PLAN FOR SOUTH AUSTRALIA**

### **PURPOSE**

To advise Elected Members of correspondence received from the Dog and Cat Management Board, seeking Council feedback in relation to the release of the Cat Management Plan by the Royal Society for the Prevention of Cruelty to Animals (RSPCA).

### **RESOLUTION**

Moved: Cr David Langford  
Seconded: Cr Richard Carruthers

That Council:

1. receive the Cat Management Plan from the RSPCA.
2. authorise the Director Development Service to provide a response to the Dog and Cat Management Board expressing Council's concerns in relation to the Cat Management Plan.

**CARRIED 302/2019 (11/12/2019)**

**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.

Nil

**CONFIDENTIAL AGENDA****27 CONFIDENTIAL ITEMS****27.1 ARDROSSAN STORMWATER INFRASTRUCTURE INSTALLATION TENDER 205-2019****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 Ardrossan Stormwater Infrastructure Installation Tender 205-2019, 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 Ardrossan Stormwater Infrastructure Installation Tender 205-2019, 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 303/2019 (11/12/2019)**

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

**RESUMPTION OF PUBLIC MEETING**

7.06pm - Released in camera minutes

**RESOLUTION**

Moved: Cr Roger Johns

Seconded: Cr Richard Carruthers

That Council accept the tender submission from Civil Tech Pty Ltd for the supply and installation of stormwater drains and kerbing commencing at Parkview Road, Ardrossan and ending at Bridge Road, Ardrossan at a cost of \$95,000 (GST exclusive).

**CARRIED 304/2019 (11/12/2019)**

**RESOLUTION**

Moved: Cr David Langford

Seconded: Cr John Rich

**Section 91 Order**

That having considered report 27.1 Ardrossan Stormwater Infrastructure Installation Tender 205-2019 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 Ardrossan Stormwater Infrastructure Installation Tender 205-2019 be retained in confidence and not available for public inspection for a period of 12 months.

**CARRIED 305/2019 (11/12/2019)**

**28 NEXT MEETING**

Wednesday 15 January 2020

**29 CLOSURE**

The Meeting closed at 7.06pm.

The minutes of this meeting were confirmed at the Council Meeting held on 15 January 2020.

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