



MINUTES

Ordinary Council Meeting

(Subject to confirmation)

11 March 2020

**MINUTES OF YORKE PENINSULA
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS , MINLATON TOWN HALL, 57 MAIN STREET,
MINLATON
ON WEDNESDAY, 11 MARCH 2020 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 Tania Stock, Cr Richard Carruthers, Cr Adam Meyer, Cr Leanne O'Brien, Cr Anthony Bennett, Cr Naomi Bittner, Cr Kristin Murdock, Cr David Langford

In Attendance

Andrew Cameron (CEO), David Harding (Director Corporate and Community Services), Trevor Graham (Director Assets and Infrastructure Services), Roger Brooks (Director Development Services), Natalie McDonald (Minute Secretary)

4 LEAVE OF ABSENCE

Cr Jeffrey Cook.

5 APOLOGIES

Cr Roger Johns, Cr John Rich.

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.

7 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Adam Meyer

That the minutes of the Ordinary Council Meeting held on 12 February 2020 be confirmed.

CARRIED 030/2020 (11/03/2020)

RESOLUTION

Moved: Cr Anthony Bennett
Seconded: Cr Tania Stock

That the minutes of the Confidential Council Meeting held on 12 February 2020 be confirmed.

CARRIED 031/2020 (11/03/2020)

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:

- informed Elected Members of his attendance on 25 February 2020 at the Mates in Construction training at Maitland Golf Club together with Council staff. A great presentation with information around suicide prevention and informed some of the staff are undertaking further training in this area;
- informed Elected Members at the Legatus Group Meeting held on 28 February 2020, Dr Helen Macdonald singled out Trevor Graham, Director, Assets and Infrastructure Services for his input, experience and consultation with the Legatus Road and Transport Infrastructure Advisory Committee;
- informed Elected Members he has been invited to present at the Local Government Association 2020 Council Best Practice Showcase to be held on 2 & 3 April 2020 at the Adelaide Entertainment Centre and advised if any Elected Members would like to attend to contact the Mayor or Chief Executive Officer;
- the Elected Members and staff had a productive Strategic Planning Workshop held on 10 March 2020. The Mayor thanked those in attendance and advised there will be notes of the day being released and encouraged those not in attendance on the day to take some time to digest the information and ask any questions.
- informed Elected Members of the upcoming visit by the Governor, on 18 March 2020. A reception will be held at the Edithburgh Bowling Club at 4pm with farmers and volunteers and invited councillors to attend;

- informed Elected Members that at the Local Recovery Committee Meeting held on 6 February 2020 over \$85,000 of funds from the Yorketown fire fund had been distributed throughout the community; and
- commended the Audit committee for the way they are dealing with the meetings. They prepare well, have good discussion and well considered questions.

12.1 MAYOR'S MONTHLY REPORT FEBRUARY 2020**PURPOSE**

To keep Elected Members updated on Mayoral activities during the month of February 2020.

RESOLUTION

Moved: Cr Anthony Bennett

Seconded: Cr Kristin Murdock

That the report be received.

CARRIED 032/2020 (11/03/2020)

13 COUNCILLORS' REPORT

Nil

INFORMATION AGENDA**14 ITEMS FOR EXCLUSION**

Nil

15 RECEIPT OF INFORMATION REPORTS

Item 16.9 - Cr Adam Meyer suggested Council nominate the Harry Butler Committee for their outstanding volunteer work in relation to the Harry Butler Celebrations to the 2020 South Australian Volunteer Awards.

CEO undertook to organise the nomination.

ADOPTION OF INFORMATION AGENDA

Moved: Cr David Langford

Seconded: Cr Adam Meyer

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

CARRIED 033/2020 (11/03/2020)

20 VISITORS TO THE MEETING

5.40pm – Mayor Braund invited Ryan Hodgson to make his presentation to the council in relation to Cheetham Salt and the planned \$45m plant upgrade at Price.

5.55pm – The presentation concluded.

DEBATE AGENDA**21 MAYOR**

Nil

22 CHIEF EXECUTIVE OFFICER**22.1 NARUNGA NATION NATIVE TITLE CLAIM****PURPOSE**

Elected Members to consider a Narungga Native Title Claim (Consent Determination) and Council's involvement in the proceedings.

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Adam Meyer

That Council:

1. Instruct Finlaysons Lawyers to consent to the final form of the Consent Determination (CD) which is no less favourable to the Council than the version provided to the parties on 21 February 2020 and advise Council will be present, by its lawyers, at the actual pronouncement of the CD; and
2. Terminate the Existing ILUA on a 'clean exit' basis upon such terms as Finlaysons Lawyers recommend and advise Council does not wish to be a party to the Settlement ILUA; and
3. Authorise Finlaysons Lawyers to sign the Consent Determination document and other relevant documents to terminate the Existing ILUA on behalf of Council.

CARRIED 034/2020 (11/03/2020)

22.2 YORKE PENINSULA TOURISM FUNDING SUPPORT**PURPOSE**

To seek endorsement of a further three year financial support contract between Council and Yorke Peninsula Tourism.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Anthony Bennett

That Council endorse a further three year financial support contract with Yorke Peninsula Tourism.

CARRIED 035/2020 (11/03/2020)

22.3 YORKE PENINSULA COMMUNITY TRANSPORT INC SERVICE AGREEMENT**PURPOSE**

That Council consider and endorse the execution of a further two year Service Agreement with Yorke Peninsula Community Transport Inc.

RESOLUTION

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

That Council endorse the execution of the proposed Service Agreement for a further two years with Yorke Peninsula Community Transport Inc.

CARRIED 036/2020 (11/03/2020)

22.4 FUNDING SUPPORT FOR CITY OF UNLEY LITIGATION**PURPOSE**

That Council consider a request from the City of Unley for funding support in the sum of \$658 in relation to City of Unley's appeal to the Supreme Court.

RESOLUTION

Moved: Cr Adam Meyer
Seconded: Cr Anthony Bennett

That Council decline making a contribution towards the legal costs in relation to the City of Unley appeal to the Supreme Court.

CARRIED 037/2020 (11/03/2020)

23 CORPORATE AND COMMUNITY SERVICES**23.1 FINANCIAL REPORT AS AT 29 FEBRUARY 2020****PURPOSE**

For Council to consider the financial report and capital projects update report as at 29 February 2020.

RESOLUTION

Moved: Cr David Langford
Seconded: Cr Anthony Bennett

That Council receive the financial report and capital projects update report as at 29 February 2020.

CARRIED 038/2020 (11/03/2020)

23.2 DRAFT LONG TERM FINANCIAL PLAN 2021 - 2030**PURPOSE**

To seek Council endorsement to engage in the public consultation process for the Draft Long Term Financial Plan 2021 - 2030 (LTFP).

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Adam Meyer

That Council endorse the Draft Long Term Financial Plan 2021 – 2030 for public consultation.

CARRIED 039/2020 (11/03/2020)

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

Council has been approached by the Ardrossan Progress Association seeking to gift a Pontoon to Council as a "Free of Charge" asset.

RESOLUTION

Moved: Cr Richard Carruthers

Seconded: Cr David Langford

That Council accept the donation of the Ardrossan Pontoon as an asset "Free of Charge" and authorise the structure to be added to Council's asset register.

CARRIED 040/2020 (11/03/2020)

23.4 AUDIT COMMITTEE ANNUAL REPORT 2019**PURPOSE**

For Council to receive the Audit Committee Annual Report for the 2019 calendar year in accordance with Clause 13 of the Audit Committee's Terms of Reference.

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Adam Meyer

That Council endorse the Audit Committee Annual Report for the 2019 calendar year.

CARRIED 041/2020 (11/03/2020)

23.5 PORT RICKABY TOWN CONCEPT PLAN**PURPOSE**

To seek permission from Council to proceed with the Community Engagement process in regard to the Draft Port Rickaby Town Concept Plan.

RESOLUTION

Moved: Cr Tania Stock

Seconded: Cr Leanne O'Brien

That Council:

1. endorse the Draft Port Rickaby Town Concept Plan as presented for public consultation.
2. give permission to proceed with the Community Engagement process in regard to the Draft Port Rickaby Town Concept Plan.

CARRIED 042/2020 (11/03/2020)

24 ASSETS AND INFRASTRUCTURE SERVICES

Nil

25 DEVELOPMENT SERVICES**25.1 ACCESS ADVISORY WORKING PARTY MINUTES****PURPOSE**

For Council to receive the Minutes of Council's Access Advisory Working Party meeting held on 7 February 2020.

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Tania Stock

That Council:

1. receive the Minutes of the Access Advisory Working Party meeting held on 7 February.
2. commit \$2,200 to upgrade the two access ramps at the side of the Yorketown Doctors Surgery on Weavers Street and Waterloo Bay Road, Yorketown.
3. commit \$3,600 to the Arthurton Bowling Club Committee for the installation of a concrete path to provide and improve access to the disabled toilets located at the Arthurton Bowling Club.

CARRIED 043/2020 (11/03/2020)

25.2 NEW LEASE - MAITLAND & DISTRICTS PROGRESS ASSOCIATION - MAITLAND VISITOR CENTRE, MEN'S SHED, MAITLAND MARKETS AND OLD CFS SHED**PURPOSE**

To seek permission to proceed with a lease to the Maitland & Districts Progress Association for five (5) years, with one (1), five (5) year right of renewal for 5 Roberts Street, Maitland being the Maitland Information Centre, Maitland Men's Shed, Old CFS Shed and Maitland Markets.

RESOLUTION

Moved: Cr Tania Stock

Seconded: Cr Anthony Bennett

That Council:

1. give permission to proceed with a lease to the Maitland & Districts Progress Association for five (5) years, with one (1), five (5) year right of renewal for 5 Roberts Street, Maitland being the Maitland Information Centre, Maitland Men's Shed, Old CFS Shed and Maitland Markets.
2. allow for a 100% rebate only on Council rates over the properties, in accordance with Local Government Act 1999 Section 166 (1) – Discretionary rebates of rates.
3. authorise the Mayor and Chief Executive Officer to sign and affix Council's Common Seal to the relevant documents necessary to execute the lease.

CARRIED 044/2020 (11/03/2020)

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 APPOINTMENT OF INDEPENDENT MEMBER - AUDIT COMMITTEE****RESOLUTION**

Moved: Cr Adam Meyer

Seconded: Cr David Langford

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 27.1 Appointment of Independent Member - Audit Committee, with the exception of the following persons:

- Chief Executive Officer
- 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 27.1 Appointment of Independent Member - Audit Committee, 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 045/2020 (11/03/2020)

6.20pm – The public were asked to leave and the Chamber secured.

6.26pm

RESUMPTION OF PUBLIC MEETING

28 NEXT MEETING

Wednesday 8 April 2020

29 CLOSURE

The Meeting closed at 6.27pm.

The minutes of this meeting were confirmed at the Council Meeting held on 8 April 2020.

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MAYOR DARREN BRAUND