



MINUTES

Ordinary Council Meeting

(Subject to confirmation)

12 February 2020

**MINUTES OF YORKE PENINSULA
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS , MINLATON TOWN HALL, 57 MAIN STREET,
MINLATON
ON WEDNESDAY, 12 FEBRUARY 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, Deputy Mayor Tania Stock, Cr John Rich, Cr Richard Carruthers, Cr Adam Meyer, Cr Leanne O'Brien, Cr Anthony Bennett, Cr Kristin Murdock, Cr David Langford, Cr Roger Johns, Cr Jeffrey Cook.

In Attendance

David Harding (Director Corporate and Community Services), Trevor Graham (Director Assets and Infrastructure Services), Roger Brooks (Director Development Services), Natalie McDonald (Minute Secretary), Luka Oster (Acting Executive Assistant to CEO and Mayor).

4 LEAVE OF ABSENCE

Nil.

5 APOLOGIES

Cr Naomi Bittner and CEO Andrew Cameron.

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.

AGENDA ITEM 6 CONFLICT OF INTEREST DECLARATION	
Disclosure of [type] of Conflict of Interest declared	Perceived
Elected Member Name	Cr Tania Stock
Matter to be discussed (Agenda Item #)	22.3
Nature of the Interest (as described by the Member)	My husband and I own a vacant block at Black Point. In an abundance of caution I acknowledge there may be a perceived conflict of interest due to the property ownership. In addition to the land not being

	developed, we also do not own a boat and we do not use the boat ramp.
Manner in which the Member addressed with the Actual or Perceived Conflict of Interest	Having acknowledged the ownership of vacant land and the fact that our property will not be impacted by the recommendation to consider funding to modify the Black Point Ramp, and my husband and I do not use the boat ramp, I intend to discuss and vote on the matter.
If the Member voted on the matter, the manner in which he or she voted	Voted in favour
The manner in which majority of persons who were entitled to vote at the meeting voted on the matter	<p>RESOLUTION:</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. endorse the Chief Executive Officer accepting the grant offer from SABFAC of \$330,000 (GST exc) for modifications to the existing Black Point Boat Ramp, including all Grant Details and Grant Terms and Conditions; 2. commit a maximum contribution of \$250,000 (GST exc) for modifications to the existing Black Point Boat Ramp in Council's 2020/2021 budget. <p style="text-align: right;">CARRIED 022/2020 (12/02/2020)</p>

AGENDA ITEM 6 CONFLICT OF INTEREST DECLARATION	
Disclosure of [type] of Conflict of Interest declared	Perceived
Elected Member Name	Cr Adam Meyer
Matter to be discussed (Agenda Item #)	24.1
Nature of the Interest (as described by the Member)	<p>The item relates to recommending a speed limit zone, where due to my employment, I am authorised to prosecute breaches of the relevant act.</p> <p>There could be a perception in the community that I should have no decision making ability over an issue I could potentially prosecute.</p>
Manner in which the Member addressed with the Actual or Perceived Conflict of Interest	Expressing my disappointment that the matters of North Coast Road including material, speed zones and options moving forward would be brought to us for discussion. I will leave the chamber after declaring this perceived conflict of interest for the entirety of the agenda item.
If the Member voted on the matter, the manner in which he or she voted	N/A

The manner in which majority of persons who were entitled to vote at the meeting voted on the matter	RESOLUTION: That the matter lie on the table. CARRIED 026/2020 (12/02/2020)
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7 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION

RESOLUTION

Moved: Cr Anthony Bennett

Seconded: Cr Richard Carruthers

That the minutes of the Ordinary Council Meeting held on 15 January 2020 be confirmed.

CARRIED 016/2020 (12/02/2020)

8 MOTIONS ON NOTICE

Nil.

9 QUESTIONS ON NOTICE

Nil.

10 QUESTIONS WITHOUT NOTICE

Cr Adam Meyer asked when the first quarterly report would be received in relation to the Review of Operations – Yorke Peninsula Council Development Department. Mayor Braund took the question on notice.

11 PETITIONS

Nil

12 MAYOR

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

Congratulations to

- Citizen of the Year Grantley Trotter
- Young Citizen of the Year Hugo Taheny
- Community Event of the Year, Harry Butler Centenary

and thanks to the team who helped organise the event.

Informed Elected Members of Community Check-in Day for the Yorketown Bushfire Recovery being held Friday, 14 February 2020 at the Yorketown Town Hall. Many agencies will be represented with presentations concerning information for farmers, mental health, Red Cross etc.

Informed Elected Members the BlazeAid camp will be winding up on 23 February 2020.

Informed Elected Members the Governor will be visiting the region on March 18 and 19.

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

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

RESOLUTION

Moved: Cr Roger Johns
Seconded: Cr David Langford
That the report be received.

CARRIED 017/2020 (12/02/2020)

12.2 BUSINESS COUNCIL OF AUSTRALIA ROUND TABLE**PURPOSE**

To provide Elected Members with a summary of the Mayor's attendance at the Business Council of Australia Round Table.

RESOLUTION

Moved: Cr Tania Stock
Seconded: Cr John Rich
That the report be received.

CARRIED 018/2020 (12/02/2020)

13 COUNCILLORS' REPORT

Nil.

INFORMATION AGENDA**14 ITEMS FOR EXCLUSION**

Nil.

Cr Adam Meyer noted the SABFAC funding had been unsuccessful for the Marion Bay Boat Launching Facility and asked how this affected the project moving forward. Cr John Rich informed Elected Members of the discussions in relation to this project at a meeting held in Adelaide on 11 February 2020 with representatives from GHD, Coast Protection Board and Council.

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

Moved: Cr David Langford
Seconded: Cr Kristin Murdock

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

CARRIED 019/2020 (12/02/2020)

20 VISITORS TO THE MEETING

5.42pm – Mayor Braund invited Deb Clarke to make her presentation to the Council in relation to Yorke Peninsula Tourism.

6.05pm – The presentation concluded.

DEBATE AGENDA**21 MAYOR**

Nil.

22 CHIEF EXECUTIVE OFFICER**22.1 POLICY REVIEW - PO105 COUNCIL CEREMONIES AND CIVIC EVENTS****PURPOSE**

To seek endorsement for the updated PO105 Council Ceremonies and Civic Events Policy.

RESOLUTION

Moved: Cr Adam Meyer
Seconded: Cr Roger Johns

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 with amendment to Section 4 of the Policy to include consultation with the Elected Members when determining the location for Australia Day celebrations.

CARRIED 020/2020 (12/02/2020)

22.2 DROUGHT COMMUNITIES PROGRAMME - ADDITIONAL PROJECTS**PURPOSE**

To seek endorsement of a second package of projects (to be completed by 31 December 2020) 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 John Rich

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) Minlaton Community Sports Club (\$75,000);
 - (b) Footpath Paving Project (\$140,000);
 - (i) Stansbury Road, Yorketown;
 - (ii) Corner of Main Street and Marine Parade, Port Vincent;
 - (iii) Robert Street, Maitland;
 - (c) Health and Wellbeing Events (\$40,000);
 - (d) Price Tennis Club – Clubhouse Upgrade (\$20,000);
 - (e) Public Toilet Refresh Program (\$295,000);
 - (f) Road Patch Sheeting Program (\$250,000);
 - (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;
 - (g) Salt Lake Tourist Trail Public Area (\$80,000); and
 - (h) Watering System Controllers (\$100,000);
3. approve an exemption for open tendering under PO058 Purchasing and Procurement Policy, for the above mentioned projects, delegating authority to the CEO;

CARRIED 021/2020 (12/02/2020)

6.10pm – Councillor Tania Stock declared a conflict of interest and remained in the meeting.

22.3 BLACK POINT BOAT RAMP MODIFICATIONS - GRANT OFFER**PURPOSE**

To seek Council endorsement to accept a funding offer, including the Grant Details and Grant Terms and Conditions, from SABFAC for modifications to Black Point Boat Ramp.

RESOLUTION

Moved: Cr John Rich
Seconded: Cr Roger Johns

That Council:

1. endorse the Chief Executive Officer accepting the grant offer from SABFAC of \$330,000 (GST exc) for modifications to the existing Black Point Boat Ramp, including all Grant Details and Grant Terms and Conditions;
2. commit a maximum contribution of \$250,000 (GST exc) for modifications to the existing Black Point Boat Ramp in Council's 2020/2021 budget.

CARRIED 022/2020 (12/02/2020)

23 CORPORATE AND COMMUNITY SERVICES**23.1 FINANCIAL REPORT AS AT 31 JANUARY 2020****PURPOSE**

For Council to consider the financial report and capital projects update report as at 31 January 2020.

RESOLUTION

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

That Council receive the financial report and capital projects update report as at 31 January 2020.

CARRIED 023/2020 (12/02/2020)

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

Council consideration and endorsement of the December quarterly budget review (as at 31 December 2019) of the 2019/2020 Budget and associated financial statements, ratios and changes.

RESOLUTION

Moved: Cr David Langford
Seconded: Cr Leanne O'Brien

That Council endorse the 2019/2020 December 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 024/2020 (12/02/2020)

23.3 MINLATON CARAVAN PARK REQUEST FOR LICENCE EXTENSION**PURPOSE**

To seek Council approval to enter in to a five (5) year lease with four (4) rights of renewal each of five (5) years effective from the expiration of the current licence on 31 October 2020 for the Minlaton Caravan Park with Lennerth and Zeuner Pty Ltd as the new licensees/lessees.

RESOLUTION

Moved: Cr David Langford
Seconded: Cr Adam Meyer

That Council:

1. endorse a lease for five (5) years with four (4) five (5) year rights of renewal to Lennerth and Zeuner Pty Ltd for the operation of the Minlaton Caravan Park from 31 October 2020; and
2. authorise the Mayor and the Chief Executive Officer to sign and seal the necessary documents in relation to this lease.

CARRIED 025/2020 (12/02/2020)

6.18pm – Cr Adam Meyer declared a conflict of interest and left the Chamber.

24 ASSETS AND INFRASTRUCTURE SERVICES**24.1 SPEED LIMIT REVIEW - NORTH COAST ROAD****PURPOSE**

To seek a resolution from Council complementing a review of speed zones upon the North Coast Road.

RESOLUTION

Moved: Cr Tania Stock

Seconded: Cr Roger Johns

That the matter lie on the table.

CARRIED 026/2020 (12/02/2020)

6.21pm - Cr Adam Meyer returned to the Chamber.

25 DEVELOPMENT SERVICES**25.1 PROPOSED COMMUNITY LAND MANAGEMENT PLAN AMENDMENTS****PURPOSE**

To seek permission to proceed with the community engagement process for the proposed amendments to the Community Land Management Plans (CLMPs) to move Crown Records, Section 405, Park Terrace Ardrossan, Volume 5896 Folio 823 and Allotment 12, East Terrace Ardrossan, Volume 5896 Folio 820 Ardrossan from Category 1 – Reserve to Category 2 – Recreational and Sporting.

RESOLUTION

Moved: Cr Richard Carruthers

Seconded: Cr David Langford

That Council:

1. give permission to proceed with the community engagement process for the proposed amendments to the Community Land Management Plans (CLMPs) to move Crown Records, Section 405, Park Terrace Ardrossan, Volume 5896 Folio 823 and Allotment 12, East Terrace Ardrossan, Volume 5896 Folio 820 Ardrossan from Category 1 – Reserve to Category 2 – Recreational and Sporting.
2. endorse the draft document attached, proposed Community Land Management Plan amendments, which constitutes the information that is required to be made available to the public as part of the public consultation phase (in accordance with Section 198 (2) of the Local Government Act 1999 (the Act).

CARRIED 027/2020 (12/02/2020)

25.2 PROPOSED NEW LEASE - HAPPY KIDZ CHILDCARE CENTRE, MAITLAND**PURPOSE**

To seek permission to proceed with a lease for three (3) years to Patricia Donlevy trading as Happy Kidz Childcare for the property located at 15 Kilkerran Terrace, Maitland for the purpose of a childcare centre.

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Tania Stock

That Council:

1. endorse a lease for three (3) years to Patricia Donlevy trading as Happy Kidz Childcare for the property located at 15 Kilkerran Terrace, Maitland for the purpose of a childcare centre; and
2. authorise the Mayor and Chief Executive Officer to sign and seal any documents in relation to the lease.

CARRIED 028/2020 (12/02/2020)

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 ACQUISITION OF LAND - CHARLES STREET, YORKETOWN****RESOLUTION**

Moved: Cr John Rich

Seconded: Cr Anthony Bennett

Section 90 Order

That pursuant to Section 90(2) and (3)(a),(d)(i),(j)(i),(j)(ii) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.1 Acquisition of Land - Charles Street, Yorketown, with the exception of the following persons:

- Executive Assistant to Office of the CEO
- Acting 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)(a),(d)(i),(j)(i),(j)(ii) of the Act, the information to be received, discussed or considered in relation to report Item 27.1 Acquisition of Land - Charles Street, Yorketown, 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)
- (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
- (j)(i) information the disclosure of which would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council)
- (j)(ii) information the disclosure of which would, on balance, be contrary to the public interest.

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 029/2020 (12/02/2020)

6.23pm – The public were asked to leave and the Chamber secured.

6.49pm

RESUMPTION OF PUBLIC MEETING

28 NEXT MEETING

Wednesday 11 March 2020

29 CLOSURE

The Meeting closed at 6.50pm.

The minutes of this meeting were confirmed at the Council Meeting held on 11 March 2020.

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MAYOR DARREN BRAUND



Yorke Peninsula Council

**The following Minutes of the Confidential Meetings
of the Yorke Peninsula Council are
Released and Returned to the Public Record**

13 February 2019 at 6.30pm

13 February 2019 at 6.37pm



CONFIDENTIAL MINUTES

Council Meeting

(Subject to confirmation)

13 February 2019

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**CONFIDENTIAL MINUTES OF COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS , MINLATON TOWN HALL, 57 MAIN STREET,
MINLATON
ON WEDNESDAY, 13 FEBRUARY 2019 AT 6.30PM**

WELCOME

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

PRESENT: Mayor Darren Braund, Cr 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

IN ATTENDANCE: Andrew Cameron (CEO), David Harding (Director Corporate and Community Services), Trevor Graham (Director Assets and Infrastructure Services), Dustin Guthberg (Acting Director Development Services), Jackie Reddaway (Minute Secretary)

LEAVE OF ABSENCE

Nil

APOLOGIES

Cr Jeff Cook

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.

27 CONFIDENTIAL ITEMS

27.1 PURCHASE OF ONE (1) BACKHOE LOADER TENDER 194/2018

PURPOSE

To provide relevant information in support of the recent open tender process for the purchase of one (1) backhoe loader (tender number 194/2018), pursuant to the relevant sections of the Purchasing and Procurement Policy (PO058).

RESOLUTION

Moved: Cr Roger Johns
Seconded: Cr Richard Carruthers

That Council accept the tender of \$160,410.00 (GST exclusive) including the stated registration cost of \$410.00 (GST exclusive), for the purchase of one (1) Caterpillar (CAT) 432F2 Backhoe Loader from Cavpower Pty Ltd, including the trade-in of \$20,000.00 (GST exclusive), resulting in a changeover price of \$140,410.00 (GST exclusive).

CARRIED 038/2019 (13/02/2019)

RESOLUTION

Moved: Cr David Langford



Seconded: Cr Anthony Bennett

Section 91 Order

That having considered report 27.1 Purchase of One (1) Backhoe Loader Tender 194/2018 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 Purchase of One (1) Backhoe Loader Tender 194/2018 be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 039/2019 (13/02/2019)

6.37pm

27.2 BITUMEN SEAL PROGRAM 2018/19 TENDER 195/2018**PURPOSE**

To provide relevant information in support of the recent open tender process for the Bitumen Seal Program 2018/19 (tender 195/2018), pursuant to the relevant sections of the Purchasing and Procurement Policy (PO058).

RESOLUTION

Moved: Cr Roger Johns

Seconded: Cr Kristin Murdock

That Council accept the tender from Downer EDI Works Pty Ltd T/A Downer Infrastructure for the Bitumen Seal Program 2018/19.

CARRIED 040/2019 (13/02/2019)

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Naomi Bittner

Section 91 Order

That having considered report 27.2 Bitumen Seal Program 2018/19 Tender 195/2018 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 Bitumen Seal Program 2018/19 Tender 195/2018 be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 041/2019 (13/02/2019)



At 6.39pm the Confidential Meeting closed.

CLOSURE



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MAYOR DARREN BRAUND

13 March 2019

