



MINUTES

Ordinary Council Meeting

(Subject to confirmation)

13 May 2020

**MINUTES OF YORKE PENINSULA
COUNCIL MEETING
HELD VIA ZOOM VIDEO CONFERENCING FROM 8 ELIZABETH STREET MAITLAND ON
WEDNESDAY, 13 MAY 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 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), Roger Brooks (Director Development Services), Natalie McDonald (Minute Secretary), Ben Cowley (Leader Systems and Technology)

4 LEAVE OF ABSENCE

Cr Jeffrey Cook

Mayor Darren Braund offered a tribute to Cr Jeff Cook who passed away earlier today, Wednesday 13 May 2020.

Today we were saddened by the news of the passing of Cr Jeff Cook. Jeff had made an outstanding contribution as a councillor. A few highlights:

37 years this May (starting in 1983 in the DC of Minlaton; former Chairperson of the District Council of Minlaton. Jeff led the Council through the amalgamation process and has been with the Yorke Peninsula Council since 1997.

Jeff served on the Dog and Cat Management Board 1998-2011 and many years on the Development Assessment Panel (now known as CAP) – with a period as Chairperson. He was a member of the Wakefield Regional Council Development Assessment Panel, a member of the Finance Committee, Chairman of the Development and Community Services, a member of the LGA Executive 1994-1997 (proxy from 1997-2006), a member of the CFS Board 2000-2003 and a member of the Development Assessment Commission 2002-2003.

Jess was also a farmer, singer and poet (with up until recently segments in to the US radio stations).

Jeff was proud of his achievements and remained committed to his community to the end. He was a colleague and friend to us and many in the community. He will be missed by many and our thoughts and prayers are with his family.

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.

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)	The item relates to recommending a speed limit zone, where due to my employment, I am authorised to prosecute breaches of the relevant act. There could be a perception in the community that I should have no decision making ability over an issue I could potentially prosecute.
Manner in which the Member addressed with the Actual or Perceived Conflict of Interest	By being removed from the ZOOM meeting for the entirety of the relevant motion.
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 no further speed zones be introduced upon the North Coast Road. CARRIED 101/2020 (13/05/2020)

7 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION**RESOLUTION**

Moved: Cr Naomi Bittner
Seconded: Cr Leanne O'Brien

That the minutes of the Ordinary Council Meeting held on 8 April 2020 be confirmed.

CARRIED 074/2020 (13/05/2020)

RESOLUTION

Moved: Cr Adam Meyer
Seconded: Cr Anthony Bennett

That the minutes of the Confidential Council Meeting held on 8 April 2020 be confirmed.

- Stansbury Seawall – Rock Revetment Wall Constructions Tender 206-2019

CARRIED 075/2020 (13/05/2020)

RESOLUTION

Moved: Cr David Langford
Seconded: Cr Richard Carruthers

That the minutes of the Confidential Council Meeting held on 8 April 2020 be confirmed.

- Acquisition of Land – Charles Street, Yorketown

CARRIED 076/2020 (13/05/2020)

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Roger Johns

That the minutes of the Confidential Council Meeting held on 8 April 2020 be confirmed.

- Sealed Road Shoulder Rework Tender 209-2020

CARRIED 077/2020 (13/05/2020)

8 MOTIONS ON NOTICE

Nil

9 QUESTIONS ON NOTICE

Nil

10 QUESTIONS WITHOUT NOTICE

Nil

11 PETITIONS

Nil

12 MAYOR**12.1 MAYOR'S MONTHLY REPORT APRIL 2020****PURPOSE**

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

RESOLUTION

Moved: Cr Tania Stock
Seconded: Cr John Rich

That the report be received.

CARRIED 078/2020 (13/05/2020)

13 COUNCILLORS' REPORT

Nil

INFORMATION AGENDA**14 ITEMS FOR EXCLUSION**

Nil

15 RECEIPT OF INFORMATION REPORTS

Item 16.5 – Correspondence received from Northern & Yorke Natural Resource Management Board – Cr Adam Meyer noted the significant increase of 7.9% by the Northern & Yorke Natural Resource Management Board for the landscape levy as opposed to an 0% increase by Council for rates and fees and charges. The CEO explained the methodology utilised by the state government to raise the levy which Council has no control over.

Cr Adam Meyer requested that the CEO broadcast the issue and promote that it is entirely out of Council's hands and extremely disappointing given the Yorke Peninsula Council has worked extremely hard in minimising any increases at all for our community.

Item 17.1 – Art Exhibition and Working Party – Mayor Braund acknowledged the great work of Carolyn Ramsey, Project Officer who is finishing on Thursday, 14 May 2020 and thanked Carolyn for her contribution.

RESOLUTION

Moved: Cr John Rich

Seconded: Cr Tania Stock

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

CARRIED 079/2020 (13/05/2020)

20 VISITORS TO THE MEETING

Nil

DEBATE AGENDA**21 MAYOR**

Nil

22 CHIEF EXECUTIVE OFFICER**22.1 PUBLIC ACCESS AND PUBLIC CONSULTATION NOTICE (NO 2) 2020****PURPOSE**

To inform Elected Members about the Public Access and Public Consultation Notice (No 2) 2020 and seek approval to amend the Delegations Register R007 to include the newly available powers and endorsement of the updated Draft Community Engagement Policy PO057 pursuant to the Public Access and Public Consultation Notice (No 2) 2020.

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Kristin Murdock

That Council:

1. in exercise of the power contained in Section 44 of the *Local Government Act 1999* (LG Act) hereby delegates, on this 13th of May 2020, to the person occupying the office of Chief Executive Officer of the Council the powers and functions under the LG Act, the operation of which has been varied under the Public Access and Public Consultation Notice (No 2) 2020 (Attachment 1), and set out below subject to the conditions and/or limitations, if any, specified herein:
 - (a) the power pursuant to Section 45(2) of the LG Act to, if the delegate is satisfied it is reasonably necessary as a result of the public health emergency, to:
 - (i) close the principal office of the Council; or
 - (ii) vary the transaction of business hours at the principal office of the Council;
 - (b) the power pursuant to Section 45(3) of the LG Act if the Council closes its principal office or varies the transaction of business hours in accordance with Section 45(2) of the LG Act, to, as soon as reasonably practicable, take reasonable steps to:
 - (i) make alternative arrangements to enable the local community to access the services of the Council which are ordinarily available at the principal office of the Council;
 - (ii) inform the Council's local community (including by publishing the information on a website determined by the Chief Executive Officer) about the changes to the arrangements to access those services;
 - (c) the power pursuant to Section 45(4)(b) of the LG Act to satisfy any obligation under the LG Act to make a document available for inspection at the principal office of the Council by making the document available for inspection at an alternative place or by an alternative means as determined by the delegate;
 - (d) the power pursuant to Section 45(5) of the LG Act, if the Council or Chief Executive Officer makes a document available for inspection in accordance with Section 45(4) of the LG Act, to, as soon as reasonably practicable, take reasonable steps to inform the Council's local community (including by publishing the information on a website determined by the Chief Executive Officer) about the changes to the arrangements for inspection of the document;
 - (e) the power pursuant to Section 45(10) of the LG Act if the Council makes copies of a document available in accordance with Sections 45(8) or (9) of the LG Act, to, as soon as reasonably practicable, take reasonable steps to inform the Council's local community (including by publishing the information on a website determined by the Chief Executive Officer) about the changes to the arrangements for provision of copies of the document;

- (f) the power pursuant to Section 50(5a) of the LG Act to alter the Council's Public Consultation Policy or substitute a new policy without undertaking public consultation, even if the Council's existing Public Consultation Policy requires the Council to conduct public consultation;
- (g) the power pursuant to Section 123(5) of the LG Act to ensure that copies of the draft annual business plan are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council (including as provided for in Sections 45(4) and 45(9) of the LG Act) and on the website at least 21 days before the end of the period for providing written submissions;
- (h) the power pursuant to Section 151(8) of the LG Act to ensure that copies of the report (which relates to proposed rating changes) required under Section 151(5)(d) are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council (including as provided for in Sections 45(4) and 45(9) of the LG Act) at least 21 days before the end of the period for public consultation;
- (i) the power pursuant to Section 156(14e) of the LG Act to ensure that copies of the report required under section 156(14a)(a) (which relates to changes about declaring differential rates) of the LG Act are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council (including as provided for in Sections 45(4) and 45(9) of the LG Act) at least 21 days before the end of the period for public consultation;

These delegations:

- (a) operate and have effect for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect (Attachment 1);
 - (b) do not have the effect of revoking or altering any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council;
 - (c) for the period the Public Access and Public Consultation Notice (No 2) 2020 (Attachment 1) has effect, take precedence in the event of any inconsistency between these delegations and any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council prior to the date of the making of these delegations;
2. authorise the Chief Executive Officer to further delegate such powers and functions in accordance with Sections 44 and 101 of the LG Act as the Chief Executive Officer sees fit;
 3. alters its Community Engagement Policy PO057 (Attachment 2) pursuant to Section 50(5a) of the Local Government Act 1999, as inserted under the Public Access and Public Consultation Notice (No 2) 2020 (Attachment 1);
 4. adopts the updated Draft Community Engagement Policy PO057 (Attachment 2) for inclusion into Council's Policy Manual and on Council's website.

CARRIED 080/2020 (13/05/2020)

22.2 LEGATUS GROUP - ANNUAL BUSINESS PLAN AND BUDGET - 2020/2021**PURPOSE**

For Elected Members to consider and endorse draft documentation prior to it being adopted by the Legatus Group.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Anthony Bennett

That Council consider and endorse the Legatus Group Annual Business Plan and Budget for 2020/2021.

CARRIED 081/2020 (13/05/2020)

22.3 PROPOSED RATING MODEL 2020/2021**PURPOSE**

To provide Elected Members with details of indicative Capital Valuations and the rating model for 2020/2021 to raise General Rate revenue to fund Council's Annual Business Plan (ABP) and Budget.

RESOLUTION

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

That Council endorse the rating model "Model A – 4-5-2020" as presented for the raising of General Rates revenue in 2020/2021.

CARRIED 082/2020 (13/05/2020)

22.4 DRAFT ANNUAL BUSINESS PLAN AND BUDGET 2020/2021**PURPOSE**

Each year Council develops and adopts an Annual Business Plan (ABP) and Budget. This document explains the context in which the Budget has been developed, provides information on what Council plans to achieve in the coming financial year and describes how this will be funded.

As part of the annual business planning process, Council's 2020/2021 Fees and Charges have also been reviewed and updated.

This report requests Council endorsement of the 2020/2021 ABP, Budget and Fees and Charges for public consultation.

RESOLUTION

Moved: Cr Roger Johns
Seconded: Cr David Langford

That Council endorse the 2020/2021 draft Annual Business Plan, including the 2020/2021 draft Budget and the 2020/2021 Fees and Charges for the financial year ending 30 June 2021, for public consultation.

CARRIED 083/2020 (13/05/2020)

22.5 POLICY REVIEW - PO037 - INTERNAL REVIEW OF A COUNCIL DECISION POLICY**PURPOSE**

To seek endorsement for the updated PO037 Internal Review of a Council Decision Policy.

RESOLUTION

Moved: Cr Adam Meyer
Seconded: Cr David Langford

That Council endorse and adopt the updated PO037 Internal Review of a Council Decision Policy for inclusion in Council's Policy Manual and on Council's website.

CARRIED 084/2020 (13/05/2020)

22.6 POLICY REVIEW - PO075 - REQUEST FOR SERVICE POLICY**PURPOSE**

To seek endorsement for the updated PO075 Request for Service Policy.

RESOLUTION

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

That Council endorse and adopt the updated PO075 Request for Service Policy for inclusion in Council's Policy Manual and on Council's website.

CARRIED 085/2020 (13/05/2020)

22.7 POLICY REVIEW - PO135 - ELECTED MEMBERS TRAINING AND DEVELOPMENT POLICY**PURPOSE**

To seek endorsement for the updated PO135 Elected Members Training and Development Policy.

RESOLUTION

Moved: Cr John Rich
Seconded: Cr Kristin Murdock

That Council endorse and adopt the updated PO135 Elected Members Training and Development Policy for inclusion in Council's Policy Manual and on Council's website.

CARRIED 086/2020 (13/05/2020)

22.8 NEW POLICY - PO173 LEAVE MANAGEMENT POLICY**PURPOSE**

To seek endorsement from Council for the adoption of the new PO173 Leave Management Policy.

RESOLUTION

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

That Council endorse and adopt the new PO173 Leave Management Policy, as presented, for inclusion in Council's Policy Manual and on Council's website.

CARRIED 087/2020 (13/05/2020)

22.9 HEAVY VEHICLE SAFETY AND PRODUCTIVITY PROGRAM ROUND SEVEN FUNDING APPLICATION**PURPOSE**

To seek endorsement from Council for a funding application to be submitted through the Heavy Vehicle Safety and Productivity Program Round Seven to widen and reconstruct Gardner Street and Fowler Terrace, Price to ensure these roads meet the Performance-Based Standards Scheme – Network Classification Guidelines for heavy vehicle access.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Anthony Bennett

That Council endorse submitting an application for funding through the Heavy Vehicle Safety and Productivity Program Round Seven for 50% (\$756,000) of the anticipated project cost (\$1,512,000) to widen and reconstruct Gardner Street and Fowler Terrace, Price to ensure these roads meet the Performance-Based Standards Scheme – Network Classification Guidelines for heavy vehicle access.

CARRIED 088/2020 (13/05/2020)

23 CORPORATE AND COMMUNITY SERVICES**23.1 FINANCIAL REPORT AS AT 30 APRIL 2020****PURPOSE**

For Council to consider the financial report and capital projects update report as at 30 April 2020.

RESOLUTION

Moved: Cr David Langford
Seconded: Cr Kristin Murdock

That Council receive the financial report and capital projects update report as at 30 April 2020.

CARRIED 089/2020 (13/05/2020)

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

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

RESOLUTION

Moved: Cr Roger Johns

Seconded: Cr Adam Meyer

That Council endorse the 2019/2020 March 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 090/2020 (13/05/2020)

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

To seek endorsement of the updated PO060 Rates Relief Policy.

RESOLUTION

Moved: Cr John Rich

Seconded: Cr Richard Carruthers

That Council endorse and adopt the updated PO060 Rates Relief Policy, presented as Attachment 1, for inclusion in Council's Policy Manual and on Council's website.

CARRIED 091/2020 (13/05/2020)

23.4 SYP PONY CLUB - COMMUNITY GRANT EXTENSION**PURPOSE**

In reference to the COVID-19 pandemic, Council have received a request from the Southern Yorke Peninsula Pony Club (SYPPC) to consider SYPPC's reduced financial capacity to pay the upfront costs associated with their approved Community Grant.

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Anthony Bennett

That Council:

1. endorse an extension for the formal acquittal of the Southern Yorke Peninsula Pony Club 2019/2020 Community Grant of \$1,025 to 31 December, 2020; and
2. reimburse the Southern Yorke Peninsula Pony Club \$800 for the hot water system already purchased as part of the project.

CARRIED 092/2020 (13/05/2020)

23.5 BLACK POINT PROGRESS - COMMUNITY GRANT EXTENSION**PURPOSE**

In reference to the Covid-19 pandemic, Council has received a request from the Black Point Progress Association to consider an extension of the timeframe for acquittal of their Community Grant which was endorsed by Council at its September 2019 meeting.

RESOLUTION

Moved: Cr Leanne O'Brien
Seconded: Cr Kristin Murdock

That Council endorse an extension until 31 December 2020 for the acquittal of the \$1,000 Community Grant awarded to Black Point Progress Association in September 2019 for the removal of acacia cyclops trees and box thorn bushes at Maxine Hawke Park.

CARRIED 093/2020 (13/05/2020)

23.6 MARION BAY PROGRESS ASSOCIATION - COMMUNITY GRANT EXTENSION**PURPOSE**

In reference to the COVID-19 pandemic, Council has received a request from the Marion Bay Progress Association to consider an extension of the timeframe for acquittal of their Community Grant which was endorsed by Council at its September 2019 meeting.

RESOLUTION

Moved: Cr John Rich
Seconded: Cr Adam Meyer

That Council endorse an extension until 31 December 2020 for the acquittal of the \$2,333 Community Grant awarded to Marion Bay Progress Association in September 2019 for the purchase of a digital projector and screen for the Marion Bay Community Hall.

CARRIED 094/2020 (13/05/2020)

23.7 FOUL BAY AREA PROGRESS - COMMUNITY GRANT EXTENSION**PURPOSE**

In reference to the COVID-19 pandemic, a request has been received from the Foul Bay Area Progress to consider an extension of the timeframe for acquittal of their Community Grant which was endorsed by Council at its September 2019 meeting.

RESOLUTION

Moved: Cr Anthony Bennett
Seconded: Cr Tania Stock

That Council endorse an extension until 31 December 2020 for the acquittal of the \$1,750 Community Grant awarded to Foul Bay Area Progress Association in September 2019 for the replacement of a 22,000 litre water tank.

CARRIED 095/2020 (13/05/2020)

23.8 YORKETOWN BOWLING CLUB - COMMUNITY GRANT EXTENSION**PURPOSE**

In reference to the Covid-19 pandemic. Council has received a request from the Yorketown Bowling Club to consider an extension of the timeframe for acquittal of their Community Grant which was endorsed by Council at its September 2019 meeting.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Anthony Bennett

That Council endorse an extension until 31 December 2020 for the acquittal of the remaining \$698 of the Community Grant awarded to the Yorketown Bowling Club for the paving to the exterior entrance to the clubroom.

CARRIED 096/2020 (13/05/2020)

23.9 PORT RICKABY TOWN CONCEPT PLAN**PURPOSE**

For Council to consider all feedback received from public consultation and endorse the Port Rickaby Concept Plan as presented.

Cr Adam Meyer expressed his preference for feedback from public consultations to be included in the Agenda as submitted, unless the submission specifically requests it not be included. Future notices/calls for feedback should include advice to that effect.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Tania Stock

That Council:

1. receive and consider all feedback received from public consultation on the Draft Port Rickaby Concept Plan; and
2. endorse the Port Rickaby Concept Plan as presented.

CARRIED 097/2020 (13/05/2020)

23.10 NEW POLICY - PO177 YORKE PENINSULA LEISURE OPTIONS WORKER SCREENING REQUIREMENTS**PURPOSE**

To seek endorsement from Council to adopt strategies ensuring Yorke Peninsula Leisure Options (YPLO) meets legislative compliance as a National Disability Insurance Scheme (NDIS) Registered Provider.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Leanne O'Brien

1. That Council endorse:
 - (a) the draft RA0249 YP Leisure Options Worker Screening Risk Assessment, as presented, for inclusion in Council's Risk Management system;
 - (b) the draft PO177 YP Leisure Options Worker Screening Requirements Policy, as presented, for inclusion in Council's Policy Manual and on Council's website; and
 - (c) YPLO to commence the Worker Screening process for all Elected Members and other staff within Council outlined in the associated Risk Assessment.

CARRIED 098/2020 (13/05/2020)

23.11 PORT CLINTON PROGRESS ASSOCIATION - REQUEST FOR ACCEPTANCE - FREE OF CHARGE ASSET**PURPOSE**

Council has again been approached by the Port Clinton Progress Association seeking to 'gift' a dump point to Council as a "Free of Charge" asset and a request that Council take over scheduling of, and cost of, future pump outs of the dump point.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr David Langford

That Council accepts the donation of the dump point located at 32 Cumberland Road, Port Clinton as an asset "Free of Charge" and authorise the structure to be added to Council's asset register and agrees to schedule and meet costs for future associated pumping costs.

CARRIED 099/2020 (13/05/2020)

6.31pm – Cr Adam Meyer declared a conflict and was removed from the Zoom meeting.

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

To seek approval from Council to lift this matter from the table and resume proceedings at the point preceding the resolution from the 12 February 2020 Council meeting.

RESOLUTION

Moved: Cr Anthony Bennett

Seconded: Cr Leanne O'Brien

That Council:

1. agree to lift the matter "Speed Limit Review – North Coast Road" from the table for further consideration by elected members; and
2. resume proceedings at the point preceding the resolution below:

Cr Stock moved Cr Johns seconded

That the matter lie on the table.

CARRIED 026/2020 (12/02/2020)

CARRIED 100/2020 (13/05/2020)

RESOLUTION

Moved: Cr Anthony Bennett

Seconded: Cr Kristin Murdock

That no further speed zones be introduced upon the North Coast Road.

CARRIED 101/2020 (13/05/2020)

6.49pm – Cr Adam Meyer re-entered the Zoom meeting.

25 DEVELOPMENT SERVICES**25.1 NEW LEASE - MINLATON & DISTRICTS LIONS CLUB INC.****PURPOSE**

To seek permission to proceed with a lease to the Minlaton & Districts Lions Club Inc (Lions Club) for five (5) years, with the option to renew for a further five (5) years for a portion of Section 279, West Terrace known as the Minlaton Showgrounds and Oval and the use of a Meeting Room at the Minlaton Rest Centre Complex, 45 Main Street Minlaton.

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Naomi Bittner

That Council:

1. give permission to proceed with a lease to the Lions Club for five (5) years, with the option to renew for a further five (5) years for a portion of Section 279, West Terrace known as the Minlaton Showgrounds and Oval and the use of a Meeting Room at the Minlaton Rest Centre Complex, 45 Main Street Minlaton.
2. allow for a 100% rebate only on Council rates over the leased area at Section 279, West Terrace known as the Minlaton Showgrounds and Oval, in accordance with Local Government Act 1999 Section 166 (1) – Discretionary rebate 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 102/2020 (13/05/2020)

25.2 REVOCATION OF COMMUNITY LAND CLASSIFICATION - ALLOTMENT 29 (RESERVE), CHENOWETH CRESCENT PARSONS BEACH**PURPOSE**

To seek Council approval to revoke the community land classification for Allotment 29 (Reserve), Chenoweth Crescent, Parsons Beach, Certificate of Title Volume 5539 Folio 478 for the purpose of selling surplus land.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr David Langford

That Council:

1. pursuant to Section 194(3)(b) of the Local Government Act 1999, revokes the community land classification for Allotment 29 (Reserve), Chenoweth Crescent, Parsons Beach, Certificate of Title Volume 5539 Folio 478 for the purpose of selling surplus land;
2. authorise the Mayor and Chief Executive Officer to sign and seal any documents in relation of the transfer of the property.

CARRIED 103/2020 (13/05/2020)

25.3 LAND MANAGEMENT AGREEMENT - LOT 35, MARION BAY ROAD, WHITE HUT**PURPOSE**

To seek the authorisation from Council for the Mayor and Chief Executive Officer to execute a Land Management Agreement relating to development at Allotment 35, Deposited Plan 68682 in the area named White Hut, Hundred of Carrabie, commonly known as Lot 35, Marion Bay Road, White Hut.

RESOLUTION

Moved: Cr John Rich
Seconded: Cr Adam Meyer

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 Allotment 35, Deposited Plan 68682 in the area named White Hut, Hundred of Carrabie, in Development Application 544/1048/2019 (544/D002/2019).

CARRIED 104/2020 (13/05/2020)

25.4 LAND MANAGEMENT AGREEMENT - 173 (LOT 101) DIDLYAMULKA ROAD, KOOLYWURTIE**PURPOSE**

To seek authorisation from Council for the Mayor and Chief Executive Officer to execute a Land Management Agreement relating to a development at Allotment 101 (as contained in Certificate of Title Volume 6158 Folio 349), commonly known as 173 Didlyamulka Road, Koolywurtie.

RESOLUTION

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

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 Allotment 101, 173 Didlyamulka Road, Koolywurtie (as contained in Certificate of Title Volume 6158 Folio 349).

CARRIED 105/2020 (13/05/2020)

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 RELINQUISHMENT OF LICENCE AGREEMENT - PORT VINCENT CARAVAN PARK & SEASIDE CABINS PTY LTD****RESOLUTION**

Moved: Cr Adam Meyer

Seconded: Cr David Langford

Section 90 Order

That pursuant to Section 90(2) and (3)(d)(i) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.1 Relinquishment of Licence Agreement - Port Vincent Caravan Park & Seaside Cabins Pty Ltd, 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
- Leader Systems and Technology

The Council is satisfied that, pursuant to Section 90(2) and (3)(d)(i) of the Act, the information to be received, discussed or considered in relation to report Item 27.1 Relinquishment of Licence Agreement - Port Vincent Caravan Park & Seaside Cabins Pty Ltd, is confidential information relating to:

- (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.

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 106/2020 (13/05/2020)

27.2 LEASE PURCHASE OFFER - PORT RICKABY CARAVAN PARK - COUNCIL SECTION 91 ORDER - MINUTE REFERENCE 145/2019 (12/06/2019)**RESOLUTION**

Moved: Cr Leanne O'Brien

Seconded: Cr Kristin Murdock

Section 90 Order

That pursuant to Section 90(2) and (3)(b)(i) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.2 Lease Purchase Offer - Port Rickaby Caravan Park - Council Section 91 Order - Minute Reference 145/2019 (12/06/2019), 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
- Leader Systems and Technology

The Council is satisfied that, pursuant to Section 90(2) and (3)(b)(i) of the Act, the information to be received, discussed or considered in relation to report Item 27.2 Lease Purchase Offer - Port Rickaby Caravan Park - Council Section 91 Order - Minute Reference 145/2019 (12/06/2019), is confidential information relating to:

- (b)(i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council.

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 107/2020 (13/05/2020)

6.59pm – The public were removed from the Zoom meeting and the Chamber secured.

RESUMPTION OF PUBLIC MEETING

7.26pm

Released in camera minutes – 7.10pm

RESOLUTION

Moved: Cr Anthony Bennett

Seconded: Cr Tania Stock

Section 91 Order

That having considered report 27.1 Relinquishment of Licence Agreement - Port Vincent Caravan Park & Seaside Cabins Pty Ltd in confidence under Section 90(2) and (3)(d)(i) 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 Relinquishment of Licence Agreement - Port Vincent Caravan Park & Seaside Cabins Pty Ltd be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 109/2020 (13/05/2020)

Released in camera minutes – 7.26pm

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Adam Meyer

Section 91 Order

That having considered report 27.2 Lease Purchase Offer - Port Rickaby Caravan Park - Council Section 91 Order - Minute Reference 145/2019 (12/06/2019 in confidence under Section 90(2) and (3)(b)(i) 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 Lease Purchase Offer - Port Rickaby Caravan Park - Council Section 91 Order - Minute Reference 145/2019 (12/06/2019 be retained in confidence and not available for public inspection for a period of 12 Months.

CARRIED 111/2020 (13/05/2020)

28 NEXT MEETING

Wednesday 10 June 2020

29 CLOSURE

The Meeting closed at 7.34pm.

The minutes of this meeting were confirmed at the Council Meeting held on 10 June 2020.

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MAYOR DARREN BRAUND