



# **MINUTES**

## **Ordinary Council Meeting**

(Subject to confirmation)

**10 June 2020**

**MINUTES OF YORKE PENINSULA  
COUNCIL MEETING  
HELD VIA ZOOM VIDEO CONFERENCING FROM 8 ELIZABETH STREET MAITLAND ON  
WEDNESDAY, 10 JUNE 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 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**

Nil

**5 APOLOGIES**

Cr David Langford

**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 Roger Johns

Seconded: Cr Tania Stock

That the minutes of the Ordinary Council Meeting held on 13 May 2020 be confirmed.

**CARRIED 112/2020 (10/06/2020)**

**RESOLUTION**

Moved: Cr Leanne O'Brien

Seconded: Cr Anthony Bennett

That the minutes of the Confidential Council Meeting held on 13 May 2020 be confirmed.

- Relinquishment of Licence Agreement – Port Vincent Caravan Park & Seaside Cabins Pty Ltd

**CARRIED 113/2020 (10/06/2020)**

**RESOLUTION**

Moved: Cr John Rich  
Seconded: Cr Richard Carruthers

That the minutes of the Confidential Council Meeting held on 13 May 2020 be confirmed.

- Lease Purchase Offer – Port Rickaby Caravan Park – Council Section 91 Order – Minute Reference 145/2019 (12/06/2019)

**CARRIED 114/2020 (10/06/2020)**

**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 MAY 2020****PURPOSE**

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

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Anthony Bennett

That the report be received.

**CARRIED 115/2020 (10/06/2020)**

**13 COUNCILLORS' REPORT**

Nil

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

Cr Meyer requested an update from the Action Listing in relation to the Lease document with Happy Kidz Childcare. Roger Brooks advised that the centre has not reopened at this point in time due to the COVID-19 restrictions.

Cr Meyer and Cr O'Brien noted Item 16.6 – Correspondence received from Port Julia Progress Association – and congratulated staff and Elected Members involved.

**15 RECEIPT OF INFORMATION REPORTS****RESOLUTION**

Moved: Cr Kristin Murdock

Seconded: Cr Leanne O'Brien

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

**CARRIED 116/2020 (10/06/2020)**

**20 VISITORS TO THE MEETING**

Nil

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

Nil

**22 CHIEF EXECUTIVE OFFICER**

Nil

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

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

**RESOLUTION**

Moved: Cr Anthony Bennett

Seconded: Cr Tania Stock

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

**CARRIED 117/2020 (10/06/2020)**

**23.2 DRAFT 2020/2021 ANNUAL BUSINESS PLAN, BUDGET AND FEES AND CHARGES - PUBLIC CONSULTATION****PURPOSE**

For Council to consider written submissions received during the public consultation period in relation to Council's draft 2020/2021 Annual Business Plan, Budget and Fees and Charges in accordance with the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011.

**RESOLUTION**

Moved: Cr John Rich  
Seconded: Cr Naomi Bittner

That Council receive and consider all submissions as presented before Council at this meeting prior to adoption of the draft 2020/2021 Annual Business Plan, Budget and Fees and Charges, at its special meeting to be held on Wednesday, 24 June 2020.

**CARRIED 118/2020 (10/06/2020)**

**23.3 TREASURY MANAGEMENT PERFORMANCE 2018/2019****PURPOSE**

Review of Council's treasury management (investments and borrowings) activity and performance for 2018/2019 in accordance with legislation and PO139 Treasury Management Policy.

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Naomi Bittner

That the report be received.

**CARRIED 119/2020 (10/06/2020)**

**23.4 BAD DEBTS WRITE-OFF****PURPOSE**

To seek approval to write off bad debts greater than \$1,000 in accordance with section 143 of the Local Government Act 1999 (Act) and Council Policy PO008 Bad Debts – Delegation of Authority.

**RESOLUTION**

Moved: Cr Richard Carruthers

Seconded: Cr Kristin Murdock

That debts worth \$5,645.57 for debtors 5296/91, 1242/94 and 5594/91 as presented and attached be written off in 2019/2020 in accordance with section 143 of the Local Government Act 1999.

**CARRIED 120/2020 (10/06/2020)**

**23.5 POLICY REVIEW - PO084 CORPORATE PURCHASE CARD POLICY****PURPOSE**

For Council to consider and endorse the updated PO084 Corporate Purchase Card Policy.

**RESOLUTION**

Moved: Cr Adam Meyer

Seconded: Cr Kristin Murdock

That Council endorse and adopt the updated PO084 Corporate Purchase Card Policy, as presented, for inclusion in Council's policy manual and on the website.

**CARRIED 121/2020 (10/06/2020)**

**23.6 CENTRAL YORKE LITTLE ATHLETICS - COMMUNITY GRANT EXTENSION****PURPOSE**

In reference to the COVID-19 pandemic, a request has been received from Central Yorke Little Athletics to consider an extension of the timeframe for acquittal of their Community Grant endorsed by Council at its September 2019 meeting.

**RESOLUTION**

Moved: Cr John Rich

Seconded: Cr Roger Johns

That Council endorse an extension until 31 December 2020 for the acquittal of the \$3,323 Community Grant awarded to Central Yorke Little Athletics in September 2019.

**CARRIED 122/2020 (10/06/2020)**

**23.7 PINE POINT PROGRESS ASSOCIATION - COMMUNITY GRANT EXTENSION****PURPOSE**

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

**RESOLUTION**

Moved: Cr Naomi Bittner  
Seconded: Cr Anthony Bennett

That Council endorse an extension until 31 December 2020 for the acquittal of the \$2,000 Community Grant awarded to Pine Point Progress Association in September 2019.

**CARRIED 123/2020 (10/06/2020)**

**23.8 EDITHBURGH MUSEUM INCORPORATED - COMMUNITY GRANT EXTENSION****PURPOSE**

In reference to the Covid-19 pandemic, Council has received a request from the Edithburgh Museum Incorporated 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 Leanne O'Brien

That Council endorse an extension until 31 December 2020 for the acquittal of the \$1,180 Community Grant awarded to Edithburgh Museum Incorporated in September 2019.

**CARRIED 124/2020 (10/06/2020)**

**23.9 POLICY REVIEW - PO149 COMMUNITY GRANTS SCHEME POLICY****PURPOSE**

To seek endorsement and approval from Council for the updated PO149 Community Grants Scheme Policy.

**RESOLUTION**

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

That Council endorse and adopt the updated PO149 Community Grants Scheme Policy, as presented, for inclusion in Council's policy manual and on the website.

**CARRIED 125/2020 (10/06/2020)**

**23.10 RATE REBATE REQUEST - BALGOWAN PROGRESS ASSOCIATION****PURPOSE**

For Council to consider a rate rebate application received from Balgowan Progress Association for land leased from Council which is used as a camp ground.

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Naomi Bittner

That Council do not grant a rate rebate to the Balgowan Progress Association for the property at 4 Main St Balgowan (Assessment no. 37176) for 2019-2020 and future financial years.

**CARRIED 126/2020 (10/06/2020)**

**24 ASSETS AND INFRASTRUCTURE SERVICES****24.1 POLICY UPDATE - PO056 COUNCIL INFRASTRUCTURE POLICY****PURPOSE**

To seek endorsement and approval from Council for the updated PO056 Council Infrastructure Policy.

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Roger Johns

That Council endorse and adopt the updated PO056 Council Infrastructure Policy for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 127/2020 (10/06/2020)**

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

In accordance with Section 83 (1) of the Planning, Development and Infrastructure Act 2016, Council is required to appoint one (1) Elected Member and (1) Deputy Elected Member to the Council Assessment Panel to fill the current vacancies as a result of Councillor Jeff Cook's recent passing, for the remainder of the current two year term which concludes 1 January 2022.

**RESOLUTION**

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

In accordance with Section 83 of the Planning, Development and Infrastructure Act 2016, Council appoints Councillor John Rich as the Elected Member to the Yorke Peninsula Council Assessment Panel and Cr Richard Carruthers as the Deputy Elected Member for the remainder of the current two year term which concludes 1 January 2022.

**CARRIED 128/2020 (10/06/2020)**

**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 INDEPENDENT APPOINTMENT TO AUDIT COMMITTEE****RESOLUTION**

Moved: Cr Adam Meyer

Seconded: Cr Anthony Bennett

**Section 90 Order**

That pursuant to Section 90(2) and (3)(a),(j)(ii) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.1 Independent Appointment to Audit Committee, 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)(a),(j)(ii) of the Act, the information to be received, discussed or considered in relation to report Item 27.1 Independent Appointment to 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)
- (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 129/2020 (10/06/2020)**

**27.2 REQUEST FOR DISSOLUTION OF DEED VIA DISCOUNTED PAYOUT****RESOLUTION**

Moved: Cr Anthony Bennett

Seconded: Cr Tania Stock

**Section 90 Order**

That pursuant to Section 90(2) and (3)(a),(d)(ii) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.2 Request for Dissolution of Deed via Discounted Payout, 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)(a),(d)(ii) of the Act, the information to be received, discussed or considered in relation to report Item 27.2 Request for Dissolution of Deed via Discounted Payout, 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)(ii) commercial information of a confidential nature (not being a trade secret) 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 130/2020 (10/06/2020)**

*6.17pm – The public were removed from the Zoom meeting and the Chamber secured.*

**RESUMPTION OF PUBLIC MEETING**

6.34pm

*Released in camera minutes – 6.22pm*

**RESOLUTION**

Moved: Cr Adam Meyer

Seconded: Cr Tania Stock

That Council:

1. accept the recommendation of the Audit Committee to endorse the appointment of Mr Hussain Rafeeu as Independent Member on Council's Audit Committee until the expiration of the Independent Member's term on 30 November 2020; and
2. endorse delegation to the Audit Committee to formerly elect a Chairperson for the remainder of the term.

**CARRIED 131/2020 (10/06/2020)**

**RESOLUTION**

Moved: Cr John Rich

Seconded: Cr Anthony Bennett

**Section 91 Order**

That having considered report 27.1 Independent Appointment to Audit Committee in confidence under Section 90(2) and (3)(a),(j)(ii) 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, and supporting documentation relevant to report 27.1 Independent Appointment to Audit Committee be retained in confidence and not available for public inspection for a period of 12 months with the exception of the Resolutions contained within the Minutes which are to be released immediately the appointment is agreed.

**CARRIED 132/2020 (10/06/2020)**

*Released in camera minutes – 6.34pm*

**RESOLUTION**

Moved: Cr Adam Meyer

Seconded: Cr Roger Johns

**Section 91 Order**

That having considered report 27.2 Request for Dissolution of Deed via Discounted Payout in confidence under Section 90(2) and (3)(a),(d)(ii) 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 Request for Dissolution of Deed via Discounted Payout be retained in confidence and not available for public inspection for a period of 12 Months.

**CARRIED 134/2020 (10/06/2020)**

**28 NEXT MEETING**

Wednesday 8 July 2020

**29 CLOSURE**

The Meeting closed at 6.35pm.

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

.....  
**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**

**12 June 2019**



# **CONFIDENTIAL MINUTES**

## **Council Meeting**

(Subject to confirmation)

**12 June 2019**

*AS*

**CONFIDENTIAL MINUTES OF COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS , MINLATON TOWN HALL, 57 MAIN STREET,  
MINLATON  
ON WEDNESDAY, 12 JUNE 2019 AT 6.39PM**

**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, 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), Jackie Reddaway (Minute Secretary)

**LEAVE OF ABSENCE**

Nil

**APOLOGIES**

Nil

**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 STORMWATER INFRASTRUCTURE MITIGATION - 1 OYSTER POINT DRIVE, STANSBURY**

**PURPOSE**

To provide Elected Members with an update in regards to the outcomes of negotiations with the owner of the property located at 1 Oyster Point Drive Stansbury (CT 5685/205) (the Property) and to report on the outcomes of a property valuation undertaken by Jones, Lang, LaSalle Inc. (JLL).

**RESOLUTION**

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

That Council authorise the Chief Executive Officer to expended unbudgeted Council funds up to \$176,000, to remove the stormwater infrastructure from 1 Oyster Point Drive Stansbury (CT 5685/205) (the Property) and reroute the pipework around the Property, (as shown in bright green in Attachment 2) as recommended by HDS Australia's design engineer.

**CARRIED 143/2019 (12/06/2019)**



**RESOLUTION**

Moved: Cr John Rich  
Seconded: Cr Adam Meyer

**Section 91 Order**

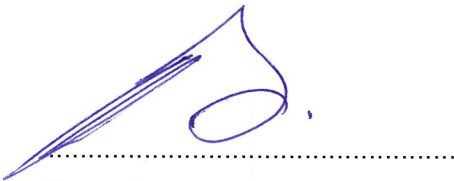
That having considered report 27.1 Stormwater Infrastructure Mitigation - 1 Oyster Point Drive, Stansbury in confidence under Section 90(2) and (3)(b)(i),(b)(ii),(f) of the Local Government Act 1999 (the Act) the Council, pursuant to Section 91 (7) and 91 (9) of the Act orders that the agenda report, attachments, minutes and supporting documentation relevant to report 27.1 Stormwater Infrastructure Mitigation - 1 Oyster Point Drive, Stansbury be retained in confidence and not available for public inspection for a period of 12 months.

**CARRIED 144/2019 (12/06/2019)**

*At 7.13pm the Confidential Meeting closed.*

**CLOSURE**

The meeting closed at 7.13pm.



**Mayor Darren Braund**

**26 June 2019**