



# **MINUTES**

## **Ordinary Council Meeting**

(Subject to confirmation)

**9 December 2020**

**MINUTES OF YORKE PENINSULA  
COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, MINLATON TOWN HALL, 57 MAIN STREET,  
MINLATON  
ON WEDNESDAY, 9 DECEMBER 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 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 Michael Murdock

**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 Tania Stock.

**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.

Nil.

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

**RESOLUTION**

Moved: Cr John Rich  
Seconded: Cr Richard Carruthers

That the minutes of the Ordinary Council Meeting held on 11 November 2020 be confirmed.

**CARRIED 262/2020 (9/12/2020)**

**RESOLUTION**

Moved: Cr David Langford

Seconded: Cr Roger Johns

That the minutes of the Confidential Council Meeting held on 11 November 2020 be confirmed.

- Sealed Road Shoulder Rework Tender 212-2020

**CARRIED 263/2020 (9/12/2020)**

**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:

- Reminding Councillors budget request forms have been sent out and asking that consideration be given to this matter over the Christmas period as they are due by the end of January.
- Councillors will soon receive an email listing the nominees for the Australia Day citizenship awards together with a form to provide feedback.
- Acknowledging Trevor Graham, Director Assets and Infrastructure Services and David Harding, Director Corporate and Community Services. Trevor and David are tonight attending their final Council meeting.

Trevor Graham - Commenced with Council as Works Manager in 2001 coming from the District Council of Cleve. Previous to this Trevor had worked at the District Council of Dudley and City Council of Unley (commencing in 1987).

Trevor took on the Acting Director Engineering Services in 2002 and was appointed to the role on a permanent basis in 2003 – this role becoming Director Assets & Infrastructure Services in 2013.

David Harding - Commenced with Council as Manager Financial Services in 2011 following a lengthy career in financial services in the private industry. David took on the Acting Director Corporate & Community Services role in 2013 and was appointed to the role permanently in 2013.

Mayor Braund thanked both Trevor and David for their service to our Council and the community and wished them both the best for whatever lies ahead.

Both Trevor and David responded.

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

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

**RESOLUTION**

Moved: Cr Kristin Murdock  
Seconded: Cr Anthony Bennett

That the report be received.

**CARRIED 264/2020 (9/12/2020)**

**13 COUNCILLORS' REPORT**

Nil

**INFORMATION AGENDA****14 ITEMS FOR EXCLUSION*****Cr Meyer withdrew Item 18.3 – Feasibility Study of Food Waste Management Options Report***

Cr Meyer sought clarification regarding his previous query from the Elected Member Workshop to Mr Brideson of Water + Waste Innovations as to whether any other external agencies have been approached re organic waste. The report does not reflect this. Director Assets and Infrastructure responded that those options can be explored and discussed at future Workshops as the process evolves.

***Cr Meyer withdrew Item 19.1 – Inspectorial Report***

Cr Meyer noted under the Fire Prevention section it was reported that 58 Expiation Notices had been issued and enquired how this compared to last year and whether there had been any complaints in relation to these Notices. Director Development Services advised he was not aware of any complaints and took on notice that he would provide the comparison data to the Elected Members.

***Mayor Darren Braund withdrew Item 18.2 – Appointment to Dhillba Guuranda-Innes National Park Co-Management Board – Stephen Goldsworthy***

Mayor Braund congratulated Stephen Goldsworthy stating this is a great acknowledgement.

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

Moved: Cr Adam Meyer  
Seconded: Cr Michael Murdock

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

**CARRIED 265/2020 (9/12/2020)**

**20 VISITORS TO THE MEETING**

Nil.

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

Nil.

**22 CHIEF EXECUTIVE OFFICER****22.1 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM - EXTENSION****PURPOSE**

To seek endorsement of a package of projects to be undertaken using the Local Roads and Community Infrastructure Program – Extension funding.

**RESOLUTION**

Moved: Cr Roger Johns

Seconded: Cr John Rich

That Council:

1. endorse the CEO to apply for projects under the Australian Government's Local Roads and Community Infrastructure Program - Extension;
2. endorse the projects (as listed below) to be nominated in the Work Schedule Template – Project nomination form:
  - (a) Warooka Standpipe Upgrade (\$55,000);
  - (b) Patch Sheeting (North and South) (\$225,000);
  - (c) Marion Bay Desalination Plant Improvements (*Beach well seawater inundation protection works and water quality improvements*) (\$65,000);
  - (d) Coastal Management Strategy Projects - (*Fencing, signage, vehicle and pedestrian access management, including beach access stairs and bush camping amenity upgrades*) (\$175,000);
  - (e) Walk the Yorke Upgrades (\$50,000);
  - (f) Spoon Drain Replacement Program (\$225,000);
  - (g) Black Point Water Supply Storage Tanks (\$30,000);
  - (h) Minlaton Town Hall Maintenance (*Replacement of some windows and gutters*) (\$55,000); and
  - (i) Stansbury Institute Maintenance (\$20,000);
3. approve an exemption for open tendering under PO058 Purchasing and Procurement Policy for the abovementioned projects, delegating authority to the CEO.

**CARRIED 266/2020 (9/12/2020)**

**22.2 INSTALLATION OF PEDESTRIAN CROSSING - YORKE HIGHWAY - ARDROSSAN****PURPOSE**

To seek Council approval to commence a pedestrian movement survey and prepare a concept sketch as an initial step in providing the Department of Infrastructure and Transport with further information relating to a proposed installation of a pedestrian crossing on the Yorke Highway, Ardrossan, adjacent to the cemetery.

**MOTION**

Moved: Cr Richard Carruthers

Seconded: Cr David Langford

That Council:

1. Endorse the expenditure of \$2,500 for a pedestrian survey of the Yorke Highway.
2. Endorse the expenditure of \$1,500 for the development of a concept sketch over aerial photo of an informal crossing point, showing the shoulder treatments (build outs and hand rails), signage and connection to Main Coast Road.
3. Accept Ardrossan Progress Association's contribution of \$2,000 towards the abovementioned works.

**MOTION LOST**

**22.3 PLANNING DEVELOPMENT AND INFRASTRUCTURE INSTRUMENT OF DELEGATION 40A UPDATE****PURPOSE**

For Council to update the Instrument of Delegation 40A, made under the Planning, Development and Infrastructure Act 2016, due to a ministerial restructure.

**RESOLUTION**

Moved: Cr John Rich

Seconded: Cr David Langford

That having considered its Planning Development and Infrastructure Instrument of Delegation 40A in response to a State Government ministerial restructure, Council:

**1. Revocations**

- 1.1 Hereby revokes its previous delegations of those powers and functions under the following:
  - 1.1.1 Planning, Development and Infrastructure Act 2016
  - 1.1.2 Planning, Development and Infrastructure (General) Regulations 2017
  - 1.1.3 Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019
  - 1.1.4 Planning and Design Code And Practice Directions

2. **Delegate Powers of the Council as a Council, Designated Authority and Designated Entity Under the Planning, Development and Infrastructure Act 2016**
  - 2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation 40A (attached to this report - Attachment 1) are hereby delegated this 9<sup>th</sup> day of December 2020 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
  - 2.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

**CARRIED 267/2020 (9/12/2020)**

## **22.4 RATES RELIEF - 2019/2020 COVID-19 REVIEW**

### **PURPOSE**

The purpose of this report is for Council to review rates relief measures put in place for ratepayers in April 2020 and extended in July and October 2020 due to the COVID-19 pandemic and associated restrictions.

### **RESOLUTION**

Moved: Cr Naomi Bittner

Seconded: Cr Roger Johns

That Council:

1. continue to offer deferral of all unpaid rates and charges (including amounts already in arrears) for all rateable properties for the period 1 January 2021 to 30 June 2021 to those experiencing hardship due to COVID-19 in accordance with Council's PO060 Rates Relief Policy;
2. end the remittance of fines and interest effective 31 December 2020; and
3. conduct a review of these arrangements during June 2021 or immediately following the cessation of the pandemic if sooner.

**CARRIED 268/2020 (9/12/2020)**

**22.5 ELECTOR REPRESENTATION REVIEW – REPRESENTATION OPTIONS PAPER****PURPOSE**

To seek Council endorsement to undertake public consultation on the draft Elector Representation Review – Representation Options Paper.

**RESOLUTION**

Moved: Cr John Rich  
Seconded: Cr Anthony Bennett

That Council endorse the Elector Representation Review – Representation Options Paper for the purpose of undertaking public consultation.

**CARRIED 269/2020 (9/12/2020)**

**22.6 DRAFT COMMUNITY EMERGENCY MANAGEMENT PLAN****PURPOSE**

To seek endorsement on the draft Community Emergency Management Plan 2021-2025.

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Naomi Bittner

That the draft Community Emergency Management Plan be endorsed, as presented.

**CARRIED 270/2020 (9/12/2020)**

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

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

**RESOLUTION**

Moved: Cr Michael Murdock  
Seconded: Cr David Langford

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

**CARRIED 271/2020 (9/12/2020)**



**23.2 HARDWICKE BAY PROGRESS ASSOCIATION - REQUEST FOR ACCEPTANCE - FREE OF CHARGE ASSET****PURPOSE**

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

**RESOLUTION**

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

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

**CARRIED 272/2020 (9/12/2020)**

**23.3 WATER ALLOWANCE INCREASE - WAROOKA PROGRESS ASSOCIATION****PURPOSE**

For Council to consider a request from the Western United Sports & Community Club, in association with the Warooka Progress Association for an increase in their annual water allowance of \$2,500 to accommodate watering of the redeveloped playground at Warooka Oval.

**RESOLUTION**

Moved: Cr Naomi Bittner  
Seconded: Cr David Langford

That Council does not approve an increase in the water allowance for the Western United Sports & Community Club.

**CARRIED 273/2020 (9/12/2020)**

**23.4 CORNY POINT PUMP TRACK****PURPOSE**

To seek Council approval to supply materials and some labour for the finalisation of the Corny Point Pump Track as requested by the Corny Point Progress Association.

**RESOLUTION**

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

That Council approve the expenditure of \$5,500 (exclusive of GST) for the provision and spreading of material to complete the Corny Point Pump Track as requested by the Corny Point Progress Association.

**CARRIED 274/2020 (9/12/2020)**

**23.5 CARAVAN PARK MANAGEMENT FRAMEWORK****PURPOSE**

Council's endorsement of a proposed framework for the commercial management of Council's owned and managed caravan parks is sought for the 2021/2022 budget process; ahead of development of a formal model inclusive of asset management plans and a ten (10) year Long Term Financial Plan for the ongoing operation of these parks.

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Naomi Bittner

That Council endorse a ten percent (10%) lease fee based on total takings (excluding GST), for all Council owned and operated caravan parks for the 2021/2022 financial year with all loan interest and principal repayments, Corporate Services Officer costs, operating expenses, renewal of infrastructure/assets, including backlog, for the financial year to be funded by the caravan parks from total earnings for that year with a review to be undertaken prior to the 2022/2023 budget formulation process.

**CARRIED 275/2020 (9/12/2020)**

**23.6 POLICY REVIEW - PO018 HARDSHIP POLICY FOR RESIDENTIAL CUSTOMERS OF MINOR AND INTERMEDIATE WATER RETAILERS****PURPOSE**

To seek endorsement of the updated PO018 Hardship Policy for Residential Customers of Minor and Intermediate Water Retailers.

**RESOLUTION**

Moved: Cr David Langford  
Seconded: Cr Richard Carruthers

That Council endorse and adopt the updated PO018 Hardship Policy for Residential Customers of Minor and Intermediate Water Retailers, as presented, for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 276/2020 (9/12/2020)**

**23.7 POLICY REVIEW - PO048 MANAGEMENT AND RECOVERY OF OUTSTANDING DEBTS POLICY****PURPOSE**

To seek endorsement of the updated PO048 Management and Recovery of Outstanding Debts Policy.

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Naomi Bittner

That Council endorse and adopt the updated PO048 Management and Recovery of Outstanding Debts Policy, as presented, for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 277/2020 (9/12/2020)**

**23.8 POLICY REVIEW - PO161 PRUDENTIAL MANAGEMENT****PURPOSE**

To seek endorsement for Council's updated PO161 Prudential Management Policy.

**RESOLUTION**

Moved: Cr David Langford  
Seconded: Cr Adam Meyer

That Council endorse and adopt the updated PO161 Prudential Management Policy, as presented, for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 278/2020 (9/12/2020)**

**23.9 POLICY REVIEW - PO122 LOANS TO COMMUNITY GROUPS****PURPOSE**

To seek endorsement of Council's updated PO122 Loans to Community Groups Policy.

**RESOLUTION**

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

That Council endorse and adopt the updated PO122 Loans to Community Groups Policy, as presented, for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 279/2020 (9/12/2020)**

**23.10 DRAFT YORKE PENINSULA LEISURE OPTIONS STRATEGIC PLAN 2021-2025****PURPOSE**

That Council endorse the draft Yorke Peninsula Leisure Options (YPLO) Strategic Plan 2021-2025.

**RESOLUTION**

Moved: Cr David Langford  
Seconded: Cr Anthony Bennett

That the draft Yorke Peninsula Leisure Options Strategic Plan 2021-2025 be endorsed.

**CARRIED 280/2020 (9/12/2020)**

**23.11 YORKE PENINSULA LEISURE OPTIONS REPORTING STRUCTURE****PURPOSE**

That Council endorse disbanding the YP Leisure Options (YPLO) Working Party to be replaced with annual updates to the Elected Members at the end of each financial year.

**RESOLUTION**

Moved: Cr John Rich  
Seconded: Cr Adam Meyer

That the YP Leisure Options Working Party be disbanded effective immediately and a report be supplied to Council in regard to the operations of YP Leisure Options (YPLO) at the end of each financial year.

**CARRIED 281/2020 (9/12/2020)**

**24 ASSETS AND INFRASTRUCTURE SERVICES****24.1 DRAFT TRANSPORT ASSET MANAGEMENT PLAN****PURPOSE**

This report requests Council endorsement to undertake public consultation in regard to the draft Transport Asset Management Plan (provided under separate cover).

**RESOLUTION**

Moved: Cr Roger Johns  
Seconded: Cr Anthony Bennett

That Council endorse the draft Transport Asset Management Plan to undergo public consultation.

**CARRIED 282/2020 (9/12/2020)**

**24.2 DRAFT COMMUNITY WASTEWATER MANAGEMENT SYSTEM (CWMS) ASSET MANAGEMENT PLAN****PURPOSE**

This report requests Council endorsement to undertake public consultation in regard to the draft Community Wastewater Management System (CWMS) Asset Management Plan (provided under separate cover).

**RESOLUTION**

Moved: Cr David Langford

Seconded: Cr John Rich

That Council endorse the draft Community Wastewater Management System (CWMS) Asset Management Plan to undergo public consultation.

**CARRIED 283/2020 (9/12/2020)**

**24.3 DRAFT STORMWATER INFRASTRUCTURE ASSET MANAGEMENT PLAN****PURPOSE**

This report requests Council endorsement to undertake public consultation in regard to the draft Stormwater Infrastructure Asset Management Plan (provided under separate cover).

**RESOLUTION**

Moved: Cr David Langford

Seconded: Cr Naomi Bittner

That Council endorse the draft Stormwater Infrastructure Asset Management Plan to undergo public consultation.

**CARRIED 284/2020 (9/12/2020)**

**24.4 DRAFT WATER INFRASTRUCTURE ASSET MANAGEMENT PLAN****PURPOSE**

This report requests Council endorsement to undertake public consultation in regard to the draft Water Infrastructure Asset Management Plan (provided under separate cover).

**RESOLUTION**

Moved: Cr Roger Johns

Seconded: Cr Adam Meyer

That Council endorse the draft Water Infrastructure Asset Management Plan to undergo public consultation.

**CARRIED 285/2020 (9/12/2020)**

**25 DEVELOPMENT SERVICES****25.1 PROPOSED ROAD CLOSURE - PORTION OF POWER LINE ROAD, HD RAMSAY****PURPOSE**

To seek permission to proceed with the road closure process for the proposed sale of a portion of unmade public road, known as Power Line Road, HD Ramsay.

**RESOLUTION**

Moved: Cr David Langford

Seconded: Cr Adam Meyer

That the matter lie on the table.

**CARRIED 286/2020 (9/12/2020)**

**25.2 LAND MANAGEMENT AGREEMENT - POINT SOUTTAR****PURPOSE**

To seek authorisation from Council for the Mayor and Chief Executive Officer to execute a Land Management Agreement relating to development at Section 427, Hundred of Para Wurlie in the area named Point Souttar, commonly known as 35 Galway Crescent, Point Souttar.

**RESOLUTION**

Moved: Cr David Langford

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 Section 427, Hundred of Para Wurlie in the area named Point Souttar, as contained within Certificate of Title Volume 5833 Folio 763.

**CARRIED 287/2020 (9/12/2020)**

**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 INFORMATION TECHNOLOGY STRATEGIC PLAN 2020-2025****RESOLUTION**

Moved: Cr John Rich  
Seconded: Cr Naomi Bittner

**Section 90 Order**

That pursuant to Section 90(2) and (3)(b)(i),(d)(i),(j)(i) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.1 Information Technology Strategic Plan 2020-2025, 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),(d)(i),(j)(i) of the Act, the information to be received, discussed or considered in relation to report Item 27.1 Information Technology Strategic Plan 2020-2025, 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
- (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).

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 288/2020 (9/12/2020)**

*6.49pm – The public were removed from the meeting and the Chamber secured.*

**RESUMPTION OF PUBLIC MEETING**

*Released in camera minute – 7.13pm*

**27.1 INFORMATION TECHNOLOGY STRATEGIC PLAN 2020-2025**

**PURPOSE**

Seek Council endorsement and adoption of the Information Technology Strategic Management Plan 2020-2025 (IT Plan).

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Naomi Bittner

That Council adopt the Information Technology Strategic Plan 2020-2025 as presented in Attachment 1.

**CARRIED 287/2020 (9/12/2020)**

**RESOLUTION**

Moved: Cr John Rich  
Seconded: Cr Anthony Bennett

**Section 91 Order**

That having considered report 27.1 Information Technology Strategic Plan 2020-2025 in confidence under Section 90(2) and (3)(b)(i),(d)(i),(j)(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 Information Technology Strategic Plan 2020-2025 be retained in confidence and not available for public inspection for a period of 12 months.

**CARRIED 288/2020 (9/12/2020)**

**28 NEXT MEETING**

Wednesday, 20 January 2021.

**29 CLOSURE**

The Meeting closed at 7.14pm.

The minutes of this meeting were confirmed at the Council Meeting held on 20 January 2021.

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