



MINUTES

Ordinary Council Meeting

(Subject to confirmation)

10 March 2021

**MINUTES OF YORKE PENINSULA
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MINLATON TOWN HALL, 57 MAIN STREET, MINLATON
ON WEDNESDAY, 10 MARCH 2021 AT 5.30PM**

1 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY BY MAYOR

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

2 OPENING PRAYER

3 PRESENT

Mayor Darren Braund, Cr Tania Stock, Cr Richard Carruthers, Cr Adam Meyer, Cr Leanne O'Brien, Cr Anthony Bennett, Cr Naomi Bittner, Cr Michael Murdock

In Attendance

Andrew Cameron (CEO), Roger Brooks (Director Development Services), Andre Kompler (Director Assets & Infrastructure Services), Sid Jain (Manager Financial Services), Natalie McDonald (Minute Secretary)

4 LEAVE OF ABSENCE

Nil

5 APOLOGIES

Cr Kristin Murdock, Cr David Langford, Cr Roger Johns, Cr John Rich

RESOLUTION

Moved: Cr Tania Stock

Seconded: Cr Richard Carruthers

That Confidential Item – Late Report – 27.1 – Acquisition of Land – Charles Street, Yorketown – Section 91 Order – Minute Reference 071/2020 (08/04/2020) be received for consideration.

CARRIED 027/2021 (10/03/2021)

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 Leanne O'Brien

Seconded: Cr Naomi Bittner

That the minutes of the Ordinary Council Meeting held on 10 February 2021 be confirmed.

CARRIED 028/2021 (10/03/2021)

RESOLUTION

Moved: Cr Adam Meyer
Seconded: Cr Anthony Bennett

That the minutes of the Confidential Council Meeting held on 10 February 2021 be confirmed.

- Black Point Boat Ramp Upgrade

CARRIED 029/2021 (10/03/2021)

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Tania Stock

That the minutes of the Confidential Council Meeting held on 10 February 2021 be confirmed.

- Business Enhancement Program – Grant Application SA Grain Services

CARRIED 030/2021 (10/03/2021)

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 FEBRUARY 2021****PURPOSE**

To keep Elected Members updated on Mayoral activities during the month of February 2021.

RESOLUTION

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

That the report be received.

CARRIED 031/2021 (10/03/2021)

13 COUNCILLORS' REPORT

Nil

INFORMATION AGENDA

14 ITEMS FOR EXCLUSION

Nil

15 RECEIPT OF INFORMATION REPORTS

ADOPTION OF INFORMATION AGENDA

RESOLUTION

Moved: Cr Anthony Bennett

Seconded: Cr Tania Stock

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

CARRIED 032/2021 (10/03/2021)

20 VISITORS TO THE MEETING

Craig Rowe – CL Rowe & Associates – Representation Review Submissions.

6.01pm

With approval from the members the Mayor advised that the meeting would move to informal mode to discuss this matter.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Tania Stock

MEETING RETURN TO FORMAL MODE

6.26pm - The Mayor advised that a Motion was required to return to Formal Mode

CARRIED 033/2021 (10/03/2021)

DEBATE AGENDA

21 MAYOR

Nil

22 CHIEF EXECUTIVE OFFICER**22.1 POLICY UPDATE - PO001 PEAK WORK HEALTH SAFETY AND RETURN TO WORK POLICY****PURPOSE**

To seek endorsement for the updated Peak Work Health Safety and Return to Work Policy (PO001)

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Tania Stock

That Council endorse and adopt the updated Peak Work Health Safety and Return to Work Policy (PO001) for inclusion in Council's Policy Manual and on Council's website.

CARRIED 034/2021 (10/03/2021)

23 CORPORATE AND COMMUNITY SERVICES**23.1 POLICY UPDATE - PO088 ELECTED MEMBER USE OF COUNCIL SUPPLIED ELECTRONIC EQUIPMENT POLICY****PURPOSE**

To seek endorsement and approval from Council for the updated PO088 Elected Member Use of Council Supplied Electronic Equipment Policy.

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Anthony Bennett

That Council endorse and approve the updated PO088 Elected Member Use of Council Supplied Electronic Equipment Policy for inclusion in Council's Policy Manual and on the website.

CARRIED 035/2021 (10/03/2021)

23.2 FINANCIAL REPORT AS AT 28 FEBRUARY 2021**PURPOSE**

For Council to consider the financial report and capital projects update report as at 28 February 2021.

RESOLUTION

Moved: Cr Leanne O'Brien

Seconded: Cr Anthony Bennett

That Council receive the financial report and capital projects update report as at 28 February 2021.

CARRIED 036/2021 (10/03/2021)

23.3 AUDIT COMMITTEE ANNUAL REPORT 2020**PURPOSE**

For Council to receive the Audit Committee Annual Report for the 2020 calendar year in accordance with Clause 13 of the Audit Committee's Terms of Reference.

RESOLUTION

Moved: Cr Adam Meyer
Seconded: Cr Anthony Bennett

That Council endorse the Audit Committee Annual Report for the 2020 calendar year.

CARRIED 037/2021 (10/03/2021)

23.4 DRAFT LONG TERM FINANCIAL PLAN 2022-2031**PURPOSE**

To seek Council endorsement to engage in the public consultation process for the Draft Long Term Financial Plan 2022 - 2031 (LTFP).

RESOLUTION

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

That Council endorse the Draft Long Term Financial Plan 2022 – 2031 for public consultation.

CARRIED 038/2021 (10/03/2021)

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

For Council to consider an additional extension of the timeframe for acquittal of the Community Grant received by the Marion Bay Progress Association in 2019.

RESOLUTION

Moved: Cr Anthony Bennett
Seconded: Cr Naomi Bittner

That Council endorse an extension until 30 June 2021 for the acquittal of the \$2,333.68 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 039/2021 (10/03/2021)

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

This report requests Council endorsement and adoption of the draft Transport Asset Management Plan (provided under separate cover).

RESOLUTION

Moved: Cr Michael Murdock

Seconded: Cr Adam Meyer

That Council:

1. acknowledges the submission made by Cadd Transport;
2. acknowledges staff response to the submission; and
3. endorses and adopts the draft Transport Asset Management Plan.

CARRIED 040/2021 (10/03/2021)

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

This report requests Council endorsement and adoption of the draft Community Wastewater Management System (CWMS) Asset Management Plan (provided under separate cover).

RESOLUTION

Moved: Cr Leanne O'Brien

Seconded: Cr Anthony Bennett

That Council endorse and adopt the draft Community Wastewater Management System (CWMS) Asset Management Plan.

CARRIED 041/2021 (10/03/2021)

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

This report requests Council endorsement and adoption of the draft Stormwater Infrastructure Asset Management Plan (provided under separate cover).

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Naomi Bittner

That Council:

1. acknowledges the submission made by Ms Vivienne Lambert;
2. acknowledges the staff response to the submission; and
3. endorses and adopts the draft Stormwater Infrastructure Asset Management Plan.

CARRIED 042/2021 (10/03/2021)

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

This report requests Council endorsement and adoption of the draft Water Infrastructure Asset Management Plan (provided under separate cover).

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Anthony Bennett

That Council endorse and adopt the draft Water Infrastructure Asset Management Plan.

CARRIED 043/2021 (10/03/2021)

25 DEVELOPMENT SERVICES**25.1 POLICY UPDATE - PO009 BUILDING INSPECTION POLICY****PURPOSE**

To advise and update Elected Members that PO009 Building Inspection Policy will be made obsolete.

RESOLUTION

Moved: Cr Anthony Bennett

Seconded: Cr Richard Carruthers

That Council endorse PO009 Building Inspection Policy being made obsolete and removed from Council's Policy Manual and Council's website.

CARRIED 044/2021 (10/03/2021)

25.2 ACCESS ADVISORY WORKING PARTY MINUTES**PURPOSE**

For Council to receive the Minutes of Council's Access Advisory Working Party meeting held on 5 February 2021.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Tania Stock

That Council:

1. receive the Minutes of the Access Advisory Working Party meeting held on 5 February 2021.
2. commit \$2,978 to the Tiddy Widdy Beach Progress Association for the purchase of a disabled friendly nest swing.

CARRIED 045/2021 (10/03/2021)

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 - SECTION 91 ORDER - MINUTE REFERENCE 071/2020 (08/04/2020)****RESOLUTION**

Moved: Cr Anthony Bennett

Seconded: Cr Tania Stock

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 Acquisition of Land - Charles Street, Yorketown - Section 91 Order - Minute Reference 071/2020 (08/04/2020), with the exception of the following persons:

- Chief Executive Officer
- Executive Assistant to CEO and Mayor
- Manager Financial Services
- Director Assets and Infrastructure
- Director Development Services

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 Acquisition of Land - Charles Street, Yorketown - Section 91 Order - Minute Reference 071/2020 (08/04/2020), 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 046/2021 (10/03/2021)

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

RESUMPTION OF PUBLIC MEETING

Released in camera minute – 6.50pm

27.1 ACQUISITION OF LAND - CHARLES STREET, YORKETOWN - SECTION 91 ORDER - MINUTE REFERENCE 071/2020 (08/04/2020)**PURPOSE**

To consider the proposed retention of the agenda report, attachments, minutes and supporting documentation relevant to the Yorke Peninsula Council Confidential Agenda Report 27.2 Acquisition of Land – Charles Street, Yorketown from the confidential meeting held on 8 April 2020 in confidence.

RESOLUTION

Moved: Cr Anthony Bennett

Seconded: Cr Michael Murdock

That Council, having considered and reviewed the order made under Section 91(7) and 91(9) of the Local Government Act 1999 on 8 April 2020 (the Order), minute reference 071/2020, resolves to amend the Order so that it reads as follows:

1. that having reconsidered report Acquisition of Land – Charles Street, Yorketown (Minute Reference 070/2020 – 08/04/2020) 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 27.2 Acquisition of Land – Charles Street, Yorketown be retained in confidence and not available for public inspection until further order of the Council.
2. that under Section 91(9)(c) of the Act, the Chief Executive Officer be delegated the authority to revoke this order in whole or part.

CARRIED 047/2021 (10/03/2021)

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Richard Carruthers

Section 91 Order

That having considered report 27.1 Acquisition of Land - Charles Street, Yorketown - Section 91 Order - Minute Reference 071/2020 (08/04/2020) 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 Acquisition of Land - Charles Street, Yorketown - Section 91 Order - Minute Reference 071/2020 (08/04/2020) be retained in confidence and not available for public inspection for a period of Further 12 months.

CARRIED 048/2021 (10/03/2021)

28 NEXT MEETING

Wednesday 14 April 2021

29 CLOSURE

The Meeting closed at 6.51pm.

The minutes of this meeting were confirmed at the Council Meeting held on 14 April 2021.

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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**

11 March 2020



CONFIDENTIAL MINUTES

Council Meeting

(Subject to confirmation)

11 March 2020

**CONFIDENTIAL MINUTES OF COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS , MINLATON TOWN HALL, 57 MAIN STREET,
MINLATON
ON WEDNESDAY, 11 MARCH 2020 AT 6.20PM**

WELCOME

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

PRESENT: Mayor Darren Braund, Cr Tania Stock, Cr Richard Carruthers, Cr Adam Meyer, Cr Leanne O'Brien, Cr Anthony Bennett, Cr Naomi Bittner, Cr Kristin Murdock, Cr David Langford

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

LEAVE OF ABSENCE

Cr Jeffrey Cook

APOLOGIES

Cr Roger Johns, Cr John Rich

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 APPOINTMENT OF INDEPENDENT MEMBER - AUDIT COMMITTEE

PURPOSE

To seek Council approval for a “once of” variation to the requirements of the Audit Committee Terms of Reference in relation to the make-up of the selection panel for the review and recommendation of the appointment of an independent member of the Audit Committee until the expiration of the current term at 30 November 2020.

RESOLUTION

Moved: Cr Anthony Bennett

Seconded: Cr Kristin Murdock

That Council endorse that:

1. The Chief Executive Officer and the Director Corporate & Community Services be relieved on this occasion of their duty to participate as members of the selection panel prescribed under Section 4.3 of Council’s current Audit Committee Terms of Reference and;
2. The selection panel to review and make recommendation for endorsement to Council of an Audit Committee independent member to be appointed until 30 November 2020 be comprised of the three (3) Elected Members of Council currently appointed to the Audit Committee, the current Independent Member of the Audit Committee Mr Rob Reiman and the Mayor.

CARRIED 046/2020 (11/03/2020)

RESOLUTION

Moved: Cr Tania Stock

Seconded: Cr David Langford

Section 91 Order

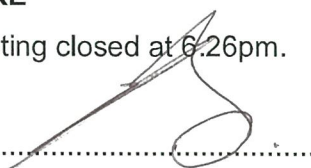
That having considered report 27.1 Appointment of Independent Member - Audit Committee in confidence under Section 90(2) and (3)(a) of the Local Government Act 1999 (the Act) the Council, pursuant to Section 91 (7) and 91 (9) of the Act orders that the agenda report, attachments, minutes and supporting documentation relevant to report 27.1 Appointment of Independent Member - Audit Committee be retained in confidence and not available for public inspection for a period of 12 Months.

CARRIED 047/2020 (11/03/2020)

At 6.26pm the Confidential Meeting closed.

CLOSURE

The meeting closed at 6.26pm.



Mayor Darren Braund

8 April 2020

