



MINUTES

Ordinary Council Meeting

(Subject to confirmation)

12 May 2021

**MINUTES OF YORKE PENINSULA
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MINLATON TOWN HALL, 57 MAIN STREET, MINLATON
ON WEDNESDAY, 12 MAY 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 John Rich, Cr Richard Carruthers, Cr Adam Meyer, Cr Leanne O'Brien, Cr Anthony Bennett, Cr Naomi Bittner, Cr Michael Murdock

In Attendance

Roger Brooks (Director Development Services), Andre Kompler (Acting CEO), Anne Hammond (Manager Business & Public Relations), Sid Jain (Manager Financial Services), Natalie McDonald (Minute Secretary)

4 LEAVE OF ABSENCE

Cr Kristin Murdock

5 APOLOGIES

Cr Roger Johns, Cr David Langford, Andrew Cameron (CEO)

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.

CONFLICT OF INTEREST DECLARATION	
Disclosure of [type] of Conflict of Interest being declared	Perceived
Elected/Independent Member Name	Cr Adam Meyer
Matter to be discussed (<i>Agenda Item #</i>)	23.4 – March Quarterly Budget Review 2021/2022
Nature of the Interest (<i>as described by the Member</i>)	<p>The item relates to a Budget Variation, requesting further funds to complete the Water Tower Mural Project.</p> <p>I have personally supplied video and photographic resources for use by Council.</p> <p>This declaration is to identify, that some may perceive I have a Conflict of Interest, due to being a supplier of imagery to Council for this project and the public may assume that I may</p>

CONFLICT OF INTEREST DECLARATION	
	receive a benefit, by being involved in this agenda item. This declaration is to confirm that I haven't received any payment or reimbursement from Council for any of my imagery.
Manner in which the Member addressed the Actual or Perceived Conflict of Interest	I will remain in the chamber, reserve the right to speak on the item and vote.
If the Member voted on the matter, the manner in which he or she voted	Voted in favour of the recommendation
The manner in which majority of persons who were entitled to vote at the meeting voted on the matter	CARRIED 076/2021 (12/05/2021)

CONFLICT OF INTEREST DECLARATION	
Disclosure of [type] of Conflict of Interest being declared	Material
Elected/Independent Member Name	Cr Naomi Bittner
Matter to be discussed (<i>Agenda Item #</i>)	25.5 – Permit to Use a Public Road – Setting of Fees and Charges – Proposed Audit
Nature of the Interest (<i>as described by the Member</i>)	The company of which I am a director leases public roads from council. This benefit or loss will not be shared with a substantial proportion of ratepayers.
Manner in which the Member addressed the Actual or Perceived Conflict of Interest	I will leave the Chamber.
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	CARRIED 084/2021 (12/05/2021)

CONFLICT OF INTEREST DECLARATION	
Disclosure of [type] of Conflict of Interest being declared	Material
Elected/Independent Member Name	Cr Anthony Bennett
Matter to be discussed (<i>Agenda Item #</i>)	25.6 – Stone and Water Reserves – Setting of Fees and Charges – Proposed Audit
Nature of the Interest (<i>as described by the Member</i>)	I wish to declare a conflict of interest as I have a water reserve on my property.

CONFLICT OF INTEREST DECLARATION	
Manner in which the Member addressed the Actual or Perceived Conflict of Interest	I will leave the Chamber.
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	CARRIED 085/2021 (12/05/2021)

7 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION

RESOLUTION

Moved: Cr Anthony Bennett

Seconded: Cr Tania Stock

That the minutes of the Ordinary Council Meeting held on 14 April 2021 be confirmed.

CARRIED 067/2021 (12/05/2021)

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 Report advising that he had attended the Friends of Yorketown Hospital AGM on Tuesday, 11 May 2021.

Congratulating the group who, even in a year effected by COVID-19, still purchased:

- Ultrasound machine \$36,000
- Suction unit \$3,000
- Blanket Warmers \$7,000

12.1 MAYOR'S MONTHLY REPORT APRIL 2021

PURPOSE

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

RESOLUTION

Moved: Cr John Rich
Seconded: Cr Adam Meyer
That the report be received.

CARRIED 068/2021 (12/05/2021)

13 COUNCILLORS' REPORT

Nil

INFORMATION AGENDA

14 ITEMS FOR EXCLUSION

Nil

15 RECEIPT OF INFORMATION REPORTS

ADOPTION OF INFORMATION AGENDA

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

RESOLUTION

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

CARRIED 069/2021 (12/05/2021)

20 VISITORS TO THE MEETING

5.36pm – Mayor Braund invited Kelly-Anne Saffin – Regional Development Australia Yorke and Mid North to make her presentation to the Council.

6.00pm – The presentation concluded.

DEBATE AGENDA

21 MAYOR

Nil

22 CHIEF EXECUTIVE OFFICER**22.1 APPOINTMENT OF PROGRESS ASSOCIATIONS LIAISON REPRESENTATIVES****PURPOSE**

Council to seek Elected Member interest in fulfilling the current vacant Progress Association Liaison Representative positions.

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr John Rich

That Council appoint the following Councillors to represent Council for the remainder of the current Council Term to 2022:

Michael Murdock be appointed Council Liaison Representative to the Port Rickaby Progress Association.

CARRIED 070/2021 (12/05/2021)

22.2 POLICY REVIEW - PO163 ELECTED MEMBER ACCESS TO INFORMATION POLICY**PURPOSE**

To seek Elected Members' endorsement of the updated PO163 Elected Member Access to Information Policy.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Tania Stock

That the matter lie on the table.

CARRIED 071/2021 (12/05/2021)

22.3 ELECTOR REPRESENTATION REVIEW - REPRESENTATION REVIEW REPORT**PURPOSE**

To consider the Elector Representation Review - Representation Review Report, prepared by CL Rowe and Associates Pty Ltd, for the purpose of undertaking the second, prescribed public consultation.

RESOLUTION

Moved: Cr Tania Stock

Seconded: Cr Leanne O'Brien

That Council endorse the Elector Representation Review - Representation Review Report, prepared by CL Rowe and Associates Pty Ltd, for the purpose of undertaking the second, prescribed public consultation.

CARRIED 072/2021 (12/05/2021)

23 CORPORATE AND COMMUNITY SERVICES**23.1 PORT VINCENT RSL SUB BRANCH - COMMUNITY GRANT EXTENSION****PURPOSE**

For Council to consider an additional extension of the timeframe for the acquittal of the Community Grant received by the Port Vincent RSL Sub Branch for the financial year 2020/2021.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Richard Carruthers

That Council endorse an extension until 01 December 2021 for the acquittal of the \$1000 Community Grant awarded to Port Vincent RSL Sub Branch in September 2020 for the planting of trees; and update to the foliage for the Memorial Walk in Port Vincent in honour of our fallen service personnel.

CARRIED 073/2021 (12/05/2021)

23.2 PORT VICTORIA PROGRESS ASSOCIATION - COMMUNITY GRANT EXTENSION**PURPOSE**

For Council to consider an extension of the timeframe for the acquittal of the Community Grant received by the Port Victoria Progress Association for the financial year 2020/2021.

RESOLUTION

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

That Council endorse an extension until 01 December 2021 for the acquittal of the \$5000 Community Grant awarded to Port Victoria Progress Association in September 2020 for the purchase and installation of a Scenic Frame.

CARRIED 074/2021 (12/05/2021)

23.3 FINANCIAL REPORT AS AT 30 APRIL 2021**PURPOSE**

For Council to consider the financial report and capital projects update report as at 30 April 2021.

RESOLUTION

Moved: Cr Adam Meyer
Seconded: Cr Anthony Bennett

That Council receive the financial report and capital projects update report as at 30 April 2021.

CARRIED 075/2021 (12/05/2021)

Councillor Adam Meyer declared a conflict of interest and remained in the Chamber.

23.4 MARCH QUARTERLY BUDGET REVIEW 2021/2022

PURPOSE

For Council consideration and endorsement of the March quarterly budget review (as at 31 March 2021) of Council's 2020/2021 Budget and associated financial statements, ratios and changes.

RESOLUTION

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

That Council endorse the 2020/2021 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 076/2021 (12/05/2021)

23.5 PROPOSED RATING MODELS 2021/2022

PURPOSE

To provide Elected Members with details of indicative Capital Valuations and rating models for 2021/2022 to raise General Rate revenue to fund Council's Annual Business Plan (ABP) and Budget.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Adam Meyer

That Council endorse Model 2 as presented for the raising of General Rates revenue in 2021/2022.

CARRIED 077/2021 (12/05/2021)

23.6 DRAFT ANNUAL BUSINESS PLAN AND BUDGET 2021/2022**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 2021/2022 Fees and Charges have also been reviewed and updated.

This report requests Council endorsement of the 2021/2022 ABP, Budget and Fees and Charges for public consultation.

RESOLUTION

Moved: Cr Tania Stock

Seconded: Cr Leanne O'Brien

That Council endorse the 2021/2022 draft Annual Business Plan, including the 2021/2022 draft Budget and the 2021/2022 Fees and Charges for the financial year ending 30 June 2022, for public consultation.

CARRIED 078/2021 (12/05/2021)

24 ASSETS AND INFRASTRUCTURE SERVICES

Nil

25 DEVELOPMENT SERVICES**25.1 ACCESS ADVISORY WORKING PARTY MINUTES****PURPOSE**

For Council to receive the Minutes of Council's Access Advisory Working Party meeting held on 23 April 2021.

RESOLUTION

Moved: Cr Richard Carruthers

Seconded: Cr Naomi Bittner

That Council:

1. receive the Minutes of the Access Advisory Working Party meeting held on 23 April 2021.
2. commit \$2,700 for remediation works to the paved pathway on the foreshore, Stansbury.
3. commit \$1,890 to the replacement of doors at the main entrance of the Stansbury Institute pending consultation with the Stansbury Institute Hall Committee.
4. commit \$2070 to the Tiddy Widdy Beach Progress Association for the purchase and installation of a disabled friendly, chairs and table setting.
5. commit \$180 for the installation of three sets of handrails in the toilets located at the jetty precinct, Stansbury.

6. commit the remaining budget of \$7,000 for the purchase of tactiles and materials required for the installation of five (5) access ramps in the Stansbury and Port Vincent townships.

CARRIED 079/2021 (12/05/2021)

25.2 APPLICATION TO LIFT AND RE-APPLY LAND MANAGEMENT AGREEMENT, BRAY ROAD, PORT VICTORIA

PURPOSE

The purpose of this report is to seek approval from Council to have a Land Management Agreement lifted from the Certificate of Title of a property so that new Titles can be issued. The Land Management Agreement is then to be endorsed onto the new Titles.

RESOLUTION

Moved: Cr John Rich
Seconded: Cr Anthony Bennett

That Council:

1. consent to the Land Management Agreement being lifted from the Certificate of Title for land contained in Certificate of Title Volume 6159 Folio 111 (Allotment 300 Bray Road, Port Victoria), and
2. authorise the Mayor and Chief Executive Officer to sign and affix the Common Seal on the relevant documents relating to;
 - a) extinguishment of the Land Management Agreement over land identified as allotment 300 in Deposited Plan 118172, created by land division Development Application number 544/D021/2010, and
 - b) the endorsement of the Land Management Agreement over land identified as allotments 3, 8 and 310, created by land division Development Application number 544/D021/2010.

CARRIED 080/2021 (12/05/2021)

25.3 NOMINATION OF MEMBERS AND DEPUTY MEMBERS - FLINDERS MID NORTH YORKE BUSHFIRE MANAGEMENT COMMITTEE

PURPOSE

To seek endorsement from Council for nominations to the Flinders Mid North Yorke Bushfire Management Committee.

RESOLUTION

Moved: Cr John Rich
Seconded: Cr Michael Murdock

That Council endorse the nominations of Senior Compliance Officer, Phil Herrmann as Council's representative and Ranger, Fraser McEvoy as the proxy representative to the Flinders Mid North Yorke Bushfire Management Committee.

CARRIED 081/2021 (12/05/2021)

25.4 SETTING OF CAT REGISTRATION FEES AND CHARGES**PURPOSE**

To seek endorsement from Council to lift this matter from the table and resume proceedings at the point preceding the resolution from 14 April 2021 Council meeting and for Council to consider the setting of registration fees for cats pursuant to the Dog and Cat Management Act commencing on 1 July 2021.

RESOLUTION

Moved: Cr Anthony Bennett

Seconded: Cr Adam Meyer

That Council endorse to lift the matter "Setting of Cat Registration Fees and Charges" from the table for further consideration and resume the proceedings at the point preceding the following resolution;

Moved Cr Naomi Bittner Seconded Cr Leanne O'Brien

That the matter lie on the table.

CARRIED 066/2021/(14/04/2021)

CARRIED 082/2021 (12/05/2021)

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Leanne O'Brien

That Council adopt the following fee schedule in relation to cat registration commencing 1 July 2021;

Standard Cat (Desexed and microchipped) - Free

Semi Non Standard (Microchipped only, not desexed) - \$10

Non-Standard Cat (Not microchipped, regardless of its desexing status) - \$25

CARRIED 083/2021 (12/05/2021)

6.34pm – Councillors Naomi Bittner and Anthony Bennett declared a conflict of interest and left the Chamber.

25.5 PERMIT TO USE A PUBLIC ROAD - SETTING OF FEES AND CHARGES - PROPOSED AUDIT**PURPOSE**

For Council to endorse the setting of fees and charges for a Permit to Use Public Roads (Permit) commencing on 1 July 2021 to 30 June 2022 and endorse to undertake an audit of public roads in accordance with the attached Project Plan.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Tania Stock

That Council:

1. endorse to undertake an audit of public roads in accordance with the attached Project Plan.

CARRIED 084/2021 (12/05/2021)

6.40pm – Councillor Naomi Bittner returned to the Chamber.

25.6 STONE AND WATER RESERVES - SETTING OF FEES AND CHARGES - PROPOSED AUDIT**PURPOSE**

For Council to endorse the setting of fees and charges for the use of stone and water reserves under lease or licence arrangement for agricultural purposes and endorse to undertake an audit of stone and water reserves in accordance with the attached Project Plan.

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Adam Meyer

That Council:

1. endorse to undertake an audit of stone and water reserves in accordance with the attached Project Plan.

CARRIED 085/2021 (12/05/2021)

6.43pm – Councillor Anthony Bennett returned to the Chamber.

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.

Councillor John Rich addressed the meeting and asked a question in relation to the card system at the Marion Bay desalination plant. Andre Kompler, Director Assets and Infrastructure answered Cr Rich’s question.

CONFIDENTIAL AGENDA**27 CONFIDENTIAL ITEMS**

Nil

28 NEXT MEETING

Wednesday 9 June 2021

29 CLOSURE

The Meeting closed at 6.46pm.

The minutes of this meeting were confirmed at the Council Meeting held on 9 June 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**

13 May 2020



CONFIDENTIAL MINUTES

Council Meeting

(Subject to confirmation)

13 May 2020

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**CONFIDENTIAL MINUTES OF COUNCIL MEETING
HELD VIA ZOOM VIDEO CONFERENCING FROM 8 ELIZABETH STREET MAITLAND ON
WEDNESDAY, 13 MAY 2020 AT 7.00PM**

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), Roger Brooks (Director Development Services), Natalie McDonald (Minute Secretary), Ben Cowley (Leader Systems and Technology)

LEAVE OF ABSENCE

Cr Jeffrey Cook

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

The purpose of this report is for Council to consider reducing outstanding and future licence fees for the Port Vincent Caravan Park and Seaside Cabins Pty Ltd to show Council's support for local businesses severely impacted by COVID-19.

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Adam Meyer

That Council:

1. adjust the outstanding licence fees of \$5,684.62 pro-rata to the date the licensee advised Council of their financial hardship on 5 February 2020 to \$2,460 and;
2. defer payment of outstanding fees for six (6) months from 1 April 2020 and that arrangements be reviewed at the expiration of that six (6) month period and;
3. enter into a new licence agreement for a further five (5) years at \$1,000 per annum plus GST, commencing 1 September 2020 and;
4. authorise the Mayor and Chief Executive Officer to sign and affix Council's Common Seal to the relevant documents necessary to execute the licence.

CARRIED 108/2020 (13/05/2020)

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)

At 7.10pm the Confidential Meeting closed.

CLOSURE

The meeting closed at 7.10pm.



.....
Mayor Darren Braund

10 June 2020



CONFIDENTIAL MINUTES

Council Meeting

(Subject to confirmation)

13 May 2020

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**CONFIDENTIAL MINUTES OF COUNCIL MEETING
HELD VIA ZOOM VIDEO CONFERENCING FROM 8 ELIZABETH STREET MAITLAND ON
WEDNESDAY, 13 MAY 2020 AT 7.10PM**

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), Roger Brooks (Director Development Services), Natalie McDonald (Minute Secretary), Ben Cowley (Leader Systems and Technology)

LEAVE OF ABSENCE

Cr Jeffrey Cook

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

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

PURPOSE

To consider the proposed retention of the agenda report, attachments, minutes and supporting documentation relevant to report 27.2 Lease Purchase Offer - Port Rickaby Caravan Park from the confidential meeting held on 12 June 2019 in confidence.

RESOLUTION

Moved: Cr Anthony Bennett
Seconded: Cr Richard Carruthers

That Council, having considered and reviewed the order made under Section 91(7) of the Local Government Act 1999 on 12 June 2019 (the Order), minute reference 145/2019, resolves to amend the Order so that it reads as follows:

1. that having reconsidered report 27.2 Lease Purchase Offer - Port Rickaby Caravan Park (Minute Reference 146/2019 – 12/06/19) 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 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 110/2020 (13/05/2020)

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)

At 7.26pm the Confidential Meeting closed.

CLOSURE

The meeting closed at 7.26pm.



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Mayor Darren Braund

10 June 2020