



MINUTES

Ordinary Council Meeting

(Subject to confirmation)

9 June 2021

**MINUTES OF YORKE PENINSULA
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MINLATON TOWN HALL, 57 MAIN STREET, MINLATON
ON WEDNESDAY, 9 JUNE 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 David Langford, 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

Cr Kristin Murdock and Cr Roger Johns

5 APOLOGIES

Nil

5.31pm

Mayor Darren Braund advised that Council was required to set aside one (1) hour to allow presentations to Council by persons interested in Council's Draft 2021/2022 Annual Business Plan, Budget and Fees and Charges.

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 Richard Carruthers

Seconded: Cr Leanne O'Brien

That the minutes of the Ordinary Council Meeting held on 12 May 2021 be confirmed.

CARRIED 087/2021 (9/06/2021)

RESOLUTION

Moved: Cr Tania Stock
Seconded: Cr Adam Meyer

That the minutes of the Special Council Meeting held on 26 May 2021 be confirmed.

CARRIED 088/2021 (9/06/2021)

8 MOTIONS ON NOTICE

Nil

9 QUESTIONS ON NOTICE

Nil

10 QUESTIONS WITHOUT NOTICE

Nil

11 PETITIONS

Nil

12 MAYOR

Mayor Darren Braund presented Cr John Rich with a Certificate - Recognising over twenty (20) years of service to Local Government from the Local Government Association of South Australia.

12.1 MAYOR'S MONTHLY REPORT MAY 2021**PURPOSE**

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

RESOLUTION

Moved: Cr David Langford
Seconded: Cr Anthony Bennett

That the report be received.

CARRIED 089/2021 (9/06/2021)

13 COUNCILLORS' REPORT

Cr David Langford offered Council a formal apology in relation to Item 23.4 – Rate Rebate – Arthurton War Memorial Sporting Clubs Inc from the 14 April 2021 Council Meeting for not declaring a conflict of interest as President of the Club. Cr David Langford reported he has since undertaken a refresher course – Module 2 – Legal Responsibilities (including a Conflict of Interest component) through the Local Government Association of South Australia.

INFORMATION AGENDA**14 ITEMS FOR EXCLUSION**

Nil

15 RECEIPT OF INFORMATION REPORTS

Mayor Darren Braund asked the Director Assets & Infrastructure Services, Andre Kompler to give a verbal update on Item 18.1 – Construction and Maintenance Works. Mr Kompler advised Council the portion of the report in relation to Sandy Church Road states that the works would be completed by end of June 2021. The work will in fact be rolled over to the following financial year in view of ongoing material supply issues.

Cr Leanne O'Brien queried Item 19.2 – Development Application Decisions. Cr O'Brien queried why a significant number of development applications had been approved in the last month, some dating back to October 2020. Director Development Services, Roger Brooks provided an update to the meeting.

ADOPTION OF INFORMATION AGENDA**RESOLUTION**

Moved: Cr John Rich
Seconded: Cr Leanne O'Brien

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

CARRIED 090/2021 (9/06/2021)

20 VISITORS TO THE MEETING

In relation to Item 24.1 – Port Vincent CWMS Expansion Project – Mayor Darren Braund advised he had received two requests to address this report and sought the leave of the meeting for Mr Peter Lehmann and Mr John Launer to speak when the agenda item was due. Leave was granted by Council.

DEBATE AGENDA**21 MAYOR**

Nil

22 CHIEF EXECUTIVE OFFICER**22.1 PRUDENTIAL REVIEW REPORT – PORT VINCENT COMMUNITY WASTEWATER MANAGEMENT SYSTEM EXPANSION PROJECT****PURPOSE**

To seek endorsement of a Prudential Review Report for the Port Vincent Community Wastewater Management System (CWMS) expansion project currently being considered by Council.

RESOLUTION

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

That Council consider and receive the independent Prudential Review report for the Port Vincent Community Wastewater Management System Expansion Project as prepared by Creative Auditing.

CARRIED 091/2021 (9/06/2021)

22.2 POLICY UPDATE - COMPLAINTS PO147**PURPOSE**

To seek endorsement and approval from Council for the updated PO147 Complaints Policy.

RESOLUTION

Moved: Cr Michael Murdock
Seconded: Cr Tania Stock

That Council endorse and approve the updated PO147 Complaints Policy for inclusion in Council's Policy Manual and on Council's website.

CARRIED 092/2021 (9/06/2021)

22.3 PLANNING DEVELOPMENT AND INFRASTRUCTURE INSTRUMENTS OF DELEGATION 40A AND 40B REVIEW AND UPDATE**PURPOSE**

For Council to review and update its Instruments of Delegation 40A and 40B, made under the Planning, Development and Infrastructure Act 2016, due to legislative change.

RESOLUTION

Moved: Cr David Langford
Seconded: Cr Naomi Bittner

That having considered its Planning Development and Infrastructure Instruments of Delegation 40A and 40B in response to legislative change, 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 the regulations and the statutory instruments made thereunder contained in the proposed Instrument of Delegation 40A (attached to this report – Attachment 1) are hereby delegated this 9th day of June 2021 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.
3. **Delegations under The Planning, Development and Infrastructure Act 2016 to Delegate Powers of the Council as a Relevant Authority**
- 3.1 In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016, the powers and functions under the Planning, Development and Infrastructure Act 2016 and the regulations and the statutory instruments made thereunder contained in the proposed Instrument of Delegation 40B (attached to this report – Attachment 2) are hereby delegated this 9th day of June 2021 to the person occupying 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.
 - 3.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Section 100(2)(c) of the Planning, Development and Infrastructure Act 2016 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 093/2021 (9/06/2021)

5.40pm

Mayor Darren Braund sought the leave of the meeting for Item 24.1 – Port Vincent CWMS Expansion Project – to be brought forward. Leave was granted by Council.

5.41pm – Mr Peter Lehmann addressed the meeting to express his view opposing the Port Vincent CWMS Expansion Project.

5.54pm – Mr John Launer addressed the meeting to express his support for the Port Vincent CWMS Expansion Project.

6.00pm – Mayor Braund sought the leave of the meeting to move to informal mode to discuss this matter. Leave was granted by Council.

6.28pm – Meeting returned to formal mode.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr David Langford

That Council return to formal mode.

CARRIED 094/2021 (9/06/2021)

24.1 PORT VINCENT CWMS EXPANSION PROJECT**PURPOSE**

To inform Council of the outcome of the community engagement process undertaken for the Port Vincent Community Wastewater Management System (CWMS) expansion project, and to allow Council to make a final decision pertaining to the Port Vincent CMWS expansion project.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Tania Stock

That Council endorse not proceeding with Port Vincent Community Wastewater Management System (CWMS) expansion project and authorise staff to undertake the following actions:

1. withdraw the grant funding application to the Building Better Regions Fund (BBRF) – Infrastructure Projects Stream – Round 5; and
2. seek confirmation from the Local Government Association (LGA) CWMS Subsidy Fund of their willingness to now prioritise and divert available funding to progressing the Stansbury CWMS expansion project.

CARRIED 095/2021 (9/06/2021)

23 CORPORATE AND COMMUNITY SERVICES**23.1 DRAFT 2021/2022 ANNUAL BUSINESS PLAN, BUDGET AND FEES AND CHARGES - PUBLIC CONSULTATION****PURPOSE**

For Council to consider written submissions received during the public consultation period and any verbal submissions made by the public at the Council meeting on Wednesday, 9 June 2021 in relation to Council's draft 2021/2022 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 Naomi Bittner
Seconded: Cr Anthony Bennett

That Council:

1. Set aside one (1) hour during this Council meeting to allow presentations to Council by persons interested in Council's Draft 2021/2022 Annual Business Plan, Budget and Fees and Charges; and

2. Receive and consider all submissions, either written or verbal, as presented before Council at this meeting prior to adoption of the draft 2021/2022 Annual Business Plan, Budget and Fees and Charges, at its special meeting to be held on Wednesday, 23 June 2021.

CARRIED 096/2021 (9/06/2021)

23.2 MINLATON BOWLING CLUB INC - COMMUNITY GRANT EXTENSION

PURPOSE

For Council to consider an extension for the acquittal of the Community Grant received by the Minlaton Bowling Club in 2020/2021.

RESOLUTION

Moved: Cr Anthony Bennett

Seconded: Cr David Langford

That Council endorse an extension until 1 September 2021 for the acquittal of the \$3,000 Community Grant awarded to the Minlaton Bowling Club in September 2020; to replace the bowling green Halogen lights with new LED lights.

CARRIED 097/2021 (9/06/2021)

23.3 WESTERN UNITED (SYP) SPORTS CLUB INC - COMMUNITY GRANT EXTENSION

PURPOSE

For Council to consider an extension for the acquittal of the Community Grant received by the Western United (SYP) Sports Club for the financial year 2020/2021.

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Adam Meyer

That Council endorse an extension until 1 September 2021 for the acquittal of the \$4,000 Community Grant awarded to Western United (SYP) Sports Club in September 2020; for the incorporation of a disabled toilet facility within the clubrooms as part of their compliance requirements for Development Approval.

CARRIED 098/2021 (9/06/2021)

23.4 PORT VINCENT PROGRESS ASSOCIATION - COMMUNITY GRANT EXTENSION**PURPOSE**

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

RESOLUTION

Moved: Cr Richard Carruthers

Seconded: Cr Tania Stock

That Council endorse an extension until 1 September 2021 for the acquittal of the \$4,000 Community Grant awarded to the Port Vincent Progress Association in September 2020; for the upgrade of the Correll Memorial Park at Port Vincent.

CARRIED 099/2021 (9/06/2021)

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

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

RESOLUTION

Moved: Cr John Rich

Seconded: Cr Adam Meyer

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

CARRIED 100/2021 (9/06/2021)

23.6 FINANCIAL REPORT AS AT 31 MAY 2021**PURPOSE**

For Council to consider the financial report and capital projects update report as at 31 May 2021.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Anthony Bennett

That Council receive the financial report and capital projects update report as at 31 May 2021.

CARRIED 101/2021 (9/06/2021)

23.7 RATE REBATE - STANSBURY MUSEUM**PURPOSE**

For Council to consider a rate rebate application received from Stansbury Museum Inc. for land and buildings leased from Council.

RESOLUTION

Moved: Cr Michael Murdock

Seconded: Cr Anthony Bennett

That Council grant a 100% discretionary rate rebate of general rates to Stansbury Museum Inc. for the property at Section 101 North Terrace Stansbury (Assessment no. 204867) for 2020/2021 and future financial years, in accordance with Section 166 (1) (c) of the Local Government Act 1999.

CARRIED 102/2021 (9/06/2021)

23.8 RATE REBATE - PORT VINCENT GOLF CLUB**PURPOSE**

For Council to consider a rate rebate application received from Port Vincent Golf Club for land leased from Council.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Naomi Bittner

That Council do not grant a rate rebate to the Port Vincent Golf Club Inc. for the property at Lot 3 Old Coast Road Port Vincent (Assessment no. 437939) for 2020/2021 and future financial years.

CARRIED 103/2021 (9/06/2021)

24 ASSETS AND INFRASTRUCTURE SERVICES

ITEM BROUGHT FORWARD.

25 DEVELOPMENT SERVICES**25.1 PROPOSED NEW LEASE - STANSBURY MUSEUM INCORPORATED FOR THE STANSBURY MUSEUM, SECTION 101 NORTH TERRACE, STANSBURY****PURPOSE**

To seek permission to proceed with the community engagement process for a proposed new lease to Stansbury Museum Incorporated for the Stansbury Museum, Section 101 North Terrace Stansbury for a period of five (5) years with three (3) by five (5) year rights of renewal.

RESOLUTION

Moved: Cr Richard Carruthers

Seconded: Cr Tania Stock

That Council:

1. give permission to commence the community engagement process for a proposed new lease to Stansbury Museum Incorporated for the Stansbury Museum, Section 101 North Terrace Stansbury for a period of five (5) years with three (3) by five (5) year rights of renewal.
2. endorse the draft document attached, which constitutes the information that is required to be made available to the public as part of the community engagement phase in accordance with Section 202 of the Local Government Act 1999.

CARRIED 104/2021 (9/06/2021)

25.2 POLICY REVIEW - PO144 RECREATIONAL VEHICLE (RV) FRIENDLY STATUS GUIDELINES**PURPOSE**

To seek approval from Council for PO144 Recreational Vehicle (RV) Friendly Status Guidelines to be made obsolete and endorse the new policy PO185 Townships Welcoming Recreation Vehicles (RV) Programs.

RESOLUTION

Moved: Cr John Rich

Seconded: Cr Tania Stock

That the matter lie on the table.

CARRIED 105/2021 (9/06/2021)

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.

Cr John Rich requested a leave of absence for the 14 July 2021 Council Meeting.

CONFIDENTIAL AGENDA

27 CONFIDENTIAL ITEMS

Nil

28 NEXT MEETING

Wednesday 14 July 2021

29 CLOSURE

The Meeting closed at 6.51pm.

The minutes of this meeting were confirmed at the Council Meeting held on 14 July 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**

12 June 2019

10 June 2020

17 June 2020



CONFIDENTIAL MINUTES

Council Meeting

(Subject to confirmation)

12 June 2019

**CONFIDENTIAL MINUTES OF COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS , MINLATON TOWN HALL, 57 MAIN STREET,
MINLATON
ON WEDNESDAY, 12 JUNE 2019 AT 7.14PM**

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

27.2 LEASE PURCHASE OFFER - PORT RICKABY CARAVAN PARK

PURPOSE

For Council to consider an offer from the lessee of the Port Rickaby Caravan Park proposing that Council purchase back the commercial leasehold on this community asset and the business as a going concern.

RESOLUTION

Moved: Cr David Langford

Seconded: Cr John Rich

That Council:

1. decline the offer from Shormad Pty Ltd for Council to purchase the leasehold interest and the lessee owned associated assets of the Port Rickaby Caravan Park business as a going concern for the sum of \$811,635 (GST free), and;
2. authorise the Chief Executive Officer to advise Shormad Pty Ltd that is has no interest in purchasing the leasehold interest and lessee owned associated assets of the Port Rickaby Caravan Park business at this time, and;
3. authorise the Chief Executive Officer to seek a settlement of the lease rental dispute as a matter of urgency including legal action if necessary.

CARRIED 145/2019 (12/06/2019)



RESOLUTION

Moved: Cr John Rich
Seconded: Cr Leanne O'Brien

Section 91 Order

That having considered report 27.2 Lease Purchase Offer - Port Rickaby Caravan Park 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 for a period of 12 Months.

CARRIED 146/2019 (12/06/2019)

At 7.32pm the Confidential Meeting closed.

CLOSURE

The meeting closed at 7.32pm.



Mayor Darren Braund

26 June 2019





CONFIDENTIAL MINUTES

Council Meeting

(Subject to confirmation)

10 June 2020

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**CONFIDENTIAL MINUTES OF COUNCIL MEETING
HELD VIA ZOOM VIDEO CONFERENCING FROM 8 ELIZABETH STREET MAITLAND
ON WEDNESDAY, 10 JUNE 2020 AT 6.19PM**

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 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

Nil

APOLOGIES

Cr David Langford

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 INDEPENDENT APPOINTMENT TO AUDIT COMMITTEE****PURPOSE**

For Council to consider and endorse the Audit Committee recommendation for the appointment of one (1) independent member to the Audit Committee until 30 November 2020 to replace Mr Peter Brass who recently tendered his resignation.

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)

At 6.22pm the Confidential Meeting closed.

CLOSURE

The meeting closed at 6.22pm.



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Mayor Darren Braund

8 July 2020





CONFIDENTIAL MINUTES

Council Meeting

(Subject to confirmation)

10 June 2020

**CONFIDENTIAL MINUTES OF COUNCIL MEETING
HELD VIA ZOOM VIDEO CONFERENCING FROM 8 ELIZABETH STREET MAITLAND ON
WEDNESDAY, 10 JUNE 2020 AT 6.23PM**

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 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

Nil

APOLOGIES

Cr David Langford

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 REQUEST FOR DISSOLUTION OF DEED VIA DISCOUNTED PAYOUT

PURPOSE

For Council to consider a request from the developer for dissolution of a deed via a discounted payout by Council of monies outstanding under the deed.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Anthony Bennett

That Council do not accept the developer's proposal and allow the deed for the land division project of land comprised in Certificates of Title Volume 5876 Folios 333 and 335 being Sections 206 and 207 in the Hundred of Dalrymple situated on Adelaide Road Stansbury SA 5582 to continue to be administered "as is".

CARRIED 133/2020 (10/06/2020)



RESOLUTION

Moved: Cr Adam Meyer
Seconded: Cr Roger Johns

Section 91 Order

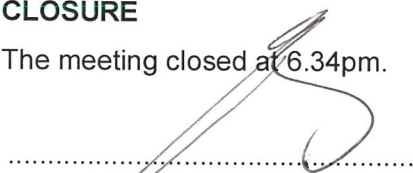
That having considered report 27.2 Request for Dissolution of Deed via Discounted Payout in confidence under Section 90(2) and (3)(a),(d)(ii) of the Local Government Act 1999 (the Act) the Council, pursuant to Section 91 (7) and 91 (9) of the Act orders that the agenda report, attachments, minutes and 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)

At 6.34pm the Confidential Meeting closed.

CLOSURE

The meeting closed at 6.34pm.



Mayor Darren Braund

8 July 2020





CONFIDENTIAL MINUTES

Special Council Meeting

(Subject to confirmation)

17 June 2020

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**CONFIDENTIAL MINUTES OF SPECIAL COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, MINLATON TOWN HALL, 57 MAIN STREET,
MINLATON
ON WEDNESDAY, 17 JUNE 2020 AT 5.32PM**

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 David Langford

IN ATTENDANCE

Mr Adam Kennedy, AME Recruitment Pty Ltd

LEAVE OF ABSENCE

Nil

APOLOGIES

Cr Kristin Murdock and Cr Roger Johns

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.

5.35pm

SHORT TERM SUSPENSION OF PROCEEDINGS – r20

Cr Meyer requested that Council allow informal discussions in relation to the report. All in agreement.

6.59pm

MEETING RETURN TO FORMAL MODE

RESOLUTION

Moved: Cr Richard Carruthers

Seconded: Cr Adam Meyer

That Council return to Formal Mode.



CARRIED 136/2020 (17/06/2020)

7 CONFIDENTIAL ITEMS**7.1 CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW****PURPOSE**

For Elected Members to consider the Chief Executive Officer Performance Review Final Report.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Anthony Bennett

That Council:

1. receive the Chief Executive Officer (CEO) Performance Review Final Report (the Final Report) for 2018/2019;
2. delegate to the Mayor the responsibility for finalising the CEO's 2020/2021 annual performance objectives (broadly in line with the performance objectives developed in the 2018/2019 Performance Review). Once completed these performance objectives will be presented to Council for consideration;
3. endorse clause 4.2 of the Chief Executive Officer's Contract of Employment (the Contract) with an increment of 3% to be applied to the CEO's base salary effective 1 July 2019 (ie. backdated to the Contract anniversary date of 1 July 2019. This will result in the CEO's base salary increasing from \$247,897.10 to \$255,334.01 with all other employment conditions as per the current contract dated 1 March 2018;
4. resolve, with the written agreement of the CEO, not to conduct an annual CEO performance review for the 2019/2020 performance year given the proximity to the finalisation of the 2018/2019 review;
5. delegate to the Mayor responsibility for obtaining written approval from the CEO in relation to 4 above, as this is a variation to the CEO's Contract; and
6. accept that the CEO has declined to accept the 3% increment (as outlined in clause 4.2 of the CEO's Contract of Employment) due to be applied to the CEO's base salary effective 1 July 2020, in response to the significant financial impact COVID-19 has had upon the Council budget. This will result in the CEO's base salary remaining at \$255,334.01 for the 2020/2021 period, instead of increasing to \$262,994.03. All other employment conditions will remain as per the current Contract dated 1 March 2018.

CARRIED 137/2020 (17/06/2020)



RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Adam Meyer

Section 91 Order

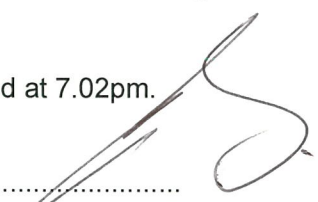
That having considered report 7.1 Chief Executive Officer's Performance Review (excluding the CEO's salary) in confidence under Section 90(2) and (3)(a) of the Local Government Act 1999 (the Act) the Council, pursuant to Section 91 (7) and 91 (9) of the Act orders that the agenda report, attachments, minutes and supporting documentation relevant to report 7.1 Chief Executive Officer's Performance Review be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 138/2020 (17/06/2020)

At 7.02pm the Confidential Meeting closed.

CLOSURE

The meeting closed at 7.02pm.



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Mayor Darren Braund

8 July 2020

