



# **MINUTES**

## **Ordinary Council Meeting**

**(Subject to confirmation)**

**13 April 2022**

**MINUTES OF YORKE PENINSULA  
COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, MINLATON TOWN HALL, 57 MAIN STREET, MINLATON  
ON WEDNESDAY, 13 APRIL 2022 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 Naomi Bittner, Cr David Langford, Cr Michael Murdock

**In Attendance**

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

**4 LEAVE OF ABSENCE**

Nil

**5 APOLOGIES**

Cr Kristin Murdock, Cr Roger Johns, Cr John Rich and Cr Anthony Bennett.

*5.31pm – Cr David Langford joined the meeting.*

**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 9 March 2022 be confirmed.

**CARRIED 045/2022 (13/04/2022)**

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Michael Murdock

That the minutes of the Confidential Council Meeting held on 9 March 2022 be confirmed.

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

**CARRIED 046/2022 (13/04/2022)**

**RESOLUTION**

Moved: Cr David Langford  
Seconded: Cr Tania Stock

That the minutes of the Confidential Council Meeting held on 9 March 2022 be confirmed.

- Chief Executive Officer's Performance Review

**CARRIED 047/2022 (13/04/2022)**

**8 MOTIONS ON NOTICE**

Nil

**9 QUESTIONS ON NOTICE**

Nil

**10 QUESTIONS WITHOUT NOTICE**

Nil

**11 PETITIONS**

Nil

**12 MAYOR**

Mayor Darren Braund announced the 2021/22 LGA Scheme Award winners were officially presented at the Local Government Association's OGM on Friday, 8 April 2022.

Mayor Braund shared a video showcasing Yorke Peninsula Council's submission featuring Stephen Goldsworthy and Letitia Dahl Helm.

Yorke Peninsula Council's submission is the winner of the LGA Mutual Liability Scheme's 'Strategic Coastal Risk Study'. Mayor Braund presented the award to Letitia Dahl Helm and congratulated everyone involved. As part of the award prize, Yorke Peninsula Council will receive \$20,000 to be spent towards coastal projects.

**12.1 MAYOR'S MONTHLY REPORT MARCH 2022**

**PURPOSE**

To keep Elected Members updated on Mayoral activities during the month of March 2022.

**RESOLUTION**

Moved: Cr Tania Stock  
Seconded: Cr Michael Murdock  
That the report be received.

**CARRIED 048/2022 (13/04/2022)**

**13 COUNCILLORS' REPORT**

Nil

**INFORMATION AGENDA**

**14 ITEMS FOR EXCLUSION**

Nil

**15 RECEIPT OF INFORMATION REPORTS**

Cr Naomi Bittner and Cr Leanne O'Brien congratulated Tramy and the team on Item 16.4 – Yorke Peninsula Business Event 2022.

**RESOLUTION**

Moved: Cr David Langford  
Seconded: Cr Richard Carruthers

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

**CARRIED 049/2022 (13/04/2022)**

**20 VISITORS TO THE MEETING**

Nil

**DEBATE AGENDA**

**21 MAYOR**

Nil

**22 CHIEF EXECUTIVE OFFICER****22.1 POLICY UPDATE - PO138 CARETAKER POLICY****PURPOSE**

To seek Council endorsement for the proposed update of PO138 Caretaker Policy.

**RESOLUTION**

Moved: Cr Adam Meyer

Seconded: Cr Tania Stock

That Council endorse and adopt the updated PO138 Caretaker Policy as presented, for inclusion in Council's Policy Manual and on Council's website.

**CARRIED 050/2022 (13/04/2022)**

**22.2 PETITION - EDITHBURGH BOAT RAMP****PURPOSE**

To seek Council endorsement to lift the matter Petition – Edithburgh Boat Ramp from the table and resume proceedings at the point preceding the resolution from the 19 January 2022 Council meeting. Further, for Council to endorse the receipt of the petition in relation to the condition of the Edithburgh boat ramp.

**RESOLUTION**

Moved: Cr Adam Meyer

Seconded: Cr David Langford

That Council endorse to lift the matter Petition – Edithburgh Boat Ramp from the table for further consideration and resume the proceedings at the point preceding the following resolution:

*Moved: Cr Adam Meyer*

*Seconded: Cr Naomi Bittner*

*That the matter lie on the table.*

**CARRIED 004/2022 (19/01/2022)**

**CARRIED 051/2022 (13/04/2022)**

**RESOLUTION**

Moved: Cr Naomi Bittner

Seconded: Cr Adam Meyer

That Council receive the Petition in relation to the condition of the Edithburgh boat ramp.

**CARRIED 052/2022 (13/04/2022)**

**23 CORPORATE AND COMMUNITY SERVICES****23.1 LONG TERM FINANCIAL PLAN 2023 - 2032****PURPOSE**

To consider public submissions received and adoption of the Long Term Financial Plan 2023 - 2032.

**RESOLUTION**

Moved: Cr Naomi Bittner  
Seconded: Cr David Langford

That Council receive and consider any public submissions and adopt the Long Term Financial Plan 2023 – 2032 as presented.

**CARRIED 053/2022 (13/04/2022)**

**23.2 FINANCIAL REPORT AS AT 31 MARCH 2022****PURPOSE**

For Council to consider the financial report and capital projects update report as at 31 March 2022.

**RESOLUTION**

Moved: Cr Adam Meyer  
Seconded: Cr Tania Stock

That Council receive the financial report and capital projects update report as at 31 March 2022.

**CARRIED 054/2022 (13/04/2022)**

**24 ASSETS AND INFRASTRUCTURE SERVICES****24.1 CWMS PROGRAM AND STANSBURY CWMS EXPANSION PROJECT****PURPOSE**

To inform Council of the status of the Stansbury Community Wastewater Management System (CWMS) expansion project development, the conclusions of due diligence project feasibility assessment, and the status of the Local Government Association (LGA) CWMS Fund contribution, prior to a future separate Council report recommending formal community consultation as part of the next steps for the project.

**RESOLUTION**

Moved: Cr Adam Meyer

Seconded: Cr Michael Murdock

That Council:

1. Write to the Local Government Association (LGA) Community Wastewater Management System (CWMS) Program requesting:
  - (a) Clarification as to the latest time that Council has to make a decision on going to formal community consultation and construction before Council risks loss or reallocation of the Stansbury CWMS Program subsidy.
  - (b) Increasing the subsidy provision for the Stansbury CWMS expansion project from \$8 million to \$9.8 million as part of the LGA CWMS Program's 2022/2023 review.
2. Not consider commencing the public consultation process in relation to the Stansbury CWMS expansion project until such time as Council receives LGA CWMS Program advice on the above points.

**CARRIED 055/2022 (13/04/2022)**

**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 18 March 2022.

**RESOLUTION**

Moved: Cr Richard Carruthers

Seconded: Cr Naomi Bittner

That Council:

1. Receive the Minutes of the Access Advisory Working Party meeting held on 18 March 2022.
2. Commit \$2,150 to the James Well and Rogues Point Progress Association for the purchase of two wheelchair accessible table and chair settings to be located at the James Well Community Centre and Prices Park.

**CARRIED 056/2022 (13/04/2022)**

**25.2 BUREAU OF METEOROLOGY - NEW LEASE AGREEMENT****PURPOSE**

To endorse a lease agreement to the Bureau of Meteorology (BOM) for the continued use of a portion of the Minlaton Aerodrome for the purpose of an automatic weather station (AWS).

**RESOLUTION**

Moved: Cr Tania Stock

Seconded: Cr David Langford

That Council:

1. Endorse a lease agreement to the Bureau of Meteorology (BOM) for the continued use of a portion of the Minlaton Aerodrome for the purpose of an automatic weather station (AWS) for a period five (5) years with two (2) by five (5) year rights of renewal.
2. Authorise the Mayor and Chief Executive Officer to sign and affix Council's Common Seal in order to execute the lease documents.

**CARRIED 057/2022 (13/04/2022)**

**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.

Mayor Darren Braund reminded Councillors to contact the Executive Assistant to CEO and Mayor in relation to attendance at ANZAC Day services.

**CONFIDENTIAL AGENDA****27 CONFIDENTIAL ITEMS****27.1 COMMUNITY WASTEWATER MANAGEMENT SCHEMES****RESOLUTION**

Moved: Cr David Langford

Seconded: Cr Tania Stock

**Section 90 Order**

That pursuant to Section 90(2) and (3)(b)(ii),(j)(i) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.1 Community Wastewater Management Schemes, with the exception of the following persons:

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



- Director Development Services

The Council is satisfied that, pursuant to Section 90(2) and (3)(b)(ii),(j)(i) of the Act, the information to be received, discussed or considered in relation to report Item 27.1 Community Wastewater Management Schemes, is confidential information relating to:

- (b)(ii) information the disclosure of which would, on balance, be contrary to the public interest
- (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 058/2022 (13/04/2022)**

## **27.2 DOCKSIDE DEVELOPMENT PORT VINCENT**

### **RESOLUTION**

Moved: Cr Tania Stock  
Seconded: Cr Adam Meyer

#### **Section 90 Order**

That pursuant to Section 90(2) and (3)(b)(i),(b)(ii) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.2 Dockside Development Port Vincent, with the exception of the following persons:

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

The Council is satisfied that, pursuant to Section 90(2) and (3)(b)(i),(b)(ii) of the Act, the information to be received, discussed or considered in relation to report Item 27.2 Dockside Development Port Vincent, 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
- (b)(ii) information the disclosure of which would, on balance, be contrary to the public interest.

Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

**CARRIED 059/2022 (13/04/2022)**

**27.3 REQUEST FOR EXEMPTION - YORKETOWN AIRSTRIP RUNWAY LIGHTING UPGRADE****RESOLUTION**

Moved: Cr Michael Murdock

Seconded: Cr David Langford

**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 27.3 Request for Exemption - Yorketown Airstrip Runway Lighting Upgrade, with the exception of the following persons:

- Chief Executive Officer
- Executive Assistant to CEO and Mayor
- Manager Financial Services
- Acting 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 27.3 Request for Exemption - Yorketown Airstrip Runway Lighting Upgrade, 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 060/2022 (13/04/2022)**

*5.56pm – The public were removed from the meeting and the Chamber secured.*

**RESUMPTION OF PUBLIC MEETING**

*Released in camera minute – 6.03pm*

**27.1 COMMUNITY WASTEWATER MANAGEMENT SCHEMES****RESOLUTION**

Moved: Cr Adam Meyer

Seconded: Cr Richard Carruthers

**Section 91 Order**

That having considered report 27.1 Community Wastewater Management Schemes in confidence under Section 90(2) and (3)(b)(ii),(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 Community Wastewater Management Schemes be retained in confidence and not available for public inspection for a period of 12 months.

**CARRIED 062/2022 (13/04/2022)**

*Released in camera minute – 6.14pm*

**27.2 DOCKSIDE DEVELOPMENT PORT VINCENT****RESOLUTION**

Moved: Cr David Langford

Seconded: Cr Richard Carruthers

**Section 91 Order**

That having considered report 27.2 Dockside Development Port Vincent in confidence under Section 90(2) and (3)(b)(i),(b)(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 Dockside Development Port Vincent be retained in confidence and not available for public inspection for a period of 12 months.

**CARRIED 064/2022 (13/04/2022)**

*Released in camera minute – 6.16pm*

**27.3 REQUEST FOR EXEMPTION - YORKETOWN AIRSTRIP RUNWAY LIGHTING UPGRADE****RESOLUTION**

Moved: Cr David Langford

Seconded: Cr Tania Stock

**Section 91 Order**

That having considered report 27.3 Request for Exemption - Yorketown Airstrip Runway Lighting Upgrade 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 27.3 Request for Exemption - Yorketown Airstrip Runway Lighting Upgrade be retained in confidence and not available for public inspection for a period of 12 months.

**CARRIED 066/2022 (13/04/2022)**

**28 NEXT MEETING**

Wednesday, 11 May 2022

**29 CLOSURE**

The Meeting closed at 6.17pm.

The minutes of this meeting were confirmed at the Council Meeting held on 11 May 2022.

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**MAYOR DARREN BRAUND**