



MINUTES

Ordinary Council Meeting

9 March 2022

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**MINUTES OF YORKE PENINSULA
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MINLATON TOWN HALL, 57 MAIN STREET, MINLATON
ON WEDNESDAY, 9 MARCH 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 John Rich, Cr Richard Carruthers, Cr Anthony Bennett, Cr Naomi Bittner, Cr Kristin Murdock, Cr David Langford, Cr Michael Murdock

In Attendance

Andrew Cameron (CEO), Jodie Terp (Acting Director Development Services), Andre Kompler (Director Assets & Infrastructure Services), Ben Thompson (Director Corporate & Community Services), Natalie McDonald (Minute Secretary)

4 LEAVE OF ABSENCE

Cr Tania Stock

5 APOLOGIES

Cr Roger Johns, Cr Adam Meyer, Cr Leanne O'Brien

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 Anthony Bennett

That the minutes of the Ordinary Council Meeting held on 9 February 2022 be confirmed.

CARRIED 023/2022 (9/03/2022)

5.32pm – Cr David Langford entered the Chamber and joined the meeting.

8 MOTIONS ON NOTICE

Nil

9 QUESTIONS ON NOTICE

Nil



10 QUESTIONS WITHOUT NOTICE

Nil

11 PETITIONS

Nil

12 MAYOR

Mayor Darren Braund updated his Mayor's Monthly Report including:

- Announcing what a great two weeks for the Yorke Peninsula Council area receiving over \$4 million in grant funding, including \$2.25 million for Council to build the SYP Child Care Centre.
- Yorke Peninsula Council receiving two national awards:
 - Silver for the SYP Water Tower Mural Trail for best Rural Art in Australia
 - Gold Medal for Point Turton Caravan Park in the Grey Nomad Awards

Mayor Braund congratulated everyone involved with these fantastic achievements for Yorke Peninsula Council.

- Acknowledging work has commenced on the sealing of the Minlaton Air Strip.
- Acknowledging Sonny Coombe for all his work reporting on Council with the Country Times and welcoming Sonny to the Yorke Peninsula Council as the Community Engagement Officer.

12.1 MAYOR'S MONTHLY REPORT FEBRUARY 2022**PURPOSE**

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

RESOLUTION

Moved: Cr John Rich
Seconded: Cr Kristin Murdock

That the report be received.

CARRIED 024/2022 (9/03/2022)

13 COUNCILLORS' REPORT

Nil

INFORMATION AGENDA**14 ITEMS FOR EXCLUSION**

Nil



15 RECEIPT OF INFORMATION REPORTS

ADOPTION OF INFORMATION AGENDA

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr David Langford

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

CARRIED 025/2022 (9/03/2022)

20 VISITORS TO THE MEETING

Nil

DEBATE AGENDA

21 MAYOR

Nil

22 CHIEF EXECUTIVE OFFICER

22.1 POLICY UPDATE - PO148 FRAUD, CORRUPTION, MISCONDUCT AND MALADMINISTRATION PREVENTION POLICY

PURPOSE

To seek Council endorsement for the proposed update of PO148 Fraud, Corruption, Misconduct and Maladministration Prevention Policy.

RESOLUTION

Moved: Cr Richard Carruthers
Seconded: Cr Michael Murdock

That Council endorse and adopt the draft updated PO148 Fraud, Corruption, Misconduct and Maladministration Prevention Policy as presented for inclusion in Council's policy manual and on Council's website.

CARRIED 026/2022 (9/03/2022)



22.2 POLICY REVIEW - PO140 PETITION MANAGEMENT POLICY

PURPOSE

To seek endorsement and approval from Council for the updated PO140 Petition Management Policy.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr David Langford

That Council endorse and approve the updated PO140 Petition Management Policy for inclusion in Council's Policy Manual and on the Council website.

CARRIED 027/2022 (9/03/2022)

22.3 POLICY UPDATE - PO121 EXTERNAL GRANT FUNDING POLICY

PURPOSE

To seek Council endorsement for the proposed update of PO121 External Grant Funding Policy.

RESOLUTION

Moved: Cr David Langford
Seconded: Cr Richard Carruthers

That Council endorse and adopt the draft, updated PO121 External Grant Funding Policy as presented, for inclusion in Council's policy manual and on Council's website.

CARRIED 028/2022 (9/03/2022)

22.4 POLICY REVIEW - PO089 ELECTED MEMBER ALLOWANCES AND BENEFITS POLICY

PURPOSE

To seek Council endorsement of the updated PO089 Elected Member Allowances and Benefits Policy.

RESOLUTION

Moved: Cr Anthony Bennett
Seconded: Cr John Rich

That Council endorse and adopt the updated PO089 Elected Member Allowances and Benefits Policy as presented, for inclusion in Council's policy manual and on Council's website.

CARRIED 029/2022 (9/03/2022)



22.5 HOUSING AFFORDABILITY AND AVAILABILITY ON THE YORKE PENINSULA - A CASE STUDY REPORT**PURPOSE**

To provide Elected Members with a copy of the 'Housing affordability and availability on the Yorke Peninsula - a case study report' that Council developed and sent to SAROC in support of a proposal for SAROC to hold a Regional Housing Crisis roundtable with State government officials and representative Mayors from each region.

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr John Rich

That Council receive the Housing affordability and availability on the Yorke Peninsula – a case study report and note the dire situation of the housing crisis on the Yorke Peninsula.

CARRIED 030/2022 (9/03/2022)

23 CORPORATE AND COMMUNITY SERVICES**23.1 COMMUNITY CONSULTATION LEASE PORT VICTORIA CARAVAN PARK****PURPOSE**

To consider submissions received in response to the community engagement process for the proposed new lease of the Port Victoria Gulfhaven Caravan Park to Mr and Mrs John and Barbara Voysey of Voysey Holdings Pty Ltd.

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Richard Carruthers

That Council:

1. Receive the seven written submissions in response to the community engagement process for the proposed new lease to the Port Victoria Gulfhaven Caravan Park to Mr and Mrs John and Barbara Voysey of Voysey Holdings Pty Ltd.
2. Having considered the written submissions, endorse the preparation of a five (5) year lease to Voysey Holdings Pty Ltd, with four (4) by five (5) year rights of renewal resulting in an overall lease term of twenty five (25) years.
3. Endorse the preparation of a Deed of Surrender in respect of the existing licence between Council and Nicks Hairdressing (Whyalla) Pty Ltd.
4. Authorise the Mayor and Chief Executive Officer to sign and affix Council's Common Seal in order to execute the lease documents and deed of surrender.

CARRIED 031/2022 (9/03/2022)

23.2 WAROOKA PROGRESS ASSOCIATION - REQUEST FOR ACCEPTANCE - FREE OF CHARGE ASSETS**PURPOSE**

Council has been approached by the Warooka Progress Association seeking to gift playground equipment to Council as a "Free of Charge" asset.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Kristin Murdock

That Council accept the donation of the playground equipment installed at the Warooka Oval as assets "Free of Charge" and authorise the structure to be added to Council's asset register.

CARRIED 032/2022 (9/03/2022)

23.3 REGIONAL COMMODITY AND FREIGHT ROADS UPGRADE LOAN**PURPOSE**

To seek approval from Council to borrow money from the Local Government Finance Authority (LGFA) for the upgrade of Regional Commodity and Freight Roads in the Council area under a joint agreement by the Yorke Peninsula Alliance (YPA).

RESOLUTION

Moved: Cr Michael Murdock
Seconded: Cr David Langford

That Council:

1. pursuant to the provision of Section 134 of the Local Government Act 1999, Yorke Peninsula Council does hereby order that the said Council shall borrow by means of a debenture loan on the security of the general revenue of the Council, the sum of \$1,552,350 (One Million, Five Hundred, Fifty Two Thousand, Three Hundred and Fifty Dollars) from the Local Government Finance Authority and that the said loan shall be for a period of five (5) years. The said loan will be to upgrade Silo Road, Wauraltee Road, Mount Rat Road and Dans Road in the Council area.
2. the Mayor and Chief Executive Officer be authorised to sign and seal any documentation to give effect to this resolution.

CARRIED 033/2022 (9/03/2022)



23.4 POLICY REVIEW - PO094 ANNUAL ALLOCATION TO PROGRESS ASSOCIATIONS

PURPOSE

To seek approval from the Council for the updated PO094 Annual Allocation to Progress Associations policy.

RESOLUTION

Moved: Cr John Rich
Seconded: Cr Anthony Bennett

That Council endorse and adopt the updated PO094 Annual Allocation to Progress Associations Policy, as presented for inclusion in Council's policy manual and on Council's website.

CARRIED 034/2022 (9/03/2022)

23.5 POLICY REVIEW - PO018 HARDSHIP POLICY FOR RESIDENTIAL CUSTOMERS OF MINOR AND INTERMEDIATE WATER RETAILERS

PURPOSE

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

RESOLUTION

Moved: Cr David Langford
Seconded: Cr Michael Murdock

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

CARRIED 035/2022 (9/03/2022)

23.6 AUDIT COMMITTEE ANNUAL REPORT 2021

PURPOSE

For Council to receive the Audit Committee Annual Report for the 2021 calendar year in accordance with Clause 13 of the Audit Committee's Terms of Reference.

RESOLUTION

Moved: Cr David Langford
Seconded: Cr Kristin Murdock

That Council endorse the Audit Committee Annual Report for the 2021 calendar year and the revised Terms of Reference as presented.

CARRIED 036/2022 (9/03/2022)

23.7 DRAFT LONG TERM FINANCIAL PLAN 2023 - 2032

PURPOSE

To seek Council endorsement to engage in the public consultation process for the Draft Long Term Financial Plan 2023 - 2032 (LTFP).

RESOLUTION

Moved: Cr Michael Murdock

Seconded: Cr Naomi Bittner

That Council endorse the Draft Long Term Financial Plan 2023 – 2032 for public consultation.

CARRIED 037/2022 (9/03/2022)

23.8 FINANCIAL REPORT AS AT 28 FEBRUARY 2022

PURPOSE

For Council to consider the financial report and capital projects update report as at 28 February 2022.

RESOLUTION

Moved: Cr David Langford

Seconded: Cr Richard Carruthers

That Council receive the financial report and capital projects update report as at 28 February 2022.

CARRIED 038/2022 (9/03/2022)

24 ASSETS AND INFRASTRUCTURE SERVICES

Nil

25 DEVELOPMENT SERVICES

Nil

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 John Rich

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 27.1 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
- Director Corporate and Community Services
- Director Assets and Infrastructure
- Acting 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 039/2022 (9/03/2022)



27.2 CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW**RESOLUTION**

Moved: Cr David Langford

Seconded: Cr Richard Carruthers

Section 90 Order

That pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.2 Chief Executive Officer's Performance Review.

The Council is satisfied that, pursuant to Section 90(2) and (3)(a) of the Act, the information to be received, discussed or considered in relation to report Item 27.2 Chief Executive Officer's Performance Review, is confidential information relating to:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

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 040/2022 (9/03/2022)

5.55pm – The public were removed from the meeting and the Chamber secured.



RESUMPTION OF PUBLIC MEETING

Release in camera minute – 6.07pm

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

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr David Langford

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 042/2022 (9/03/2022)

Released in camera minute – 6.15pm

27.2 CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW

RESOLUTION

Moved: Cr David Langford
Seconded: Cr Naomi Bittner

Section 91 Order

That having considered report 27.2 Chief Executive Officer's Performance Review 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 27.2 Chief Executive Officer's Performance Review be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 044/2022 (9/03/2022)



28 NEXT MEETING

Wednesday 13 April 2022

29 CLOSURE

The Meeting closed at 6.16pm.

The minutes of this meeting were confirmed at the Council Meeting held on 13 April 2022.



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MAYOR DARREN BRAUND

