



MINUTES

Ordinary Council Meeting

(Subject to confirmation)

8 June 2022

**MINUTES OF YORKE PENINSULA
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MINLATON TOWN HALL, 57 MAIN STREET, MINLATON
ON WEDNESDAY, 8 JUNE 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 Anthony Bennett, Cr Naomi Bittner, Cr Roger Johns, Cr Michael Murdock

In Attendance

Andrew Cameron (CEO), Roger Brooks (Director Development Services), Andre Kompler (Director Assets & Infrastructure Services), Ben Thompson (Director Corporate & Community Services), Natalie McDonald (Minute Secretary), Lauren McSkimming (Minute Secretary)

4 LEAVE OF ABSENCE

Cr John Rich

5 APOLOGIES

Cr Kristin Murdock and Cr David Langford.

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 Naomi Bittner

That the minutes of the Ordinary Council Meeting held on 11 May 2022 be confirmed.

CARRIED 096/2022 (8/06/2022)

RESOLUTION

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

That the minutes of the Confidential Council Meeting held on 11 May 2022 be confirmed.

- ESCOSA Proposed Framework and Approach – Strategic Management Plan Advice Scheme

CARRIED 097/2022 (8/06/2022)

RESOLUTION

Moved: Cr Richard Carruthers
Seconded: Cr Michael Murdock

That the minutes of the Confidential Council Meeting held on 11 May 2022 be confirmed.

- Jetty Pylon Replacement

CARRIED 098/2022 (8/06/2022)

RESOLUTION

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

That the minutes of the Special Council Meeting held on 25 May 2022 be confirmed.

CARRIED 099/2022 (8/06/2022)

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 MAY 2022****PURPOSE**

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

RESOLUTION

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

That the report be received.

CARRIED 100/2022 (8/06/2022)

13 COUNCILLORS' REPORT

Nil

INFORMATION AGENDA**14 ITEMS FOR EXCLUSION**

Councillor Naomi Bittner referred to item 18.1 Construction and Maintenance Works Report, and wanted to pass on her thanks to Council Staff on the work done on Brutus Road.

15 RECEIPT OF INFORMATION REPORTS**ADOPTION OF INFORMATION AGENDA****RESOLUTION**

Moved: Cr Tania Stock
Seconded: Cr Anthony Bennett

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

CARRIED 101/2022 (8/06/2022)

20 VISITORS TO THE MEETING

5.38pm

Max Barr – Project Manager, Northern and Yorke Landscape Board addressed the Council with a Marna Banggara Project Update.

6.04pm *The presentation concluded.*

DEBATE AGENDA**21 MAYOR**

Nil

22 CHIEF EXECUTIVE OFFICER

Nil

23 CORPORATE AND COMMUNITY SERVICES**23.1 PORT JULIA PROGRESS ASSOCIATION - REQUEST FOR ACCEPTANCE - FREE OF CHARGE ASSET****PURPOSE**

Council has been approached by the Port Julia Progress Association seeking to gift jetty solar lights to Council as a "Free of Charge" asset.

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Roger Johns

That Council accept the donation of the Port Julia jetty solar lights as an asset "Free of Charge" and authorise the lights to be added to Council's asset register.

CARRIED 102/2022 (8/06/2022)

23.2 DEBT WRITE OFF - YP LEISURE OPTIONS**PURPOSE**

To obtain Council approval to write off the amount of \$1,501.26 invoiced to a YP Leisure Options member (invoice number 59518 as payment for attending YP Leisure Options day program service).

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Naomi Bittner

That Council approve the writing off of invoice number 59518, for debtor number 6717/97, to a total of \$1,501.26.

CARRIED 103/2022 (8/06/2022)

23.3 FINANCIAL REPORT AS AT 31 MAY 2022**PURPOSE**

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

RESOLUTION

Moved: Cr Michael Murdock

Seconded: Cr Leanne O'Brien

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

CARRIED 104/2022 (8/06/2022)

23.4 MAITLAND BOWLING CLUB INCORPORATED - COMMUNITY GRANT EXTENSION**PURPOSE**

For Council to consider an extension for the acquittal of the Community Grant received by the Maitland Bowling Club Incorporated in 2021/2022.

RESOLUTION

Moved: Cr Tania Stock
Seconded: Cr Roger Johns

That Council endorse an extension until 30 September 2022 for the acquittal of the \$2,517.34 Community Grant awarded to the Maitland Bowling Club Incorporated in September 2021; to restore the clubs memorabilia.

CARRIED 105/2022 (8/06/2022)

24 ASSETS AND INFRASTRUCTURE SERVICES**24.1 NETWORK LEVEL HEAVY VEHICLE ROUTE ASSESSMENT AND RISK ANALYSIS****PURPOSE**

To inform Council of the outcomes of the Network Level Heavy Vehicle Route Assessment and Risk Analysis recently undertaken by HDS Australia and seek Council approval to move to the next steps of implementing the recommendations from this assessment.

RESOLUTION

Moved: Cr Roger Johns
Seconded: Cr Leanne O'Brien

That Council:

1. Receive the Network Level Heavy Vehicle Route Assessment and Risk Analysis undertaken by HDS Australia.
2. Liaise with the Roads Working Party and bring a report to the November 2022 meeting of Council on the proposed long term risk management strategy and proposed funding source for future budgets, prior to community consultation and final adoption of the strategy.
3. Endorse the focus of the 2022/2023 intersections budget on P1 and P2 signage and sight distance issues associated with existing Oversize Overmass (OSOM) and agricultural permit roads.

CARRIED 106/2022 (8/06/2022)

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 29 April 2022.

RESOLUTION

Moved: Cr Richard Carruthers

Seconded: Cr Adam Meyer

That Council:

1. Receive the Minutes of the Access Advisory Working Party meeting held on 29 April 2022.
2. Endorse the rollover of any remaining unspent funds from the 2021/2022 Access Advisory Working Party budget to the 2022/2023 financial year and commit a total of \$9,032 (excluding GST) from the 2022/2023 budget for the installation of handrails on the information pergola stairway, Port Victoria.

CARRIED 107/2022 (8/06/2022)

25.2 SETTING OF FEES FOR EXPIATIONS PURSUANT TO BY-LAWS**PURPOSE**

For Council to review the expiation fees pursuant to the By-laws of 2020.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Anthony Bennett

Pursuant to Section 246 (5)(b) of the Local Government Act 1999 and in accordance with Clause 6.1 of Council's Permits and Penalties By-law 2020, Council fixes an expiation fee commencing 1 July 2022 for alleged offences against the following Council by-laws:

By-law	Expiation Fee
Permits and Penalties By-law 2020	\$150.00
Local Government Land By-law 2020	\$150.00
Road By-law 2020	\$150.00
Moveable Signs By-law 2020	\$150.00
Dogs By-law 2020	\$150.00
Cats By-law 2020	\$150.00
Port Vincent Marina By-law 2020	\$150.00

CARRIED 108/2022 (8/06/2022)

25.3 POLICY REVIEW - PO127 COUNCIL ASSESSMENT PANEL DELEGATIONS' POLICY - TO BE MADE OBSOLETE**PURPOSE**

To inform Elected Members that PO127 Council Assessment Panel Delegations policy is to be made obsolete.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Leanne O'Brien

That Council endorse PO127 Council Assessment Panel Delegations policy to be made obsolete and removed from Council's Policy Manual and Council's website.

CARRIED 109/2022 (8/06/2022)

25.4 LAND MANAGEMENT AGREEMENT - LOT 4 SOUTH COAST ROAD, FOUL BAY**PURPOSE**

To seek authorisation from Council to waive compliance with relevant clauses of an existing Land Management Agreement to allow for development to be constructed outside of the designated building envelope on Allotment 4, Deposited Plan 32900 in the area named Foul Bay, Hundred of Coonarie, commonly known as Lot 4 South Coast Road, Foul Bay.

RESOLUTION

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

That Council authorise the waiving of Clauses 2.3.1.1 and 2.3.1.2 of the Land Management Agreement Deed registered on Certificate of Title Volume 5379 Folio 889 (Dealing Number 7152749) to allow for the development of an agricultural building (implement shed) outside of the designated building envelope (Development Application 22002902) on Allotment 4, Deposited Plan 32900 in the area named Foul Bay, Hundred of Coonarie.

CARRIED 110/2022 (8/06/2022)

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.

Nil.

CONFIDENTIAL AGENDA**27 CONFIDENTIAL ITEMS****27.1 COMMERCIAL LAUNDRY EQUIPMENT - CARAVAN PARKS****RESOLUTION**

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

Section 90 Order

That pursuant to Section 90(2) and (3)(k) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.1 Commercial Laundry Equipment - Caravan Parks, 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
- Director Development Services
- Executive Assistant Support Officer

The Council is satisfied that, pursuant to Section 90(2) and (3)(k) of the Act, the information to be received, discussed or considered in relation to report Item 27.1 Commercial Laundry Equipment - Caravan Parks, is confidential information relating to:

- (k) tenders for the supply of goods, the provision of services or the carrying out of works.

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 111/2022 (8/06/2022)

27.2 CEO KEY PERFORMANCE INDICATORS 2022/2023 - STATUS UPDATE**RESOLUTION**

Moved: Cr Richard Carruthers
Seconded: Cr Adam Meyer

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 CEO Key Performance Indicators 2022/2023 - Status Update, with the exception of the following persons:

- Chief Executive Officer

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 CEO Key Performance Indicators 2022/2023 - Status Update, 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 112/2022 (8/06/2022)

6.35pm – The public were removed from the meeting and the Chamber secured.

RESUMPTION OF PUBLIC MEETING

Released in camera minute – 6.40pm

27.1 COMMERCIAL LAUNDRY EQUIPMENT - CARAVAN PARKS**PURPOSE**

To provide relevant information in support of the recent open tender process for the provision and maintenance of commercial laundry equipment for caravan parks (tender 221-2022), pursuant to the relevant sections of the Purchasing and Procurement Policy (PO058).

RESOLUTION

Moved: Cr Tania Stock

Seconded: Cr Naomi Bittner

That Council endorse F.L Costello and Co. as the preferred tenderer to provide and maintain commercial laundry equipment at a total cost of \$193,440 for a period of five years to seven Council owned caravan parks.

CARRIED 113/2022 (8/06/2022)

Section 91 Order

That having considered report 27.1 Commercial Laundry Equipment - Caravan Parks in confidence under Section 90(2) and (3)(k) 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 Commercial Laundry Equipment - Caravan Parks be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 114/2022 (8/06/2022)

Released in camera minute – 7.02pm

27.2 CEO KEY PERFORMANCE INDICATORS 2022/2023 - STATUS UPDATE**RESOLUTION**

Moved: Cr Tania Stock

Seconded: Cr Richard Carruthers

Section 91 Order

That having considered report 27.2 CEO Key Performance Indicators 2022/2023 - Status Update 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 CEO Key Performance Indicators 2022/2023 - Status Update be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 116/2022 (8/06/2022)

28 NEXT MEETING

Wednesday 13 July 2022

29 CLOSURE

The Meeting closed at 7.03pm

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

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MAYOR DARREN BRAUND