



MINUTES

Ordinary Council Meeting

(Subject to confirmation)

30 November 2022

**MINUTES OF YORKE PENINSULA
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MINLATON TOWN HALL, 57 MAIN STREET, MINLATON
ON WEDNESDAY, 30 NOVEMBER 2022 AT 5.30PM**

1 WELCOME BY CHIEF EXECUTIVE OFFICER

CEO Andrew Cameron congratulated all Councillors on their election, welcomed everyone to the meeting and declared the meeting open.

2 MAYOR'S OATH OF OFFICE, ACKNOWLEDGEMENT OF COUNTRY AND OPENING PRAYER

Mayor Darren Braund was invited to undertake his Oath of Office, witnessed by Natalie McDonald JP. Mayor Darren Braund proceeded to undertake an Acknowledgement of Country, the Opening Prayer and once again welcomed everyone to the meeting.

Mayor Darren Braund provided some opening remarks prior to continuing with the meeting.

3 PRESENT

Mayor Darren Braund, Cr Tania Stock, Cr Richard Carruthers, Cr Alan Headon, Cr Scott Hoyle, Cr Adam Meyer, Cr Naomi Bittner, Cr Kristin Murdock, Cr Roger Johns, Cr Trevor Clerke, Cr Kylie Gray, Cr Michael O'Connell

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 (Executive Assistant Support Officer)

4 LEAVE OF ABSENCE/APOLOGIES

Nil

5 ELECTED MEMBERS OATH OF OFFICE

The Elected Members were invited to individually undertake their Oath of Office, witnessed by Natalie McDonald JP.

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.

7 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION

RESOLUTION

Moved: Cr Roger Johns

Seconded: Cr Richard Carruthers

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

CARRIED 220/2022 (30/11/2022)

8 MOTIONS ON NOTICE

Nil

9 QUESTIONS ON NOTICE

Nil

10 QUESTIONS WITHOUT NOTICE

Nil

11 PETITIONS

Nil

12 MAYOR

Nil

13 COUNCILLORS' REPORT

Nil

INFORMATION AGENDA

14 ITEMS FOR EXCLUSION

Nil

15-19 RECEIPT OF INFORMATION REPORTS

Nil

20 VISITORS TO THE MEETING

Nil

DEBATE AGENDA

21 MAYOR

Nil

22 CHIEF EXECUTIVE OFFICER**22.1 CORRESPONDENCE RECEIVED FROM THE ELECTORAL COMMISSION SA****PURPOSE**

To provide Elected Members with correspondence received from the Electoral Commission SA in relation to the 2022 Council Election results.

RESOLUTION

Moved: Cr Adam Meyer
Seconded: Cr Kristin Murdock
That the report be received.

CARRIED 221/2022 (30/11/2022)

22.2 APPOINTMENT OF DEPUTY MAYOR**PURPOSE**

For Council to consider appointing a Deputy Mayor as determined by the Council.

5.41pm - with the approval of the Elected Members the meeting moved to informal mode to discuss the term of office for the Deputy Mayor and a call for nominations for the position of Deputy Mayor.

Discussion ensued about the term of office for the Deputy Mayor with some councillors supporting a two year term and some supporting a four year term.

The Mayor asked for nominations for the position of Deputy Mayor. Two nominations were received. The Mayor then asked for a secret ballot to be undertaken in which the Mayor was given a vote. The ballot was drawn at six all. Discussion ensued and the meeting agreed to return to formal meeting procedures and vote accordingly.

5.49pm

MOTION

Moved: Cr Tania Stock
Seconded: Cr Kristin Murdock
That Council return to formal mode.

CARRIED 222/2022 (30/11/2022)

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Scott Hoyle
That Council:

1. Determine the term of office for the Deputy Mayor for a period of four years.
2. Appoint Cr Carruthers as the Deputy Mayor for the term determined in point 1 above.

CARRIED 223/2022 (30/11/2022)

22.3 APPOINTMENT TO COUNCIL COMMITTEES AND COMMUNITY GROUPS**PURPOSE**

For Council to endorse the appointment of representatives to Council Committees and Community Groups.

RESOLUTION

Moved: Cr Richard Carruthers

Seconded: Cr Adam Meyer

That Council appoint:

1. Mayor Darren Braund as an ex-officio member of all Council Committees and Working Parties excepting the Statutory Committees eg. Audit and Risk Committee and Council Assessment Panel.
2. The following Councillors be appointed to represent Council for the current term to 2026:
 - Three Councillors to the Tender Evaluation Panel
Cr Alan Headon, Cr Roger Johns, Cr Scott Hoyle
 - Five Councillors to make up the Grants Working Party
Cr Kristin Murdock, Cr Richard Carruthers, Cr Alan Headon
Cr Tania Stock, Cr Trevor Clerke
 - Two Councillors to the Edithburgh Tidal Pool Working Party
Cr Kylie Gray, Cr Michael O'Connell
 - Three Councillors to the Coastal Management Strategy Working Party
Cr Kristin Murdock, Cr Naomi Bittner, Cr Scott Hoyle
 - Four Councillors to the Roads Working Party
Cr Naomi Bittner, Cr Scott Hoyle, Cr Alan Headon, Cr Roger Johns
 - Two Councillors be appointed to the Access Advisory Working Party
Cr Richard Carruthers, Cr Alan Headon
 - Two Councillors be appointed to the Art Exhibition Working Party
Cr Tania Stock, Cr Trevor Clerke
 - Two councillors to share the position of Council Representative with the Yorke Peninsula Health Advisory Council Inc.
Cr Tania Stock, Cr Alan Headon

That Mayor Braund be appointed as the Legatus Representative.

The Mayor, Deputy Mayor and all Councillors be appointed to the CEO Annual Performance Review Working Party.
3. The following Council appointments to Progress Associations be made:

Ardrossan	Cr Richard Carruthers
Arthurton.....	Cr Roger Johns
Balgowan.....	Cr Roger Johns
Black Point	Cr Tania Stock

Bluff Beach Community Group.....	Cr Scott Hoyle
Chinamen Wells (Shack Owners)	Cr Roger Johns
Coobowie.....	Cr Michael O'Connell
Corny Point.....	Cr Kristin Murdock
Curramulka Community Club	Cr Naomi Bittner
Edithburgh	Cr Michael O'Connell
Foul Bay	Cr Adam Meyer
Hardwicke Bay.....	Cr Kylie Gray
James Well / Rogues Point	Cr Richard Carruthers
Maitland	Cr Tania Stock / Cr Roger Johns
Marion Bay.....	Cr Kristin Murdock
Minlaton	Cr Scott Hoyle
Pine Point	Cr Naomi Bittner
Point Turton	Cr Kristin Murdock
Port Clinton.....	Cr Alan Headon
Port Julia.....	Cr Tania Stock
Port Moorowie (Friends of).....	Cr Adam Meyer
Port Rickaby	Cr Naomi Bittner
Port Victoria	Cr Tania Stock
Port Vincent	Cr Trevor Clerke
Price	Cr Alan Headon
Sheoak Flat.....	Cr Naomi Bittner
Stansbury	Cr Trevor Clerke
The Pines	Cr Adam Meyer
Tiddy Widdy Beach.....	Cr Richard Carruthers
Warooka	Cr Kristin Murdock
Wool Bay	Cr Kylie Gray
Yorketown.....	Cr Adam Meyer

CARRIED 224/2022 (30/11/2022)

22.4 COUNCIL MEETING ARRANGEMENTS - FREQUENCY AND TIMING**PURPOSE**

To seek Elected Members' endorsement of future council meeting dates and times.

RESOLUTION

Moved: Cr Alan Headon

Seconded: Cr Scott Hoyle

Council endorse that future meetings will be held on the second Wednesday of each month commencing at 5.30pm with the exception of the January meeting which is deferred until the third week of the month due to the timing of public holidays.

CARRIED 225/2022 (30/11/2022)

22.5 AGENDA TEMPLATE FOR COUNCIL MEETINGS**PURPOSE**

To seek Council support for matters for consideration to be included within the Council Agenda Template.

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Alan Headon

That Council endorse the Agenda Template Items as outlined within the body of this report.

CARRIED 226/2022 (30/11/2022)

22.6 REPORT ON LAPSED ITEMS - POLICY REVIEW - PO144 RECREATIONAL VEHICLE (RV) FRIENDLY STATUS GUIDELINES**PURPOSE**

To report to Council on matters that have lapsed prior to being resolved in the previous term of Council.

RESOLUTION

Moved: Cr Trevor Clerke

Seconded: Cr Tania Stock

That the report be received.

CARRIED 227/2022 (30/11/2022)

23 CORPORATE AND COMMUNITY SERVICES**23.1 AUDIT AND RISK COMMITTEE TERMS OF REFERENCE REVIEW****PURPOSE**

For consideration and endorsement of the Audit and Risk Committee updated Terms of Reference (ToR) and the appointment of Elected Members to represent Council on the Audit and Risk Committee.

6.10pm – with the approval of the Elected Members the meeting moved to informal mode to discuss the requirements for representation to the Audit and Risk Committee. Discussion ensued and the meeting agreed to return to formal meeting procedures and vote accordingly.

6.15pm

MOTION

Moved: Cr Alan Headon

Seconded: Cr Scott Hoyle

That Council return to formal mode.

CARRIED 228/2022 (30/11/2022)

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Trevor Clerke

That Council:

Nominate Cr Tania Stock, Cr Adam Meyer and Cr Alan Headon to represent Council on the Audit and Risk Committee for the current term.

CARRIED 229/2022 (30/11/2022)

23.2 COMMUNITY RECREATION AND SPORTS FACILITIES PROGRAM GRANT APPLICATION**PURPOSE**

To seek Council endorsement to submit a grant application through the Office for Recreation, Sport and Racing Community Recreation and Sports Facilities Program seeking an asphalt pump track at Port Vincent, and to add Elected Member representation to the Wheeled Sports Working Party.

RESOLUTION

Moved: Cr Tania Stock

Seconded: Cr Roger Johns

1. That Council endorse submitting an application for funding of approximately \$150,000 through the Office for Recreation, Sport and Racing Community Recreation and Sports Facilities Program for an asphalt pump track at Port Vincent, and commit to providing a co-contribution of approximately \$100,000 for the project should the grant application be successful.
2. That Council nominates Cr Adam Meyer as their preferred Elected Member representation to the Wheeled Sports Working Party.

CARRIED 230/2022 (30/11/2022)

24 ASSETS AND INFRASTRUCTURE SERVICES

Nil

25 DEVELOPMENT SERVICES**25.1 REVIEW - YORKE PENINSULA COUNCIL ASSESSMENT PANEL TERMS OF REFERENCE****PURPOSE**

For Council to endorse and adopt the updated Yorke Peninsula Council Assessment Panel Terms of Reference in accordance with the Planning, Development and Infrastructure Act 2016.

RESOLUTION

Moved: Cr Richard Carruthers

Seconded: Cr Michael O'Connell

That Council endorse and adopt the updated Yorke Peninsula Council Assessment Panel Terms of Reference in accordance with the Planning, Development and Infrastructure Act 2016.

CARRIED 231/2022 (30/11/2022)**25.2 COUNCIL MEMBER APPOINTMENTS - YORKE PENINSULA COUNCIL ASSESSMENT PANEL****PURPOSE**

In accordance with Section 83(1) of the Planning, Development and Infrastructure Act 2016, Council is required to appoint one (1) Elected Member and one (1) Deputy Elected Member to the Council Assessment Panel for the current local government term concluding November 2026.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Tania Stock

In accordance with Section 83(1) of the Planning, Development and Infrastructure Act 2016, Council appoints Councillor Richard Carruthers to the Elected Member position and Cr Kylie Gray as the Deputy Elected Member on the Yorke Peninsula Council Assessment Panel for the current local government term concluding November 2026.

CARRIED 232/2022 (30/11/2022)**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 THE SYP COMMUNITY CHILDCARE CENTRE - REQUEST FOR EXPRESSION OF INTEREST FROM CHILDCARE PROVIDERS - EVALUATION OUTCOMES****RESOLUTION**

Moved: Cr Richard Carruthers

Seconded: Cr Adam Meyer

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 The SYP Community Childcare Centre - Request for Expression of Interest from childcare providers - Evaluation Outcomes, 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
- John Drillis, Rider Levett Bucknall

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 The SYP Community Childcare Centre - Request for Expression of Interest from childcare providers - Evaluation Outcomes, 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 233/2022 (30/11/2022)

27.2 CONSTRUCTION OF THE SOUTHERN YORKE PENINSULA COMMUNITY CHILDCARE CENTRE**RESOLUTION**

Moved: Cr Alan Headon

Seconded: Cr Naomi Bittner

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 27.2 Construction of the Southern Yorke Peninsula Community Childcare Centre, 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
- John Drillis, Rider Levett Bucknall

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 27.2 Construction of the Southern Yorke Peninsula Community Childcare Centre, 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 234/2022 (30/11/2022)

6.28pm – The public were removed from the meeting and the Chamber secured.

RESUMPTION OF PUBLIC MEETING

Released in camera minute – 6.37pm

27.1 THE SYP COMMUNITY CHILDCARE CENTRE - REQUEST FOR EXPRESSION OF INTEREST FROM CHILDCARE PROVIDERS - EVALUATION OUTCOMES

RESOLUTION

Moved: Cr Richard Carruthers

Seconded: Cr Alan Headon

Section 91 Order

That having considered report 27.1 The SYP Community Childcare Centre - Request for Expression of Interest from childcare providers - Evaluation Outcomes 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 The SYP Community Childcare Centre - Request for Expression of Interest from childcare providers - Evaluation Outcomes be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 236/2022 (30/11/2022)

Released in camera minute – 6.56pm

27.2 CONSTRUCTION OF THE SOUTHERN YORKE PENINSULA COMMUNITY CHILDCARE CENTRE

PURPOSE

To provide relevant information in support of the recent open tender process undertaken by Council and tender assessment by Rider Levett Bucknall (Riders) for construction of the Southern Yorke Peninsula Community Childcare Centre (tender 225/2022).

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Roger Johns

That Council endorse:

1. Romaldi Constructions as the preferred tenderer to construct the Southern Yorke Peninsula Community Childcare Centre at a cost of \$4,110,200.
2. Allocation of all future Local Roads and Community Infrastructure Program Phase Four (previously Phase Three Extension) funding to the project.

CARRIED 237/2022 (30/11/2022)

RESOLUTION

Moved: Cr Richard Carruthers
Seconded: Cr Alan Headon

Section 91 Order

That having considered report 27.2 Construction of the Southern Yorke Peninsula Community Childcare Centre 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 27.2 Construction of the Southern Yorke Peninsula Community Childcare Centre be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 238/2022 (30/11/2022)

28 NEXT MEETING

Wednesday 14 December 2022

29 CLOSURE

The Meeting closed at 6.57pm.

The minutes of this meeting were confirmed at the Council Meeting held on 14 December 2022.

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MAYOR DARREN BRAUND