



MINUTES

Ordinary Council Meeting

8 February 2023

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**MINUTES OF YORKE PENINSULA
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MINLATON TOWN HALL, 57 MAIN STREET, MINLATON
ON WEDNESDAY, 8 FEBRUARY 2023 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 Richard Carruthers, Cr Naomi Bittner, Cr Trevor Clerke, Cr Alan Headon, Cr Kylie Gray, Cr Scott Hoyle, Cr Roger Johns, Cr Adam Meyer, Cr Michael O'Connell, Cr Tania Stock.

In Attendance

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

4 LEAVE OF ABSENCE

Nil

5 APOLOGIES

Cr Kristin Murdock.

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 Michael O'Connell

Seconded: Cr Naomi Bittner

That the minutes of the Ordinary Council Meeting held on 18 January 2023 be confirmed.

CARRIED 010/2023 (8/02/2023)

RESOLUTION

Moved: Cr Alan Headon

Seconded: Cr Richard Carruthers

That the minutes of the Confidential Council Meeting held on 18 January 2023 be confirmed.

SYP Community Childcare Centre – Selected Childcare Provider

CARRIED 011/2023 (8/02/2023)

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 JANUARY 2023

PURPOSE

To keep Elected Members updated on Mayoral activities during the month of January 2023.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Tania Stock

That the report be received.

CARRIED 012/2023 (8/02/2023)

Mayor Darren Braund thanked those Elected Members who attended the Australia Day Celebrations on Thursday 26 January 2023 at the Maitland Town Hall.

13 COUNCILLORS' REPORT

Nil

INFORMATION AGENDA

14 ITEMS FOR EXCLUSION

Cr Adam Meyer questioned Information Report 16.7 – Update report received from Arts and Cultural Facilitator, in relation to the proposed dates for the Yorke Peninsula Art Exhibition in August 2023. Director Corporate and Community Services advised that a report will be presented to a future Council meeting.



15-19 RECEIPT OF INFORMATION REPORTS**RESOLUTION**

Moved: Cr Alan Headon
Seconded: Cr Michael O'Connell

ADOPTION OF INFORMATION AGENDA

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

CARRIED 013/2023 (8/02/2023)

20 VISITORS TO THE MEETING

Simon Millcock and Rodney Reid – Legatus Group

5.35pm – The presentation began.

5.56pm – The presentation concluded.

DEBATE AGENDA**21 MAYOR**

Nil

22 CHIEF EXECUTIVE OFFICER**22.1 FORMATION OF RECONCILIATION ACTION PLAN WORKING PARTY****PURPOSE**

To seek endorsement of the proposed formation and membership of the Reconciliation Action Plan Working Party.

RESOLUTION

Moved: Cr Richard Carruthers
Seconded: Cr Adam Meyer

That Council:

1. Endorse the formation of the Reconciliation Action Plan Working Party.
2. Endorse the membership of the Reconciliation Action Plan Working Party as follows:
 - Mayor (ex-officio);
 - Councillor Naomi Bittner;
 - Councillor Kylie Gray;
 - Director Corporate and Community Services;
 - Operations Manager;
 - Team Leader Human Resources and People Experience;
 - Property Tenure Officer;

- Environment Officer;
- Leisure Options Coordinator;
- Executive Services Support Officer; and
- Arts and Cultural Facilitator (advisory).

CARRIED 014/2023 (8/02/2023)

23 CORPORATE AND COMMUNITY SERVICES

23.1 DECEMBER QUARTERLY BUDGET REVIEW 2022/2023

PURPOSE

For Council consideration and endorsement of the December quarterly budget review (as at 31 December 2022) of Council's 2022/2023 Budget and associated financial statements, ratios and amendments.

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Roger Johns

That Council endorse the 2022/2023 December Budget Review changes as presented in the attached Summary of Changes, Statement of Comprehensive Income and Uniform Presentation of Finances and receive the updated Statement of Financial Position, Statement of Cash Flows, Statement of Changes in Equity and Financial Indicators (Ratios).

CARRIED 015/2023 (8/02/2023)

23.2 FINANCIAL REPORT AS AT 31 JANUARY 2023

PURPOSE

For Council to consider the financial report and capital projects update report as at 31 January 2023.

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Michael O'Connell

That Council receive the financial report and capital projects update report as at 31 January 2023.

CARRIED 016/2023 (8/02/2023)



24 ASSETS AND INFRASTRUCTURE SERVICES**24.1 COAST PROTECTION GRANTS 2022/2023 FUNDING APPLICATION****PURPOSE**

To seek endorsement from Council for an application for funding to be submitted through the Coast Protection Board's annual Coast Protection Grants Program 2022/2023 to construct the seawall along the beach at Stansbury.

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Naomi Bittner

That Council endorse the submission of an application for funding through the Coast Protection Board's annual Coast Protection Grants Program 2022/2023 to construct the seawall along the beach at Stansbury.

CARRIED 017/2023 (8/02/2023)

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 POINT TURTON CARAVAN PARK UPPER LEVEL ABLUTION BLOCK TENDER DECISION****RESOLUTION**

Moved: Cr Alan Headon

Seconded: Cr Tania Stock

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 Point Turton Caravan Park Upper Level Ablution Block Tender Decision, with the exception of the following persons:

- Chief Executive Officer
- Executive Assistant to Corporate and Community Services

- Director Corporate and Community Services
- Director Assets and Infrastructure
- Director Development Services

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 Point Turton Caravan Park Upper Level Ablution Block Tender Decision, 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 018/2023 (8/02/2023)

27.2 RUBBLE RAISING SERVICES

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Tania Stock

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 Rubble Raising Services, with the exception of the following persons:

- Chief Executive Officer
- Executive Assistant to Corporate and Community Services
- Director Corporate and Community Services
- Director Assets and Infrastructure
- Director Development Services

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 Rubble Raising Services, 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 019/2023 (8/02/2023)

27.3 REQUEST FOR EXEMPTION - ARTHURTON MAIN STREET BEAUTIFICATION PROJECT

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Michael O'Connell

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 27.3 Request for Exemption - Arthurton Main Street Beautification Project, with the exception of the following persons:

- Chief Executive Officer
- Executive Assistant to Corporate and Community Services



- Director Corporate and Community Services
- Director Assets and Infrastructure
- Director Development Services

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 27.3 Request for Exemption - Arthurton Main Street Beautification Project, 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 020/2023 (8/02/2023)

27.4 REQUEST FOR EXEMPTION - EDITHBURGH STORMWATER MANAGEMENT PROJECT

RESOLUTION

Moved: Cr Alan Headon

Seconded: Cr Richard Carruthers

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 27.4 Request for Exemption - Edithburgh Stormwater Management Project, with the exception of the following persons:

- Chief Executive Officer
- Executive Assistant to Corporate and Community Services
- Director Corporate and Community Services
- Director Assets and Infrastructure
- Director Development Services

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 27.4 Request for Exemption - Edithburgh Stormwater Management Project, 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 021/2023 (8/02/2023)

27.5 REQUEST FOR EXEMPTION - PURCHASE OF ONE SEMI WATER TANKER

RESOLUTION

Moved: Cr Michael O'Connell

Seconded: Cr Alan Headon

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 27.5 Request for Exemption - Purchase of One Semi Water Tanker, with the exception of the following persons:

- Chief Executive Officer
- Executive Assistant to Corporate and Community Services



- Director Corporate and Community Services
- Director Assets and Infrastructure
- Director Development Services

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 27.5 Request for Exemption - Purchase of One Semi Water Tanker, 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 022/2023 (8/02/2023)

6.04pm – The public were removed from the meeting and the Chamber secured.

RESUMPTION OF PUBLIC MEETING – 6.25PM

Released in camera minute – 6.16pm

27.1 POINT TURTON CARAVAN PARK UPPER LEVEL ABLUTION BLOCK TENDER DECISION

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Scott Hoyle

Section 91 Order

That having considered report 27.1 Point Turton Caravan Park Upper Level Ablution Block Tender Decision 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 Point Turton Caravan Park Upper Level Ablution Block Tender Decision be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 024/2023 (8/02/2023)

Released in camera minute – 6.17pm.

27.2 RUBBLE RAISING SERVICES

PURPOSE

To provide relevant information in support of the recent open tender process for Rubble Raising Services (tender 229-2022), pursuant to the relevant sections of the Purchasing and Procurement Policy (PO058).

RESOLUTION

Moved: Cr Roger Johns



Seconded: Cr Adam Meyer

That Council endorse Pocock Quarries Pty Ltd as the preferred tenderer to undertake rubble raising services up to the value of \$300,000 (GST exclusive).

CARRIED 025/2023 (8/02/2023)

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Trevor Clerke

Section 91 Order

That having considered report 27.2 Rubble Raising Services 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 Rubble Raising Services be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 026/2023 (8/02/2023)

Released in camera minute – 6.20pm

27.3 REQUEST FOR EXEMPTION - ARTHURTON MAIN STREET BEAUTIFICATION PROJECT

PURPOSE

To seek an exemption from the need to undertake a Request for Tender process for the Arthurton Main Street Beautification Project.

RESOLUTION

Moved: Cr Richard Carruthers

Seconded: Cr Alan Headon

That:

1. As per Council's PO058 Purchasing and Procurement Policy, Council grants an exemption from the need to undertake a Request for Tender process for the Arthurton Main Street Beautification Project.
2. Council endorse M A Skinner Contracting Pty Ltd as the preferred contractor to undertake Stage One and Stage Two of the Arthurton Main Street Beautification Project at a total combined cost of \$165,485 (GST exclusive).

CARRIED 027/2023 (8/02/2023)

RESOLUTION

Moved: Cr Alan Headon

Seconded: Cr Tania Stock

Section 91 Order



That having considered report 27.3 Request for Exemption - Arthurton Main Street Beautification Project 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 27.3 Request for Exemption - Arthurton Main Street Beautification Project be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 028/2023 (8/02/2023)

Released in camera minute – 6.21pm.

27.4 REQUEST FOR EXEMPTION - EDITHBURGH STORMWATER MANAGEMENT PROJECT

PURPOSE

To seek an exemption from the need to undertake a Request for Tender process for Edithburgh Stormwater Management Project.

RESOLUTION

Moved: Cr Michael O'Connell

Seconded: Cr Kylie Gray

That:

1. As per Council's PO058 Purchasing and Procurement Policy, Council grants an exemption from the need to undertake a Request for Tender process for the Edithburgh Stormwater Management Project.
2. Council endorse Downer EDI Works Pty Ltd T/A DM Roads as the preferred contractor to undertake the Edithburgh Stormwater Management Project at a total cost of \$134,703 (GST exclusive).

CARRIED 029/2023 (8/02/2023)

RESOLUTION

Moved: Cr Trevor Clerke

Seconded: Cr Alan Headon

Section 91 Order

That having considered report 27.4 Request for Exemption - Edithburgh Stormwater Management Project 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 27.4 Request for Exemption - Edithburgh Stormwater Management Project be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 030/2023 (8/02/2023)

Released in camera minute – 6.25pm.



27.5 REQUEST FOR EXEMPTION - PURCHASE OF ONE SEMI WATER TANKER**PURPOSE**

To seek an exemption from the need to undertake a Request for Tender process for the Purchase of One Semi Water Tanker.

RESOLUTION

Moved: Cr Roger Johns

Seconded: Cr Alan Headon

That:

1. As per Council's PO058 Purchasing and Procurement Policy, Council grants an exemption from the need to undertake a Request for Tender process for the Purchase of One Semi Water Tanker.
2. Council accept the quotation of \$111,700 (GST exclusive) from The Trustee for the Freightmore Transport Trust T/A Freightmore Transport for the purchase of one semi water tanker.

CARRIED 031/2023 (8/02/2023)

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Scott Hoyle

Section 91 Order

That having considered report 27.5 Request for Exemption - Purchase of One Semi Water Tanker 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 27.5 Request for Exemption - Purchase of One Semi Water Tanker be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 032/2023 (8/02/2023)

28 NEXT MEETING

Wednesday 8 March 2023

29 CLOSURE

The meeting closed at 6.26pm.

The minutes of this meeting were confirmed at the Council Meeting held on 8 March 2023.

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MAYOR DARREN BRAUND

