



MINUTES

Ordinary Council Meeting

(Subject to confirmation)

13 September 2023

**MINUTES OF YORKE PENINSULA
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MINLATON TOWN HALL, 57 MAIN STREET, MINLATON
ON WEDNESDAY, 13 SEPTEMBER 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 Scott Hoyle, Cr Roger Johns, Cr Adam Meyer, Cr Tania Stock

In Attendance

Ben Thompson (Director Corporate & Community Services), Dustin Guthberg (Director Development Services), Natalie McDonald (Minute Secretary)

4 LEAVE OF ABSENCE

Nil

5 APOLOGIES

Cr Kristin Murdock and Cr Michael O'Connell.

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.

Type of Conflict of Interest being declared:	General Conflict of Interest
Elected Member Name:	Cr Naomi Bittner
Matter to be discussed (<i>Agenda Item #</i>):	24.2 Roads Working Party
Nature of the Interest being declared:	A close family member is one of the people applying for the positions.
I intend to participate in the meeting in relation to this General Conflict of Interest:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
The manner in which the majority of persons who were entitled to vote at the meeting voted on the matter	<p>RESOLUTION</p> <p>Moved: Cr Scott Hoyle Seconded: Cr Alan Headon</p> <p>That Council:</p> <p>1. Endorse and adopt the draft Roads Working Party Terms of Reference as presented for inclusion on Council's website.</p>

	<p>2. Endorse the recommendation to accept the three nominations to fill the current vacancies.</p> <p style="text-align: right;">CARRIED 209/2023 (13/09/2023)</p>
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Type of Conflict of Interest being declared:	General Conflict of Interest
Elected Member Name:	Cr Roger Johns
Matter to be discussed (<i>Agenda Item #</i>):	24.2 Roads Working Party
Nature of the Interest being declared:	Same reasons as Cr Bittner. Member applicant is my son.
I intend to participate in the meeting in relation to this General Conflict of Interest:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
The manner in which the majority of persons who were entitled to vote at the meeting voted on the matter	<p>RESOLUTION</p> <p>Moved: Cr Scott Hoyle Seconded: Cr Alan Headon</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Endorse and adopt the draft Roads Working Party Terms of Reference as presented for inclusion on Council's website. 2. Endorse the recommendation to accept the three nominations to fill the current vacancies. <p style="text-align: right;">CARRIED 209/2023 (13/09/2023)</p>

7 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION

RESOLUTION

Moved: Cr Alan Headon
Seconded: Cr Scott Hoyle

That the minutes of the Ordinary Council Meeting held on 9 August 2023 be confirmed.

CARRIED 193/2023 (13/09/2023)

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 AUGUST 2023**

Mayor Darren Braund added to his report that he had attended the Edithburgh Institute AGM and wanted to acknowledge the incredible community service of the Chairperson who was completing his 40th year as Chair – Mr John Braund.

PURPOSE

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

RESOLUTION

Moved: Cr Trevor Clerke

Seconded: Cr Scott Hoyle

That the report be received.

CARRIED 194/2023 (13/09/2023)

13 COUNCILLORS' REPORT

Nil

5.35pm – Cr Kylie Gray entered the Chamber and joined the meeting.

INFORMATION AGENDA**14 ITEMS FOR EXCLUSION**

Nil

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

Moved: Cr Alan Headon

Seconded: Cr Adam Meyer

ADOPTION OF INFORMATION AGENDA

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

CARRIED 195/2023 (13/09/2023)

20 VISITORS TO THE MEETING

Nil

DEBATE AGENDA**21 MAYOR**

Nil

22 CHIEF EXECUTIVE OFFICER**22.1 CHRISTMAS OFFICE CLOSURE 2023****PURPOSE**

To seek approval from Council for a closure period of all Council office locations for the 2023 Christmas and New Year holiday period in line with the requirements of the Staff Enterprise Bargaining Agreements.

RESOLUTION

Moved: Cr Richard Carruthers

Seconded: Cr Naomi Bittner

That Council:

1. close the Principal Office at Maitland and the two (2) branch offices from 12:30pm on Friday, 22 December 2023 and reopen at 8:30am on Tuesday, 2 January 2024, with staff required to utilise existing leave.
2. advertise the closure of the Council offices in the Yorke Peninsula Country Times and on Council's website.
3. organise for notices to be placed on the front window of the Principal Office and branch offices.
4. prepare a suitable answering machine message to be implemented during the closure period to ensure that any emergencies are referred to the after-hours emergency number.

CARRIED 196/2023 (13/09/2023)**22.2 DELEGATION OF COUNCIL POWERS AND FUNCTIONS REVIEW****PURPOSE**

For Council to review its existing delegated powers and functions in accordance with Section 44(6a) of the Local Government Act 1999.

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Adam Meyer

That Council resolve to:

1. Grant the delegation of powers and functions of the Council under the Local Government Act 1999 and other legislation (excluding the Development Act 1993 and Planning, Development and Infrastructure Act 2016) as provided for in the Instrument of Delegation provided in Attachment 1.

AND

2. Delegate Powers of the Council as a Council, Designated Authority and Designated Entity Under the Planning, Development and Infrastructure Act 2016

- 2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation provided in Attachment 2 are hereby delegated this 13th day of September 2023 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
- 2.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

AND

3. Delegate Powers of the Council as a Relevant Authority under the Planning, Development and Infrastructure Act 2016

- 3.1 In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016, the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation provided in Attachment 3 are hereby delegated this 13th day of September 2023 to the person occupying the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
- 3.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Section 100(2)(c) of the Planning, Development and Infrastructure Act 2016 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

AND

4. Grant the authorisations and sub-delegations of powers under the Road Traffic Act as provided for in the instrument of Delegation provided in Attachment 4; and:

- 4.1 In accordance with the Instrument of General Approval and Delegation to Council (dated 22 August 2013) from the Minister for Transport and Infrastructure (General Approval) authorise the following person(s) pursuant to Clause A.7 of the General Approval to endorse Traffic Impact Statements for the purposes of Clause A of the General approval provided that such person(s) shall take into account the matters specified in Clause A.7 of the General Approval in respect of Traffic Impact Statements:

Andre Kompler – Director Assets and Infrastructure Services

Stephen Goldsworthy – Operations Manager

Michael McCauley – Asset Manager

Nicholas Hoskin – Operations Co-ordinator

Chris McColl - Works Supervisor North

Guido Varricchio – Works Supervisor South

Jason Coe – Leading Worker Central

Michael Wuttke – Leading Worker North

Stuart Heinrich-Smith – Leading Worker South

Phillip Herrmann – Senior Compliance Officer

- 4.2 In accordance with Clause A.7 of the General Approval, the Council is of the opinion that the following person(s) is/are experienced traffic engineering practitioner(s) for the

purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the General Approval:

Andre Kompler – Director Assets and Infrastructure Services

Stephen Goldsworthy – Operations Manager

Michael McCauley – Asset Manager

Nicholas Hoskin – Operations Co-ordinator

Chris McColl - Works Supervisor North

Guido Varricchio – Works Supervisor South

Jason Coe – Leading Worker Central

Michael Wuttke – Leading Worker North

Stuart Heinrich-Smith – Leading Worker South

Phillip Herrmann – Senior Compliance Officer

- 4.3 In accordance with Clause E.2 of the General Approval, the Council is of the opinion that the following person(s) has (have) an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans:

Andre Kompler – Director Assets and Infrastructure Services

Stephen Goldsworthy – Operations Manager

Michael McCauley – Asset Manager

Nicholas Hoskin – Operations Co-ordinator

Chris McColl - Works Supervisor North

Guido Varricchio – Works Supervisor South

Jason Coe – Leading Worker Central

Michael Wuttke – Leading Worker North

Stuart Heinrich-Smith – Leading Worker South

Phillip Herrmann – Senior Compliance Officer

AND

5. Grant the delegations and authorisations under the:

Air Navigation Act 1947 (SA)

Air Navigation Act 1920 (Cth)

Air Navigation Regulations 2016 (Cth)

Air Navigation (Aerodrome Flight Corridors) Regulations 1994 (Cth)

Air Navigation (Aircraft Engine Emissions) Regulations (Cth)

Air Navigation (Aircraft Noise) Regulations 2018

Airports Act 1996 (Cth)

Airports Regulations 1997 (Cth)

Airports (Building Control) Regulations 1996 (Cth)

Airports (Control of On-Airport Activities) Regulations 1997 (Cth)

Airports (Environment Protection) Regulations 1997 (Cth)

Airports (Ownership – Interests in Shares) Regulations 1996 (Cth)

Airports (Protection of Airspace) Regulations 1996 (Cth)

Air Services Act 1995 (Cth)
Air Services Regulations 2019 (Cth)
Airspace Act 2007 (Cth)
Airspace Regulations 2007 (Cth)
Aviation Transport Security Act 2004 (Cth)
Aviation Transport Security Regulations 2005 (Cth)
Civil Aviation Act 1988 (Cth)
Civil Aviation Regulations 1988 (Cth)
Civil Aviation Safety Regulations 1988 (Cth)
Civil Aviation (Buildings Control) Regulations 1988 (Cth)
Civil Aviation (Fees) Regulations 1995 (Cth)

as provided for in the Instrument of Delegation provided in Attachment 5.

CARRIED 197/2023 (13/09/2023)

22.3 LEGATUS GROUP ANNUAL REPORT 2022-2023

PURPOSE

For Elected Members to receive the Legatus Group Annual Report 2022-2023 (the Report) and approve the Report for inclusion in Council's 2022-2023 Annual Report.

RESOLUTION

Moved: Cr Alan Headon
Seconded: Cr Richard Carruthers

That Council receive the Legatus Group Annual Report 2022-2023, including the Audited Financial Statements, and approves the inclusion of the Report in Council's Annual Report in accordance with legislative requirements.

CARRIED 198/2023 (13/09/2023)

22.4 POLICY REVIEW - PO021 SAFE ENVIRONMENT POLICY

PURPOSE

To seek Council endorsement for the proposed update of PO021 Safe Environment Policy.

RESOLUTION

Moved: Cr Adam Meyer
Seconded: Cr Tania Stock

That Council endorse and adopt the draft updated PO021 Safe Environment Policy as presented, for inclusion in Council's policy manual and on Council's website.

CARRIED 199/2023 (13/09/2023)

22.5 POLICY REVIEW - PO014 EMPLOYEE BEHAVIOURAL STANDARDS POLICY**PURPOSE**

For Council to consider the draft, revised PO014 Employee Behavioural Standards Policy and recommend that it proceed to consultation with employees and registered industrial associations.

RESOLUTION

Moved: Cr Kylie Gray
Seconded: Cr Tania Stock

That the draft, revised PO014 Employee Behavioural Standards Policy proceeds to consultation with employees and registered industrial associations.

CARRIED 200/2023 (13/09/2023)

23 CORPORATE AND COMMUNITY SERVICES**23.1 POLICY REVIEW - PO184 BUSINESS ENHANCEMENT PROGRAM****PURPOSE**

To seek Council's endorsement of the updated Policy PO184 Business Enhancement Program.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Kylie Gray

That Council endorse the updated PO184 Business Enhancement Program as presented.

CARRIED 201/2023 (13/09/2023)

23.2 COMMUNITY GRANT SCHEME 2023/2024**PURPOSE**

To seek Council's endorsement of the Grants Working Party recommendations for the distribution of Community Grants for 2023/2024.

RESOLUTION

Moved: Cr Roger Johns
Seconded: Cr Alan Headon

That Council endorse the allocation of the following Community Grants for 2023/2024:

- | | | |
|----|--|------------|
| 1. | Ardrossan and Community Men's Shed | \$3,226.83 |
| 2. | Ardrossan Netball Club | \$1,503 |
| 3. | Ardrossan Sports and Recreation Centre | \$5,000 |
| 4. | Balgowan Progress Association | \$1,200 |
| 5. | Corny Point Progress Association | \$5,000 |

6.	Curramulka Community Club	\$5,000
7.	Edithburgh Flora Park Committee	\$5,000
8.	Edithburgh Parks and Gardens Working Group	\$5,000
9.	Minlaton District Community & Sports Centre	\$5,000
10.	Golden Harvest Quilters	\$800
11.	Hardwicke Bay Progress Association	\$5,000
12.	James Well Rogues Point Progress Association	\$4,277
13.	Maitland and District Progress Association	\$2,166
14.	Maitland Cricket Club	\$5,000
15.	Minlaton and District Progress Association	\$5,000
16.	Minlaton Bowling Club	\$3,000
17.	Minlaton Golf Club	\$900
18.	Minlaton Senior Citizens Club	\$1,947.50
19.	Port Julia Progress Association	\$4,000
20.	Port Victoria Bowling Club	\$5,000
21.	Port Vincent Visitor Information Centre	\$1,440
22.	Price Progress Association	\$2,292.95
23.	Southern Yorke Peninsula Archers	\$500
24.	Stansbury Golf Club	\$3,500
25.	Tiddy Widdy Beach Progress Association	\$2,252.13
26.	Warooka Progress Association	\$5,000
27.	Wool Bay Golf Club.	\$4,000
28.	Yorketown Cricket Club	\$5,000
29.	YP Classic & Vintage Tractor Pull Club	\$3,000

CARRIED 202/2023 (13/09/2023)

23.3 CERTIFICATION OF ANNUAL FINANCIAL STATEMENTS 2022-2023

PURPOSE

To request Council authorisation for the certification of the Annual Financial Statements (AFS) in their final form when completed.

RESOLUTION

Moved: Cr Alan Headon

Seconded: Cr Tania Stock

That Council authorise the Mayor and Chief Executive Officer to certify the 2022/2023 audited Annual Financial Statements in their final form when completed.

CARRIED 203/2023 (13/09/2023)

23.4 TREASURY MANAGEMENT PERFORMANCE 2022-2023**PURPOSE**

Review of Council's treasury management (investments and borrowings) activity and performance for 2022/2023 in accordance with legislation and PO139 Treasury Management Policy.

RESOLUTION

Moved: Cr Adam Meyer
Seconded: Cr Trevor Clerke

That Council endorse the 2022/2023 Treasury Management Performance report.

CARRIED 204/2023 (13/09/2023)

23.5 FINANCIAL REPORT AS AT 31 AUGUST 2023**PURPOSE**

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

RESOLUTION

Moved: Cr Tania Stock
Seconded: Cr Trevor Clerke

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

CARRIED 205/2023 (13/09/2023)

23.6 YORKE PENINSULA BRANDING PROJECT - YORKE PENINSULA TOURISM**PURPOSE**

To seek Council endorsement of financial support for the Yorke Peninsula Tourism Brand Evolution Project at a cost of \$20,000.

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Trevor Clerke

That Council does not endorse contributing \$20,000 to Yorke Peninsula Tourism for the Yorke Peninsula Brand Evolution Project.

CARRIED 206/2023 (13/09/2023)

23.7 POLICY AND PROCEDURE UPDATES - PO166 RELATED PARTY DISCLOSURES POLICY AND PR166 RELATED PARTY DISCLOSURES PROCEDURE**PURPOSE**

To seek Council endorsement of the updated PO166 Related Party Disclosures Policy and new PR166 Related Party Disclosures Procedure.

RESOLUTION

Moved: Cr Adam Meyer
Seconded: Cr Richard Carruthers

That Council endorse the proposed updated PO166 Related Party Disclosures Policy and new PR166 Related Party Disclosure Procedure as presented.

CARRIED 207/2023 (13/09/2023)

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

To obtain Council endorsement for the current draft Strategy to go to public consultation before Strategy adoption and implementation.

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Roger Johns

That the matter lie on the table.

CARRIED 208/2023 (13/09/2023)

6.22pm – Cr Naomi Bittner declared a material conflict of interest for Agenda Item 24.2 and left the meeting.

6.22pm – Cr Roger Johns declared a material conflict of interest for Agenda Item 24.2 and left the meeting.

24.2 ROADS WORKING PARTY

PURPOSE

To obtain Council endorsement to accept the three nominations for the Roads Working Party current member vacancies in the Agriculture Transport and Tourism sectors by amendment to the wording of the current Terms of Reference.

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Alan Headon

That Council:

1. Endorse and adopt the draft Roads Working Party Terms of Reference as presented for inclusion on Council's website.
2. Endorse the recommendation to accept the three nominations to fill the current vacancies.

CARRIED 209/2023 (13/09/2023)

6.31pm – Crs Naomi Bittner and Roger Johns returned to the meeting.

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 28 July 2023.

RESOLUTION

Moved: Cr Richard Carruthers

Seconded: Cr Naomi Bittner

That Council:

1. Receive the Minutes of the Access Advisory Working Party meeting held on 28 July 2023.
2. Commit \$750 to obtain design plans for the proposed Minlaton Town Hall access ramp.

CARRIED 210/2023 (13/09/2023)

25.2 PERMIT TO USE PUBLIC ROAD FOR EXCLUSIVE USE (CROPPING & GRAZING) - ROUND 2

PURPOSE

To consider submissions received in relation to the community engagement process for Permit to Use Public Road for exclusive use (cropping and grazing) – Round 2 and seek permission to authorise these permits for a period of five (5) years.

RESOLUTION

Moved: Cr Tania Stock
Seconded: Cr Alan Headon

That Council:

1. Receive the written submission made in response to the community engagement process for Permits to Use Public Roads for exclusive use (cropping and grazing) – Round 2.
2. Endorse authorising the following Permit to Use Public Road for exclusive use (cropping and grazing) – Round 2 for a period of one (1) year commencing on 1 July 2023 and expiring on 30 June 2024.

Permit Number	Register of Roads Reference	Locality
2	RR0216	Dividing Sections 92 & 93 HD Ramsey
20	RR0352	Dividing Sections 27 & 5, 66 HD Warrenben
36	RR0069	Dividing Sections 43 & 501 HD Clinton
67	1062005	Dividing Sections 233 & 234 HD Tiparra
74	PR0271	Dividing Sections 84 & 204 HD Moorowie
98	RR0242	Dividing Sections 337 & 329E HD Dalrymple
156	RR0191	Dividing Sections 81 & 109 HD Ramsay
161	1049005	Dividing Sections 135 & 136, 129 HD Clinton
Permit 164 (new)	RR0016	Dividing Sections 21,22 & 15, 14 HD Coonarie

CARRIED 211/2023 (13/09/2023)

25.3 LAND MANAGEMENT AGREEMENT - REQUEST WAIVER - LOT 269 BUSH TRACK PARSONS BEACH**PURPOSE**

To seek authorisation for the Chief Executive Officer to approve the request for a waiver of a Land Management Agreement from limiting development on land at Lot 269 Bush Track, Parsons Beach (Certificate of Title Volume 5429 Folio 895).

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Alan Headon

That Council authorise the Chief Executive Officer to approve the request for a waiver of a Land Management Agreement from limiting development on land at Lot 269 Bush Track, Parsons Beach (Certificate of Title Volume 5429 Folio 895).

CARRIED

Cr Scott Hoyle called for a division.

In Favour: Crs Richard Carruthers, Naomi Bittner, Trevor Clerke and Alan Headon

Against: Crs Kylie Gray, Scott Hoyle, Roger Johns, Adam Meyer and Tania Stock

LOST 4/5

CARRIED 212/2023 (13/09/2023)

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.

Cr Adam Meyer stated that this month’s agenda was over 800 pages in total (including attachments) and requested that perhaps when the agenda is so large, that it be distributed earlier to allow elected members time to read all items and attachments.

CONFIDENTIAL AGENDA**27 CONFIDENTIAL ITEMS****27.1 INDEPENDENT MEMBER APPOINTMENT TO AUDIT AND RISK COMMITTEE****RESOLUTION**

Moved: Cr Adam Meyer
Seconded: Cr Richard Carruthers

Section 90 Order

That pursuant to Section 90(2) and (3)(a),(j)(ii) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.1 Independent Member Appointment to Audit and Risk Committee, with the exception of the following persons:

- Executive Assistant to CEO and Mayor
- Director Corporate and Community Services
- Director Development Services
- Manager Financial Services

The Council is satisfied that, pursuant to Section 90(2) and (3)(a),(j)(ii) of the Act, the information to be received, discussed or considered in relation to report Item 27.1 Independent Member Appointment to Audit and Risk Committee, 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)
- (j)(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 213/2023 (13/09/2023)

7.09pm – The public were removed from the meeting and the Chamber secured.

RESUMPTION OF PUBLIC MEETING – 7.11PM

Released in camera minute – 7.11.pm

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Roger Johns

That Council:

1. Approve the appointment of Mrs Sarah Beesley as an Independent Member on Council's Audit and Risk Committee commencing 30 November 2023 for a four (4) year term expiring 30 November 2027; and
2. Approve Cr Alan Headon step down as a member of the Audit and Risk Committee as of 31 October 2023.

CARRIED 214/2023 (13/09/2023)

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Kylie Gray

Section 91 Order

That having considered report 27.1 Independent Member Appointment to Audit and Risk Committee in confidence under Section 90(2) and (3)(a),(j)(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 27.1 Independent Member Appointment to Audit and Risk Committee be retained in confidence and not available for public inspection for a period of 12 Months.

CARRIED 215/2023 (13/09/2023)

28 NEXT MEETING

Wednesday, 11 October 2023

29 CLOSURE

The Meeting closed at 7.12pm.

The minutes of this meeting were confirmed at the Council Meeting held on 11 October 2023.

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MAYOR DARREN BRAUND



CONFIDENTIAL MINUTES

Council Meeting

**21 September 2022 (Meeting
adjourned from 14 September 2022)**

B

CONFIDENTIAL COUNCIL MEETING MINUTES
21 SEPTEMBER 2022 (ADJOURNED FROM 14 SEPTEMBER 2022)

CONFIDENTIAL MINUTES OF COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MINLATON TOWN HALL, 57 MAIN STREET, MINLATON
ON WEDNESDAY, 21 SEPTEMBER 2022 AT 6.17PM (MEETING ADJOURNED FROM
14 SEPTEMBER 2022)

WELCOME

Mayor Darren Braund welcomed everyone to the meeting and declared the meeting open.

PRESENT: Mayor Darren Braund, Cr John Rich, Cr Richard Carruthers, Cr Adam Meyer, Cr Leanne O'Brien, Cr Anthony Bennett, Cr David Langford

IN ATTENDANCE: Andre Kompler (Acting Chief Executive Officer), Roger Brooks (Director Development Services), Ben Thompson (Director Corporate & Community Services), Natalie McDonald (Minute Secretary)

LEAVE OF ABSENCE

Nil

APOLOGIES

Cr Naomi Bittner, Cr Kristin Murdock, Cr Roger Johns, Cr Michael Murdock and Cr Tania Stock.

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.

27 CONFIDENTIAL ITEMS

27.1 HEAVY VEHICLE ACCESS UPGRADE - GARDNER STREET AND FOWLER TERRACE, PRICE AND NORTH COAST ROAD UPGRADE

PURPOSE

To provide relevant information in support of the recent open tender process for the Heavy Vehicle Access Upgrade – Gardner Street and Fowler Terrace, Price and North Coast Road Upgrade (tender 223-2022), pursuant to the relevant sections of the Purchasing and Procurement Policy (PO058).

RESOLUTION

Moved: Cr Anthony Bennett

Seconded: Cr David Langford

That Council:

1. Accept the lump sum tender submission of \$1,816,650 (GST exclusive) from Jakelco Contracting Pty Ltd to undertake the Heavy Vehicle Access Upgrade – Gardner Street and Fowler Terrace, Price.
2. Accept the tender submission of \$1,791,823 (GST exclusive) from Downer EDI Works Pty Ltd to undertake the North Coast Road Upgrade subject to:
 - clarification of their limit of liability;

CONFIDENTIAL COUNCIL MEETING MINUTES
21 SEPTEMBER 2022 (ADJOURNED FROM 14 SEPTEMBER 2022)

- consideration of final quantities, once the final plans are received from the consulting engineer; and
- the final tender/contract price adjustment, based on the existing tendered rates and final plan quantities.

CARRIED 196/2022 (21/09/2022)

RESOLUTION

Moved: Cr Adam Meyer
Seconded: Cr Anthony Bennett

Section 91 Order

That having considered report 27.1 Heavy Vehicle Access Upgrade - Gardner Street and Fowler Terrace, Price and North Coast Road Upgrade 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 Heavy Vehicle Access Upgrade - Gardner Street and Fowler Terrace, Price and North Coast Road Upgrade be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 197/2022 (21/09/2022)

CLOSURE

The meeting closed at 6.25pm.

.....
Mayor Darren Braund

12 October 2022





CONFIDENTIAL MINUTES

Council Meeting

**21 September 2022 (Meeting
adjourned from 14 September 2022)**

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CONFIDENTIAL COUNCIL MEETING MINUTES
21 SEPTEMBER 2022 (ADJOURNED FROM 14 SEPTEMBER 2022)

CONFIDENTIAL MINUTES OF COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MINLATON TOWN HALL, 57 MAIN STREET, MINLATON
ON WEDNESDAY, 21 SEPTEMBER 2022 AT 6.26PM (MEETING ADJOURNED FROM
14 SEPTEMBER 2022)

WELCOME

Mayor Darren Braund welcomed everyone to the meeting and declared the meeting open.

PRESENT: Mayor Darren Braund, Cr John Rich, Cr Richard Carruthers, Cr Adam Meyer, Cr Leanne O'Brien, Cr Anthony Bennett, Cr David Langford

IN ATTENDANCE: Andre Kompler (Acting Chief Executive Officer), Roger Brooks (Director Development Services), Ben Thompson (Director Corporate & Community Services), Natalie McDonald (Minute Secretary)

LEAVE OF ABSENCE

Nil

APOLOGIES

Cr Naomi Bittner, Cr Kristin Murdock, Cr Roger Johns, Cr Michael Murdock and Cr Tania Stock.

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.

27 CONFIDENTIAL ITEMS

27.2 SEEKING EXEMPTION OF A DESIGNATED DECISION DURING CARETAKER PERIOD - TENDER - CONSTRUCTION OF THE SOUTHERN YORKE PENINSULA COMMUNITY CHILDCARE CENTRE

PURPOSE

To seek Elected Member endorsement allowing the Chief Executive Officer to apply to the Minister for Local Government for an exemption of a Designated Decision during caretaker period in relation to the tender for the construction of the Southern Yorke Peninsula Community Childcare Centre and the Service Providers Expressions of Interest.

RESOLUTION

Moved: Cr John Rich
Seconded: Cr Anthony Bennett

That Council endorse the Chief Executive Officer applying to the Minister for Local Government for an exemption of a Designated Decision during Caretaker Period in relation to the tender for the construction of the Southern Yorke Peninsula Community Childcare Centre and the Service Providers Expressions of Interest.

CARRIED 198/2022 (21/09/2022)

RESOLUTION

Moved: Cr Richard Carruthers
Seconded: Cr Adam Meyer

Section 91 Order

That having considered report 27.2 Seeking exemption of a Designated Decision during Caretaker Period - Tender - Construction of the Southern Yorke Peninsula Community Childcare Centre in confidence under Section 90(2) and (3)(b)(i),(b)(ii),(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 27.2 Seeking exemption of a Designated Decision during Caretaker Period - Tender - 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 199/2022 (21/09/2022)

CLOSURE

The meeting closed at 6.29pm.


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Mayor Darren Braund

12 October 2022