



MINUTES

Special Council Meeting

26 June 2024

RS

**MINUTES OF YORKE PENINSULA COUNCIL
SPECIAL COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MINLATON TOWN HALL, 57 MAIN STREET, MINLATON
ON WEDNESDAY, 26 JUNE 2024 AT 5.30PM**

1 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY BY MAYOR

Mayor Darren Braund welcomed everyone to the meeting, recited the opening prayer 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 Tania Stock

In Attendance

Andrew Cameron (CEO), Michael McCauley (Acting Director Assets & Infrastructure Services), Ben Thompson (Director Corporate & Community Services), Dustin Guthberg (Director Development Services), Natalie McDonald (Minute Secretary), Adele Wyatt (Governance Officer)

4 LEAVE OF ABSENCE

Nil

5 APOLOGIES

Cr Kristin Murdock and Cr Michael O'Connell.

ABSENT

Cr Adam Meyer

Mayor Darren Braund informed the meeting that a resolution is required to insert late Item 8.3 – Correspondence from Rex Minerals into the Agenda.

INSERTION OF LATE ITEM 8.3 – CORRESPONDENCE RECEIVED FROM REX MINERALS

RESOLUTION

Moved: Cr Richard Carruthers
Seconded: Cr Naomi Bittner

For Council to approve the insertion of late Item 8.3 – Correspondence Received from Rex Minerals into the Agenda.

CARRIED 165/2024 (26/06/2024)

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 VISITORS TO THE MEETING

Mayor Darren Braund advised the meeting that visitors will be welcomed soon in relation to Item 8.1 – Draft 2024/2025 Annual Business Plan and Budget and General Rate Review – Public Consultation Opportunity for Verbal Submissions.

DEBATE AGENDA

8 CHIEF EXECUTIVE OFFICER

8.1 DRAFT 2024/2025 ANNUAL BUSINESS PLAN AND BUDGET AND GENERAL RATE REVIEW - PUBLIC CONSULTATION OPPORTUNITY FOR VERBAL SUBMISSIONS

PURPOSE

For Council to provide opportunity for submissions to be made to Council by persons interested in Council’s draft 2024/2025 Annual Business Plan and Budget and/or General Rate Review at the Special Council meeting on 26 June 2024.

RESOLUTION

Moved: Cr Roger Johns

Seconded: Cr Kylie Gray

That Council:

1. Set aside one hour during this meeting to allow submissions to Council by persons interested in Council’s draft 2024/2025 Annual Business Plan and Budget;
2. Provide opportunity during this meeting to allow submissions to Council by persons interested in Council’s General Rate Review.

CARRIED 166/2024 (26/06/2024)

5.33pm – Mayor Darren Braund informed the meeting that one hour to allow submissions has commenced.

5.34pm – 5.40pm – Ben Thompson, Director Corporate and Community Services provided a brief overview of the general rate review timeline and process.

The following people provided a verbal submission in relation to the General Rate Review:

5.40pm – 5.45pm – Kay Klopp

5.46pm – 5.48pm – Alex Brown



8.2 FEES AND CHARGES 2024/2025

PURPOSE

Council's Fees and Charges are reviewed annually to ensure appropriate charges are in place for prescribed Council services and to update those fees set by legislation to ensure compliance. This report seeks endorsement of Council's fees and charges for 2024/2025.

RESOLUTION

Moved: Cr Alan Headon
Seconded: Cr Trevor Clerke

That Council adopt the 2024/2025 Fees and Charges as attached and presented at this meeting, to come into effect from Monday, 1 July 2024.

CARRIED 167/2024 (26/06/2024)

CONFIDENTIAL AGENDA

CONFIDENTIAL ITEMS

8.3 CORRESPONDENCE RECEIVED FROM REX MINERALS

RESOLUTION

Moved: Cr Alan Headon
Seconded: Cr Scott Hoyle

Section 90 Order

That pursuant to Section 90(2) and (3)(i) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 8.3 Correspondence received from Rex Minerals, with the exception of the following persons:

- Chief Executive Officer
- Executive Assistant to CEO and Mayor
- Director Corporate and Community Services
- Acting Director Assets and Infrastructure Services
- Director Development Services
- Governance Officer
- Richard Laufmann – Rex Minerals CEO
- Jason Schell – Rex Minerals COO
- David Billington – Rex Minerals Barrister

The Council is satisfied that, pursuant to Section 90(2) and (3)(i) of the Act, the information to be received, discussed or considered in relation to report Item 8.3 Correspondence received from Rex Minerals, is confidential information relating to:

- (i) information relating to actual litigation, or litigation that the Council or Council committee believes on reasonable grounds will take place, involving the council or an employee of the Council

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.

MOTION CARRIED

Cr Tania Stock called for a division.

In Favour: Crs Richard Carruthers, Naomi Bittner, Trevor Clerke, Alan Headon, Kylie Gray and Scott Hoyle

Against: Crs Roger Johns and Tania Stock

CARRIED 168/2024 (26/06/2024)

5.57pm – The public were removed from the meeting and the Chamber secured.

6.25PM – RESUMPTION OF PUBLIC MEETING

8.3 CORRESPONDENCE RECEIVED FROM REX MINERALS

PURPOSE

That Council receive and note correspondence received from White & Case on behalf of Rex Minerals Limited in relation to debate report 9.1 – Deposit of Plan of Division – Boundary Realignment – Rex Minerals Hillside Mine.

RESOLUTION

Moved: Cr Trevor Clerke

Seconded: Cr Scott Hoyle

That Council receive and note correspondence from White & Case on behalf of Rex Minerals Limited dated 17 June 2024 and 25 June 2024.

CARRIED 169/2024 (26/06/2024)

9 DEVELOPMENT SERVICES

9.1 DEPOSIT OF PLAN OF DIVISION - BOUNDARY REALIGNMENT - REX MINERALS HILLSIDE MINE

PURPOSE

To seek Council endorsement to lift the matter Deposit of Plan Division – Boundary Realignment – Rex Minerals Hillside Mine from the table and resume proceedings at the point preceding the resolution from the 12 June 2024 Ordinary Council meeting.

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Alan Headon

That Council endorse to lift the matter Deposit of Plan Division – Boundary Realignment – Rex Minerals Hillside Mine from the table and resume proceedings at the point preceding the following resolution:

Moved: Cr Naomi Bittner
Seconded: Cr Richard Carruthers

That the matter be laid on the table.

CARRIED 150/2024 (12/06/2024)

CARRIED 170/2024 (26/06/2024)

Debate resumed with the following live motion on the table as per below.

MOTION

Moved: Cr Tania Stock
Seconded: Cr Roger Johns

That Council does not authorise the Mayor and Chief Executive Officer to sign and affix Council's Common Seal to the Certificate of Consent for the Deposit of the Plan of Division D129966 Certificate of Title Volume 5683 Folio 33 and Volume 5466 Folios 312 and 676 vesting allotments 102 and 103 as public road pursuant to section 223LF of the Real Property Act 1886.

After receiving further information in relation to this matter via Item 8.3 – Correspondence from Rex Minerals, Cr Tania Stock, with the consent of Cr Roger Johns, requested the leave of the meeting to withdraw the above motion. The Mayor put the question to Council to grant this request, with a unanimous show of hands received.

Cr Tania Stock and Cr Roger Johns wished for it to be noted in the minutes that full information was not presented at the ordinary council meeting held on 12 June 2024 and the situation has changed in light of the new information before us from Rex Minerals.

RESOLUTION

Moved: Cr Trevor Clerke
Seconded: Cr Naomi Bittner

That Council authorise the Mayor and Chief Executive Officer to sign and affix Council's Common Seal to the Certificate of Consent for the Deposit of the Plan of Division D129966 Certificate of Title Volume 5683 Folio 33 and Volume 5466 Folios 312 and 676 vesting allotments 102 and 103 as public road pursuant to section 223LF of the Real Property Act 1886.

CARRIED 171/2024 (26/06/2024)

6.36pm – Mayor Darren Braund made a final call for any submissions in relation to Item 8.1 – Draft 2024/2025 Annual Business Plan and Budget and General Rate Review – Public Consultation Opportunity for Verbal Submissions. No further submissions were requested.

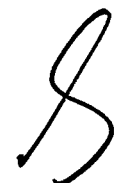
10 GENERAL BUSINESS

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.

11 NEXT MEETING

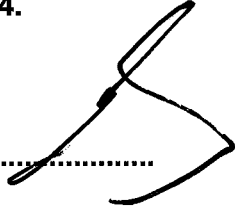
Wednesday 10 July 2024



12 CLOSURE

The meeting closed at 6.37pm.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Yorke Peninsula Council held on **10 July 2024**.



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MAYOR

