



MINUTES

Ordinary Council Meeting

(Subject to confirmation)

22 January 2025

**MINUTES OF YORKE PENINSULA
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MINLATON TOWN HALL, 57 MAIN STREET, MINLATON
ON WEDNESDAY, 22 JANUARY 2025 AT 5:30 PM**

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 Scott Hoyle, Cr Michael O'Connell

In Attendance

Andrew Cameron (CEO), Andre Kompler (Director Assets & Infrastructure Services), Ben Thompson (Director Corporate & Community Services), Jodie Terp (Acting Director Development Services), Natalie McDonald (Minute Secretary)

4 LEAVE OF ABSENCE

Cr Tania Stock

5 APOLOGIES

Cr Roger Johns, Cr Kristin Murdock and Cr Kylie Gray

LATE ITEM – 23.2 – AUDIT AND RISK COMMITTEE – ELECTED MEMBER(S) APPOINTMENT

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Michael O'Connell

That the late item 23.2 – Audit and Risk Committee – Elected Member(s) Appointment be received.

CARRIED 001/2025 (22/01/2025)

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 <input checked="" type="checkbox"/>
Elected/Independent Member Name:	Naomi Bittner
Matter to be discussed (<i>Agenda Item #</i>):	27.3 Audit and Risk Committee – Independent Member and Elected Member(s) Appointment
Nature of the Interest being declared:	I am neighbours with one of the applicants and in the past month have made a financial / business transaction with her business

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 Richard Carruthers</p> <p>Section 91 Order</p> <p>That having considered report 27.3 Audit and Risk Committee - Independent Member and Elected Member(s) Appointment in confidence under Section 90(2) and (3)(a),(j)(i),(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 27.3 Audit and Risk Committee - Independent Member and Elected Member(s) Appointment be retained in confidence and not available for public inspection for a period of 12 months.</p> <p>CARRIED 033/2025 (22/01/2025)</p>

7 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION

RESOLUTION

Moved: Cr Richard Carruthers
Seconded: Cr Trevor Clerke

That the minutes of the Ordinary Council Meeting held on 11 December 2024 be confirmed.

CARRIED 002/2025 (22/01/2025)

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Naomi Bittner

That the minutes of the Confidential Council Meeting held on 11 December 2024 be confirmed.

27.1 – Stabilisation and Sealed Road Shoulder Rework Program 2024-2025 – Tender 254-2024.

CARRIED 003/2025 (22/01/2025)

RESOLUTION

Moved: Cr Richard Carruthers
Seconded: Cr Trevor Clerke

That the minutes of the Confidential Council Meeting held on 11 December 2024 be confirmed.

27.2 – Port Vincent Fisherman’s Jetty Design and Construct – Tender 255-2024

CARRIED 004/2025 (22/01/2025)

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Michael O'Connell

That the minutes of the Confidential Council Meeting held on 11 December 2024 be confirmed.

27.3 – Vegetation Management Program 2024-2025 – Tender 257-2024

CARRIED 005/2025 (22/01/2025)

RESOLUTION

Moved: Cr Michael O'Connell
Seconded: Cr Trevor Clerke

That the minutes of the Confidential Council Meeting held on 11 December 2024 be confirmed.

27.4 – Chief Executive Officer Performance Review

CARRIED 006/2025 (22/01/2025)

8 MOTIONS ON NOTICE

Nil

9 QUESTIONS ON NOTICE

Nil

10 QUESTIONS WITHOUT NOTICE

Nil

11 PETITIONS**11.1 PETITION - THE PINES COMMUNITY****PURPOSE**

To provide Elected Members with a copy of a petition received in relation to a request for works to be undertaken within The Pines community.

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Trevor Clerke

That Council receive the petition from The Pines community.

CARRIED 007/2025 (22/01/2025)

12 MAYOR**12.1 MAYOR'S MONTHLY REPORT DECEMBER 2024****PURPOSE**

To update Elected Members on Mayoral activities during the month of December 2024.

RESOLUTION

Moved: Cr Trevor Clerke

Seconded: Cr Michael O'Connell

That the report be received.

CARRIED 008/2025 (22/01/2025)

13 COUNCILLORS' REPORT

Nil

INFORMATION AGENDA**14 ITEMS FOR EXCLUSION**

Nil

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

Moved: Cr Richard Carruthers

Seconded: Cr Scott Hoyle

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

CARRIED 009/2025 (22/01/2025)

20 VISITORS TO THE MEETING

5.41pm – 5.45pm - Mr Greg Twelftree spoke in relation to Item 24.1 – Request for Acceptance – Free of Charge Assets – Port Victoria Jetty Berthing Piles requesting favoured voting to this item.

5.46pm – 5.57pm – Mr Ian McQueen spoke in relation to Item 25.9 – Boat Launch Permit – Payment Options speaking against the motion.

DEBATE AGENDA**21 MAYOR**

Nil

22 CHIEF EXECUTIVE OFFICER**22.1 APPOINTMENT TO WORKING PARTIES, TENDER EVALUATION PANEL, YORKE PENINSULA HEALTH ADVISORY COUNCIL AND COMMUNITY GROUPS****PURPOSE**

For Council to endorse the appointment of a representative to the Access Advisory Working Party, Tender Evaluation Panel, Roads Working Party, Grants Working Party, Yorke Peninsula Health Advisory Council and a Council liaison representative to the Port Clinton and Price Progress Associations.

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Scott Hoyle

That Council appoint:

1. Cr Michael O'Connell to the Access Advisory Working Party.
2. Tender Evaluation Panel (no appointment).
3. Cr Michael O'Connell to the Roads Working Party.
4. Cr Naomi Bittner to the Grants Working Party.
5. Council representative to the Yorke Peninsula Health Advisory Council (no appointment).
6. Cr Richard Carruthers as a council liaison representative to the Port Clinton Progress Association.
7. Cr Richard Carruthers as a council liaison representative to the Price Progress Association.

CARRIED 010/2025 (22/01/2025)

23 CORPORATE AND COMMUNITY SERVICES**23.1 FINANCIAL REPORT AS AT 31 DECEMBER 2024****PURPOSE**

For Council to consider the financial report and capital projects update report as at 31 December 2024.

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Trevor Clerke

That Council receive the financial report and capital projects update report as at 31 December 2024.

CARRIED 011/2025 (22/01/2025)

23.2 AUDIT AND RISK COMMITTEE – ELECTED MEMBER(S) APPOINTMENT**PURPOSE**

To advise Council of the resignation of Councillor Tania Stock from the Audit and Risk Committee and for Council to endorse the appointment of two Elected Member to the Audit and Risk Committee to meet legislative requirements.

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Naomi Bittner

That Council:

1. Endorse Cr Michael O’Connell to Council’s Audit and Risk Committee for the remainder of the current term and Cr Richard Carruthers as a proxy representative for each Elected Member to the Audit and Risk Committee; and
2. Formally thank Cr Tania Stock for her service to the Yorke Peninsula Council Audit and Risk Committee.

CARRIED 012/2025 (22/01/2025)

24 ASSETS AND INFRASTRUCTURE SERVICES**24.1 REQUEST FOR ACCEPTANCE - FREE OF CHARGE ASSETS - PORT VICTORIA JETTY BERTHING PILES****PURPOSE**

For Council to consider accepting the donation of berthing piles for the Port Victoria Jetty as a ‘Free of Charge’ asset from the Port Victoria Progress Association.

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Trevor Clerke

That Council provide in principle support, to accept the donation of berthing piles at the Port Victoria Jetty as an asset ‘Free of Charge’, subject to detailed design and cost plan being presented to Council for further consideration.

CARRIED 013/2025 (22/01/2025)

25 DEVELOPMENT SERVICES**25.1 APPLICATION TO LIFT AND RE-APPLY LAND MANAGEMENT AGREEMENT - PORT VINCENT LANDING PTY LTD - 10 MARINA DRIVE, PORT VINCENT****PURPOSE**

To seek approval from Elected Members to have a Land Management Agreement (Dealing Number 9586309) between Council and Port Vincent Landing Pty Ltd lifted from Certificate of Title Volume 5939 Folio 844 and reapplied to three new titles resulting from approved Land Division (ID 22018951) at Allotment 3 Deposited Plan 61751 in the area named Port Vincent, commonly known as 10 Marina Drive, Port Vincent.

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Scott Hoyle

That Council:

1. Endorse Land Management Agreement Dealing Number 9586309 being lifted from Certificate of Title Volume 5939 Folio 844 for Allotment 3 Deposited Plan 61751 in the area named Port Vincent, commonly known as 10 Marina Drive, Port Vincent.
2. Authorise the Mayor and Chief Executive Officer to sign and affix the Common Seal on the relevant documents relating to;
 - a) Extinguishment of Land Management Agreement Dealing Number 9586309 from Certificate of Title Volume 5939 Folio 844 relating to Allotment 3 Deposited Plan 61751 in the area named Port Vincent.
 - b) Registration of Land Management Agreement Dealing Number 9586309 on Certificates of Title for land identified as Allotments 101, 102 and 103, created by Land Division (ID 22018951) at 10 Marina Drive, Port Vincent.

CARRIED 014/2025 (22/01/2025)

25.2 APPLICATION TO LIFT AND RE-APPLY LAND MANAGEMENT AGREEMENT - PORT VINCENT LANDING PTY LTD - 26 MARINA DRIVE, PORT VINCENT**PURPOSE**

To seek approval from Elected Members to have a Land Management Agreement (Dealing Number 9586309) between Council and Port Vincent Landing Pty Ltd lifted from Certificate of Title Volume 5894 Folio 305 and reapplied to three new titles resulting from approved Land Division (ID 22018953) at Allotment 30 Deposited Plan 61751 in the area named Port Vincent, commonly known as 26 Marina Drive, Port Vincent.

RESOLUTION

Moved: Cr Richard Carruthers

Seconded: Cr Scott Hoyle

That Council:

1. Endorse Land Management Agreement Dealing Number 9586309 being lifted from Certificate of Title Volume 5894 Folio 305 for Allotment 30 Deposited Plan 61751 in the area named Port Vincent, commonly known as 26 Marina Drive, Port Vincent.

2. Authorise the Mayor and Chief Executive Officer to sign and affix the Common Seal on the relevant documents relating to;
 - a) Extinguishment of Land Management Agreement Dealing Number 9586309 from Certificate of Title Volume 5894 Folio 305 relating to Allotment 30 Deposited Plan 61751 in the area named Port Vincent.
 - b) Registration of Land Management Agreement Dealing Number 9586309 on Certificates of Title for land identified as Allotments 1, 2 and 3, created by Land Division (ID 22018953) at 26 Marina Drive, Port Vincent.

CARRIED 015/2025 (22/01/2025)

25.3 POLICY REVIEW - PO167 OPEN SPACE CONTRIBUTIONS POLICY

PURPOSE

To seek endorsement for the proposed update of PO167 Open Space Contributions Policy.

RESOLUTION

Moved: Cr Michael O'Connell

Seconded: Cr Scott Hoyle

That Council endorse the proposed update of PO167 Open Space Contributions for inclusion in Council's Policy Manual and on Council's website.

CARRIED 016/2025 (22/01/2025)

25.4 POLICY REVIEW - PO40 COMMERCIAL USE OF FOOTPATHS

PURPOSE

To seek endorsement for the proposed update of PO040 Commercial Use of Footpaths Policy.

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Richard Carruthers

That Council endorse the proposed update of PO040 Commercial Use of Footpaths Policy for inclusion in Council's Policy Manual and on Council's website.

CARRIED 017/2025 (22/01/2025)

25.5 DEPUTY COUNCIL MEMBER APPOINTMENT - COUNCIL ASSESSMENT PANEL - TERM 2024 TO 2026**PURPOSE**

In accordance with Section 83(1) of the Planning, Development and Infrastructure Act 2016, Council is required to appoint one (1) Deputy Council Member to the Council Assessment Panel to fill the current vacancy resulting from the recent passing of Councillor Alan Headon for the remainder of the current two year term which concludes November 2026.

RESOLUTION

Moved: Cr Richard Carruthers

Seconded: Cr Naomi Bittner

In accordance with Section 83 of the Planning, Development and Infrastructure Act 2016, Council appoints Councillor Michael O'Connell as the Deputy Council Member to the Yorke Peninsula Council Assessment Panel for the remainder of the current two year term which concludes November 2026.

CARRIED 018/2025 (22/01/2025)

25.6 PROPOSED NEW LEASE - AMPLITEL PTY LIMITED (PART OF TELSTRA GROUP) - EDITHBURGH OVAL**PURPOSE**

For Elected Members to receive the submissions in relation to the completed community engagement process for a proposed new lease to Amplitel Pty Limited (part of Telstra Group) to accommodate a proposed telecommunication tower located on a portion of land at the Edithburgh Oval, Lot 646 Yorketown Road, Edithburgh.

RESOLUTION

Moved: Cr Trevor Clerke

Seconded: Cr Michael O'Connell

That Council:

1. Receive the written submissions in response to the community engagement process for the proposed new lease to Amplitel Pty Limited (part of Telstra Group) for a portion of land at the Edithburgh Oval, Lot 646, Yorketown Road, Edithburgh.
2. Endorse a lease to Amplitel Pty Limited (part of Telstra Group) for the portion of land at the Edithburgh Oval for a period of five (5) years, with further rights of renewal for three (3) by five (5) years, with an overall lease term of twenty (20) years.
3. Determine that 50% of the annual rental fees be gifted to the Edithburgh Sporting and Community Club.
4. Authorise the Mayor and Chief Executive Officer to sign and affix Council's Common Seal in order to execute the lease documents.

CARRIED 019/2025 (22/01/2025)

25.7 ROAD PROCESS ORDER - PORTION OF JOHNS ROAD, HUNDRED OF TIPARRA IN THE AREA NAMED NALYAPPA**PURPOSE**

To inform Elected Members of the outcome from the community engagement process for the proposed closure of a portion of the un-made Public Road (Johns Road) adjoining Sections 463, 464 and BE in the Hundred of Tiparra, more particularly delineated and lettered 'A' and 'B' on Preliminary Plan 24/0008; and seek authorisation to complete the road closure process with an outstanding objection.

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Scott Hoyle

That Council:

1. Endorse making a Road Process Order in accordance with the Roads (Opening and Closing) Act 1991, to close a portion of the un-made Public Road (Johns Road) adjoining Sections 463, 464 and BE in the Hundred of Tiparra, more particularly delineated and lettered 'A' and 'B' on Preliminary Plan 24/0008; noting there is an outstanding objection.
2. Pursuant to Section 17 of the Roads (Opening and Closing) Act 1991 the land is to be transferred to the adjoining land owner of Sections 463, 464 and BE; Hundred of Tiparra.
3. Authorise the Chief Executive Officer to deposit the necessary documentation and reports required under Section 20 of the Roads (Opening and Closing) Act 1991 to the Office of the Surveyor General and provide all necessary notices to such persons as required by the Roads (Opening and Closing) Act 1991.
4. Authorise the Mayor and Chief Executive Officer to sign and affix Council's common seal to the Road Process Order and any other documents necessary to give effect to this resolution.

CARRIED 020/2025 (22/01/2025)

25.8 ROAD PROCESS ORDER - PORTION WEST TERRACE, ARDROSSAN**PURPOSE**

To inform Elected Members of the outcome from the community engagement process for the proposed closure of a portion of West Terrace between First Street and Second Street, more particularly delineated and lettered "A" on Preliminary Plan 24/0007; and seek authorisation to complete the road closure process with an outstanding objection.

RESOLUTION

Moved: Cr Richard Carruthers

Seconded: Cr Michael O'Connell

That Council:

1. Endorse making a Road Process Order in accordance with the Roads (Opening and Closing) Act 1991, to close a portion of West Terrace between First Street and Second Street, more particularly delineated and lettered "A" on Preliminary Plan 24/0007, noting there is an outstanding objection.

2. Pursuant to Section 17 of the Roads (Opening and Closing) Act 1991 the land is to be transferred to the adjoining land owner of Sections 101, 102 and 404 Ardrossan.
3. Authorise the Chief Executive Officer to deposit the necessary documentation and reports required under Section 20 of the Roads (Opening and Closing) Act 1991 to the Office of the Surveyor General and provide all necessary notices to such persons as required by the Roads (Opening and Closing) Act 1991.
4. Authorise the Mayor and Chief Executive Officer to sign and affix Council's common seal to the Road Process Order and any other documents necessary to give effect to this resolution.

CARRIED 021/2025 (22/01/2025)

25.9 BOAT LAUNCH PERMIT - PAYMENT OPTIONS

PURPOSE

For Elected Members to consider if an online payment system in the form of the EasyPark phone application is to be exclusively used in the Yorke Peninsula Council area for payment of single launch boat ramp permit fees and consider removing the permit vending machines from Council boat ramps.

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Scott Hoyle

That Council endorse the removal of the eight (8) permit vending machines from Council boat ramps, and for the purposes of paragraph 4.9.1 of the Local Government Land By-law 2020, permission to launch or retrieve a boat may be obtained from the Council's website, the EasyPark phone application, or as otherwise provided in Clause 5.2 of Council's Permits and Penalties By-law 2020.

CARRIED 022/2025 (22/01/2025)

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 PURCHASE OF ONE LIGHT TRUCK VIA VENDOR PANEL VP 429966****RESOLUTION**

Moved: Cr Scott Hoyle

Seconded: Cr Richard Carruthers

Section 90 Order

That pursuant to Section 90(2) and (3)(b)(i),(b)(ii) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.1 Purchase of one light truck via Vendor Panel VP 429966, 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 Services
- Acting Director Development Services
- Operations Manager
- Manager People, Culture and Safety

The Council is satisfied that, pursuant to Section 90(2) and (3)(b)(i),(b)(ii) of the Act, the information to be received, discussed or considered in relation to report Item 27.1 Purchase of one light truck via Vendor Panel VP 429966, is confidential information relating to:

- (b)(i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council
- (b)(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 023/2025 (22/01/2025)

27.2 SOUTH AUSTRALIAN JETTY RENEWAL PROGRAM FUNDING AND LEASE - PORT VINCENT FISHERMAN'S JETTY**RESOLUTION**

Moved: Cr Richard Carruthers

Seconded: Cr Naomi Bittner

Section 90 Order

That pursuant to Section 90(2) and (3)(j)(i),(j)(ii) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.2 South Australian Jetty Renewal Program Funding and Lease - Port Vincent Fisherman's Jetty, 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 Services
- Acting Director Development Services
- Operations Manager
- Manager People, Culture and Safety

The Council is satisfied that, pursuant to Section 90(2) and (3)(j)(i),(j)(ii) of the Act, the information to be received, discussed or considered in relation to report Item 27.2 South Australian Jetty Renewal Program Funding and Lease - Port Vincent Fisherman's Jetty, is confidential information relating to:

- (j)(i) information the disclosure of which would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council)
- (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 024/2025 (22/01/2025)

27.3 AUDIT AND RISK COMMITTEE - INDEPENDENT MEMBER AND ELECTED MEMBER(S) APPOINTMENT**RESOLUTION**

Moved: Cr Trevor Clerke

Seconded: Cr Michael O'Connell

Section 90 Order

That pursuant to Section 90(2) and (3)(a),(j)(i),(j)(ii) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.3 Audit and Risk Committee - Independent Member and Elected Member(s) Appointment, 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 Services

- Acting Director Development Services
- Operations Manager
- Manager People, Culture and Safety

The Council is satisfied that, pursuant to Section 90(2) and (3)(a),(j)(i),(j)(ii) of the Act, the information to be received, discussed or considered in relation to report Item 27.3 Audit and Risk Committee - Independent Member and Elected Member(s) Appointment, 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)(i) information the disclosure of which would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council)
- (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 025/2025 (22/01/2025)

27.4 LAND ACQUISITION - SOUTH COAST ROAD, FOUL BAY

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Richard Carruthers

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 27.4 Land Acquisition - South Coast Road, Foul Bay, 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 Services
- Acting Director Development Services
- Operations Manager
- Manager People, Culture and Safety

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 27.4 Land Acquisition - South Coast Road, Foul Bay, 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 026/2025 (22/01/2025)

27.5 CHIEF EXECUTIVE OFFICER - KEY PERFORMANCE INDICATORS 2025**RESOLUTION**

Moved: Cr Scott Hoyle

Seconded: Cr Trevor Clerke

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 27.5 Chief Executive Officer - Key Performance Indicators 2025, with the exception of the following persons:

- Manager People, Culture & Safety

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 27.5 Chief Executive Officer - Key Performance Indicators 2025, 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 027/2025 (22/01/2025)

27.6 REVIEW OF CHIEF EXECUTIVE OFFICER TOTAL EMPLOYMENT COST PACKAGE**RESOLUTION**

Moved: Cr Michael O'Connell

Seconded: Cr Naomi Bittner

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 27.6 Review of Chief Executive Officer Total Employment Cost Package, with the exception of the following persons:

- Manager People, Culture & Safety

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 27.6 Review of Chief Executive Officer Total Employment Cost Package, 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 028/2025 (22/01/2025)

27.7 CEO EMPLOYMENT AGREEMENT**RESOLUTION**

Moved: Cr Scott Hoyle

Seconded: Cr Trevor Clerke

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 27.7 CEO Employment Agreement, with the exception of the following persons:

- Manager People, Culture & Safety

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 27.7 CEO Employment Agreement, 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 029/2025 (22/01/2025)

6.22pm – The public were removed from the meeting and the Chamber secured.

RESUMPTION OF PUBLIC MEETING

Released in camera minute – 6.27pm

27.1 PURCHASE OF ONE LIGHT TRUCK VIA VENDOR PANEL VP 429966**RESOLUTION**

Moved: Cr Naomi Bittner

Seconded: Cr Michael O'Connell

That Council accept the quotation of \$106,331.60 (GST exclusive) for the purchase of one Fuso Canter 815 Light Truck with tipper body from Fuso Adelaide.

CARRIED 030/2025 (22/01/2025)

RESOLUTION

Moved: Cr Trevor Clerke

Seconded: Cr Richard Carruthers

Section 91 Order

That having considered report 27.1 Purchase of one light truck via Vendor Panel VP 429966 in confidence under Section 90(2) and (3)(b)(i),(b)(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 Purchase of one light truck via Vendor Panel VP 429966 be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 031/2025 (22/01/2025)

Released in camera minute – 6.32pm

27.2 SOUTH AUSTRALIAN JETTY RENEWAL PROGRAM FUNDING AND LEASE - PORT VINCENT FISHERMAN'S JETTY

RESOLUTION

Moved: Cr Trevor Clerke

Seconded: Cr Scott Hoyle

Section 91 Order

That having considered report 27.2 South Australian Jetty Renewal Program Funding and Lease - Port Vincent Fisherman's Jetty in confidence under Section 90(2) and (3)(j)(i),(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 27.2 South Australian Jetty Renewal Program Funding and Lease - Port Vincent Fisherman's Jetty be retained in confidence and not available for public inspection until a contract is signed with the successful contractor as per the 11 December 2024 Council report 27.2 – Port Vincent Fisherman's Jetty Design and Construct – Tender 255-2044.

CARRIED 033/2025 (22/01/2025)

Released in camera minute – 6.35pm

27.3 AUDIT AND RISK COMMITTEE - INDEPENDENT MEMBER AND ELECTED MEMBER(S) APPOINTMENT

RESOLUTION

Moved: Cr Scott Hoyle

Seconded: Cr Richard Carruthers

Section 91 Order

That having considered report 27.3 Audit and Risk Committee - Independent Member and Elected Member(s) Appointment in confidence under Section 90(2) and (3)(a),(j)(i),(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 27.3 Audit and Risk Committee - Independent Member and Elected Member(s) Appointment be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 034/2025 (22/01/2025)

Released in camera minute – 6.36pm

27.4 LAND ACQUISITION - SOUTH COAST ROAD, FOUL BAY

RESOLUTION

Moved: Cr Trevor Clerke

Seconded: Cr Michael O'Connell

Section 91 Order

That having considered report 27.4 Land Acquisition - South Coast Road, Foul Bay 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 27.4 Land Acquisition - South Coast Road, Foul Bay be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 036/2025 (22/01/2025)

Released in camera minute – 6.38pm

27.5 CHIEF EXECUTIVE OFFICER - KEY PERFORMANCE INDICATORS 2025

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Richard Carruthers

Section 91 Order

That having considered report 27.5 Chief Executive Officer - Key Performance Indicators 2025 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 27.5 Chief Executive Officer - Key Performance Indicators 2025 be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 038/2025 (22/01/2025)

Released in camera minute – 7.02pm

27.6 REVIEW OF CHIEF EXECUTIVE OFFICER TOTAL EMPLOYMENT COST PACKAGE

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Richard Carruthers

That Council defer consideration of Item 27.6 Review of Chief Executive Officer Total Employment Cost Package to a future Council Meeting pending further information.

CARRIED 039/2025 (22/01/2025)

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Richard Carruthers

Section 91 Order

That having considered report 27.6 Review of Chief Executive Officer Total Employment Cost Package 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 27.6 Review of Chief Executive Officer Total Employment Cost Package be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 040/2025 (22/01/2025)

Released in camera minute – 7.04pm

27.7 CEO EMPLOYMENT AGREEMENT

RESOLUTION

Moved: Cr Scott Hoyle
Seconded: Cr Richard Carruthers

That Council defer consideration of Item 27.7 CEO Employment Agreement to a future Council Meeting pending further information.

CARRIED 041/2025 (22/01/2025)

RESOLUTION

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

Section 91 Order

That having considered report 27.7 CEO Employment Agreement 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 27.7 CEO Employment Agreement be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 042/2025 (22/01/2025)

28 NEXT MEETING

Wednesday 12 February 2025

29 CLOSURE

The Meeting closed at 7.05pm.

The minutes of this meeting were confirmed at the Council Meeting held on 12 February 2025.

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MAYOR DARREN BRAUND