



MINUTES

Ordinary Council Meeting

(Subject to confirmation)

12 February 2025

**MINUTES OF YORKE PENINSULA
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MINLATON TOWN HALL, 57 MAIN STREET, MINLATON
ON WEDNESDAY, 12 FEBRUARY 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 Kylie Gray, Cr Roger Johns, Cr Adam Meyer, Cr Kristin Murdock, Cr Michael O'Connell, Cr Tania Stock

In Attendance

Andrew Cameron (CEO), Ian Yarrow (Acting Director Assets & Infrastructure Services), Ben Thompson (Director Corporate & Community Services), Dustin Guthberg (Director Development Services), Natalie McDonald (Minute Secretary)

4 LEAVE OF ABSENCE

Nil

5 APOLOGIES

Cr Scott Hoyle

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 Kristin Murdock

Seconded: Cr Trevor Clerke

That the minutes of the Ordinary Council Meeting held on 22 January 2025 be confirmed.

CARRIED 043/2025 (12/02/2025)

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Richard Carruthers

That the minutes of the Confidential Council Meeting held on 22 January 2025 be confirmed.

27.1 - Purchase of One Light Truck via Vendor Panel VP 429966

CARRIED 044/2025 (12/02/2025)

RESOLUTION

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

That the minutes of the Confidential Council Meeting held on 22 January 2025 be confirmed.

27.2 – South Australian Jetty Renewal Program Funding and Lease – Port Vincent Fisherman's Jetty

CARRIED 045/2025 (12/02/2025)

RESOLUTION

Moved: Cr Naomi Bittner
Seconded: Cr Trevor Clerke

That the minutes of the Confidential Council Meeting held on 22 January 2025 be confirmed.

27.3 – Audit and Risk Committee – Independent Member and Elected Member(s) Appointment

CARRIED 046/2025 (12/02/2025)

RESOLUTION

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

That the minutes of the Confidential Council Meeting held on 22 January 2025 be confirmed.

27.4 – Land Acquisition – South Coast Road, Foul Bay

CARRIED 047/2025 (12/02/2025)

RESOLUTION

Moved: Cr Richard Carruthers
Seconded: Cr Michael O'Connell

That the minutes of the Confidential Council Meeting held on 22 January 2025 be confirmed.

27.5 – Chief Executive Officer – Key Performance Indicators 2025

CARRIED 048/2025 (12/02/2025)

RESOLUTION

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

That the minutes of the Confidential Council Meeting held on 22 January 2025 be confirmed.

27.6 – Review of Chief Executive Officer Total Employment Cost Package

CARRIED 049/2025 (12/02/2025)

RESOLUTION

Moved: Cr Richard Carruthers
Seconded: Cr Trevor Clerke

That the minutes of the Confidential Council Meeting held on 22 January 2025 be confirmed.

27.7 – CEO Employment Agreement

CARRIED 050/2025 (12/02/2025)

8 MOTIONS ON NOTICE

Nil

9 QUESTIONS ON NOTICE**9.1 QUESTIONS ON NOTICE RECEIVED FROM CR KRISTIN MURDOCK**

The following Questions on Notice were received from Cr Kristin Murdock.

Question 1

What external mental health assistance is available to council staff? Was it used in the last two years? If so, what was the cost to Council for each year?

Response

Council has an Employee Assistance Programme (EAP) in place. In relation to use of the EAP and the cost to Council for 2023 and 2024, please refer to the response to Questions 1 and 2 below.

Question 2

What external mental health assistance is available to Elected Members? Was it used in the last two years? If so, what was the cost to Council for each year?

Response

Council's EAP is also available to Elected Members. That is the same EAP service is available to both Council employees and Council members.

The EAP is a confidential service. If the questions seek information as to whether Council employees or Council members accessed the EAP and/or for the cost of the EAP service to be disclosed separately for Council members and Council employees, I consider the questions to be improper and irrelevant.

The cost to Council for external mental health assistance for employees and Council Members for the last 2 years is as follows:

2023	\$2,392.50 GST incl.
2024	\$1,656.60 GST incl.

Question 3

Which council staff member/s have the authority to approve legal costs for council matters? Is there a limit to these amounts?

Response

The below employees have authority to approve legal costs for Council matters within financial delegation and as per Council's approved budget.

Chief Executive Officer, Director Corporate and Community Services, Director Assets and Infrastructure Services, Director Development Services, Manager Development, Manager People, Culture and Safety and Governance Officer.

RESOLUTION

Moved: Cr Roger Johns
Seconded: Cr Trevor Clerke

That the responses to the questions received from Cr Kristin Murdock be received and noted.

CARRIED 051/2025 (12/02/2025)

10 QUESTIONS WITHOUT NOTICE**11 PETITIONS**

Nil

12 MAYOR**12.1 MAYOR'S MONTHLY REPORT JANUARY 2025****PURPOSE**

To update Elected Members on Mayoral activities during the month of January 2025.

RESOLUTION

Moved: Cr Kristin Murdock
Seconded: Cr Michael O'Connell
That the report be received.

CARRIED 052/2025 (12/02/2025)

13 COUNCILLORS' REPORT

Nil

At 5.46pm, Cr Adam Meyer left the meeting.

INFORMATION AGENDA**14 ITEMS FOR EXCLUSION**

Cr Bittner withdrew Item 17.1 – YorKON Games Convention 2025 congratulating staff for keeping the convention as a program. Mayor Braund and Cr Tania Stock expressed a preference for a weekend convention, rather than mid-week.

Mayor Darren Braund withdrew Item 18.2 – 2024-25 Coast Protection Board Grant Program – Successful Applications – congratulating all involved.

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

Moved: Cr Richard Carruthers
Seconded: Cr Trevor Clerke

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

CARRIED 053/2025 (12/02/2025)

20 VISITORS TO THE MEETING

5.52pm – 6.14pm - Mr Tony Fox from Northern and Yorke Landscape Board provided an update on the activities of the Northern and Yorke Landscape Board regional operations.

6.15pm – 6.29pm - Mr Roger Hogben provided an update on the Vietnam War Memorial Walk Official Opening on 18 August 2025 (Vietnam Veterans Day).

DEBATE AGENDA**21 MAYOR**

Nil

22 CHIEF EXECUTIVE OFFICER

Nil

23 CORPORATE AND COMMUNITY SERVICES**23.1 DECEMBER QUARTERLY BUDGET REVIEW 2024-2025****PURPOSE**

For Council consideration and endorsement of the December quarterly budget review (as at 31 December 2024) of Council's 2024/2025 Budget and associated financial statements, ratios and adjustments.

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Trevor Clerke

That Council endorse the 2024/2025 December Budget Review adjustments 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 054/2025 (12/02/2025)

23.2 FINANCIAL REPORT AS AT 31 JANUARY 2025**PURPOSE**

For Council to consider the financial report and capital projects update report as at 31 January 2025.

RESOLUTION

Moved: Cr Michael O'Connell

Seconded: Cr Trevor Clerke

That Council receive the financial report and capital projects update report as at 31 January 2025.

CARRIED 055/2025 (12/02/2025)

24 ASSETS AND INFRASTRUCTURE SERVICES**24.1 DRAFT STRATEGIC ASSET MANAGEMENT PLAN****PURPOSE**

For Council to consider written submissions received during the public consultation period in relation to the Draft Strategic Asset Management Plan (Attachment 1) and to seek endorsement of the plan.

RESOLUTION

Moved: Cr Naomi Bittner

Seconded: Cr Richard Carruthers

That Council:

1. Receive and consider the written submission attached to this report; and
2. Endorse the adoption of the Draft Strategic Asset Management Plan.

CARRIED 056/2025 (12/02/2025)

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.

PURPOSE

Cr Tania Stock noted Cr Kristin Murdock’s verbal response to the Mayor’s questions on notice and requested that Cr Kristin Murdock’s response be noted in the minutes.

RESOLUTION

Moved: Cr Trevor Clerke

Seconded: Cr Tania Stock

That Council note the verbal response provided by Cr Kristin Murdock in relation to Item 9.1 Questions on Notice.

CARRIED 057/2025 (12/02/2025)

Cr Kristin Murdock’s response:

Be assured, my questions are not aimed to cause distress to anyone, either staff or elected members.

I do not expect (or want) any personal information, only general information and clarity around what is available for staff and elected members and if this shows parity. I am sure you would probably agree that recent events have caused stress to all on some level.

Making options clear is surely helpful to those who may be seeking this type of assistance but are not sure what is available?

CONFIDENTIAL AGENDA**27 CONFIDENTIAL ITEMS****27.1 SHREDDING OF COUNCIL GREEN WASTE - TENDER 261-2024****RESOLUTION**

Moved: Cr Kristin Murdock

Seconded: Cr Michael O'Connell

Section 90 Order

That pursuant to Section 90(2) and (3)(b)(i),(b)(ii),(k) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.1 Shredding of Council Green Waste - Tender 261-2024, 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
- Asset Manager
- Manager Financial Services

The Council is satisfied that, pursuant to Section 90(2) and (3)(b)(i),(b)(ii),(k) of the Act, the information to be received, discussed or considered in relation to report Item 27.1 Shredding of Council Green Waste - Tender 261-2024, 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
- (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 058/2025 (12/02/2025)

27.2 CLEANING AND MINOR MAINTENANCE OF COUNCIL PREMISES AND BUSH CAMP TOILETS - TENDER 259-2024**RESOLUTION**

Moved: Cr Trevor Clerke

Seconded: Cr Tania Stock

Section 90 Order

That pursuant to Section 90(2) and (3)(b)(i),(b)(ii),(k) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.2 Cleaning and Minor Maintenance of Council Premises and Bush Camp Toilets - Tender 259-2024, 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
- Asset Manager
- Manager Financial Services

The Council is satisfied that, pursuant to Section 90(2) and (3)(b)(i),(b)(ii),(k) of the Act, the information to be received, discussed or considered in relation to report Item 27.2 Cleaning and Minor Maintenance of Council Premises and Bush Camp Toilets - Tender 259-2024, 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
- (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 059/2025 (12/02/2025)

27.3 PORT VINCENT FISHERMAN'S JETTY DESIGN AND CONSTRUCT - TENDER 255-2024 - UPDATE ON GEOTECHNICAL INVESTIGATION**RESOLUTION**

Moved: Cr Michael O'Connell

Seconded: Cr Richard Carruthers

Section 90 Order

That pursuant to Section 90(2) and (3)(b)(i),(b)(ii),(k) of the Local Government Act 1999, the Council orders, that the public be excluded from the meeting relating to Item 27.3 Port Vincent Fisherman's Jetty Design and Construct - Tender 255-2024 - Update on geotechnical investigation, 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
- Asset Manager
- Manager Financial Services

The Council is satisfied that, pursuant to Section 90(2) and (3)(b)(i),(b)(ii),(k) of the Act, the information to be received, discussed or considered in relation to report Item 27.3 Port Vincent Fisherman's Jetty Design and Construct - Tender 255-2024 - Update on geotechnical investigation, 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
- (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 060/2025 (12/02/2025)

6.36pm – The public were removed from the meeting and the Chamber secured.

RESUMPTION OF PUBLIC MEETING

Released in camera minute 6.41pm

27.1 SHREDDING OF COUNCIL GREEN WASTE - TENDER 261-2024

RESOLUTION

Moved: Cr Roger Johns

Seconded: Cr Kylie Gray

That Council accept the tender of \$80,966.13 (GST exclusive) from Cleanaway Pty Ltd to undertake the Shredding of Council Green Waste.

CARRIED 061/2025 (12/02/2025)

RESOLUTION

Moved: Cr Trevor Clerke

Seconded: Cr Tania Stock

Section 91 Order

That having considered report 27.1 Shredding of Council Green Waste - Tender 261-2024 in confidence under Section 90(2) and (3)(b)(i),(b)(ii),(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 Shredding of Council Green Waste - Tender 261-2024 be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 062/2025 (12/02/2025)

Released in camera minute 6.43pm

27.2 CLEANING AND MINOR MAINTENANCE OF COUNCIL PREMISES AND BUSH CAMP TOILETS - TENDER 259-2024

RESOLUTION

Moved: Cr Kylie Gray
Seconded: Cr Roger Johns

That Council accept the tender of \$569,355.00 (GST exclusive) from Rapid Detail Pty Ltd to undertake the Cleaning and Minor Maintenance of Council Premises and Bush Camp Toilets for a period of 5 years.

CARRIED 063/2025 (12/02/2025)

RESOLUTION

Moved: Cr Tania Stock
Seconded: Cr Richard Carruthers

Section 91 Order

That having considered report 27.2 Cleaning and Minor Maintenance of Council Premises and Bush Camp Toilets - Tender 259-2024 in confidence under Section 90(2) and (3)(b)(i),(b)(ii),(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 Cleaning and Minor Maintenance of Council Premises and Bush Camp Toilets - Tender 259-2024 be retained in confidence and not available for public inspection for a period of 12 months.

CARRIED 064/2025 (12/02/2025)

Released in camera minute 6.53pm

27.3 PORT VINCENT FISHERMAN'S JETTY DESIGN AND CONSTRUCT - TENDER 255-2024 - UPDATE ON GEOTECHNICAL INVESTIGATION

RESOLUTION

Moved: Cr Trevor Clerke
Seconded: Cr Naomi Bittner

Section 91 Order

That having considered report 27.3 Port Vincent Fisherman's Jetty Design and Construct - Tender 255-2024 - Update on geotechnical investigation in confidence under Section 90(2) and (3)(b)(i),(b)(ii),(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 Port Vincent Fisherman's Jetty Design and Construct - Tender 255-2024 - Update on geotechnical investigation be retained in confidence and not available for public inspection until a contract is signed with a successful contractor.

CARRIED 066/2025 (12/02/2025)

28 NEXT MEETING

Wednesday 12 March 2025

29 CLOSURE

The Meeting closed at 6.54pm.

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

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MAYOR DARREN BRAUND